

THE PRESIDENT: Hon. members will now put four names on the ballot paper.

Ballot taken, and the following members elected, in addition to the mover:—Hons. A. H. Henning, A. B. Kidson, A. P. Matheson, and H. G. Parsons.

HON. R. S. HAYNES moved: "That the committee have power to send for persons and papers, and report to this House on Tuesday next."

Motion put and passed.

EXCESS BILL, 1896.

Received from the Legislative Assembly; and, on the motion of the MINISTER OF MINES, read a first time.

ADJOURNMENT.

THE MINISTER OF MINES (Hon. E. H. Wittenoom) moved: "That the House at its rising do adjourn until Tuesday next, at 4:30 p.m."

Put and passed.

The House adjourned at 5:40 p.m. until the next Tuesday.

Legislative Assembly,

Wednesday, 10th November, 1897.

Petition: Immigration of Asiatics—Return of Writ: Greenough (Mr. Pennefather)—Paper Presented—Question: Tenders re Advertising at Railway Stations—Railways (Laws Consolidation) Bill: first reading—Public Works (Laws Consolidation) Bill: first reading—Local Inscribed Stock Bill: first reading—Municipal Institutions Act Amendment Bill: first reading—Hawkers and Pedlars Act Amendment Bill: first reading—Early Closing Bill: first reading—Motion: Additional Accommodation for Assembly—Motion: Residence Areas on Gold-fields—Employment Brokers Bill: reconsideration in Committee—Industrial Statistics Bill: reconsideration in Committee—Sale of Liquors Amendment Bill: further consideration in Committee; Division on new clause (Mr. Leake's)—Adjournment.

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

PRAYERS.

PETITION—IMMIGRATION OF ASIATICS.

MR. MORAN (East Coolgardie) presented a petition, signed (he said) by

1,200 persons, residents of Kalgoorlie and district, praying for the prohibition of further immigration of Asiatics.

Petition received, and read.

RETURN OF WRIT—GREENOUGH (MR. PENNEFATHER).

The SPEAKER announced that he had issued a writ for the election of a member to serve for the electoral district of Greenough, in the place of Mr. Richard William Pennefather, whose seat had been declared vacant in consequence of his having accepted an office of profit from the Crown, and that from the return thereto it appeared that Mr. Pennefather had been re-elected.

MR. PENNEFATHER (Attorney General) was then introduced, and took and subscribed the oath required by law.

PAPER PRESENTED.

By the PREMIER: Return showing exemptions on East Coolgardie goldfields. This (he said) was in response to a question which had been asked by the member for North Coolgardie (Mr. Gregory).

Ordered to lie on the table.

TENDERS RE ADVERTISING AT RAILWAY STATIONS.

MR. LEAKE, in accordance with notice, asked the Commissioner of Railways:—1. Whether Mr. Gray, the person to whom advertising spaces on the Government Railways were recently let, was the highest tenderer for the concession. 2. If not, who was the highest tenderer, and why was not the highest tender accepted. 3. Whether Mr. Gray represented a firm or syndicate, and who constituted the same.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) replied:—1. No. 2. (a.) The highest tender was that of the West Australian Advertising Company. (b.) One of the reasons was that the company is unregistered. 3. I am not aware that Mr. Gray represents any syndicate or firm.

RAILWAYS (LAWS CONSOLIDATION) BILL.

Introduced by the PREMIER, for Mr. Burt (late Attorney General), and read a first time.

PUBLIC WORKS (LAWS CONSOLIDATION) BILL.

Introduced by the PREMIER, for Mr. Burt (late Attorney General), and read a first time.

LOCAL INSCRIBED STOCK BILL.

Introduced by the PREMIER, and read a first time.

THE PREMIER moved that the second reading be made an order of the day for the next sitting.

HON. H. W. VENN objected that there would not be time for members to read the Bill before the second reading.

THE PREMIER: The object, in fixing the second reading for the next day, was to get the Bill upon the Notice Paper, in order that there might be business to go on with. The second reading would be taken on the following day, on the understanding that there should be no undue haste in the progress of the measure.

Put and passed, and the second reading made an order for the next sitting.

MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.

Introduced by the PREMIER, and read a first time.

HAWKERS AND PEDLARS ACT AMENDMENT BILL.

Introduced by the PREMIER, and read a first time.

EARLY CLOSING BILL.

Introduced by MR. JAMES, and read a first time.

MOTION—ADDITIONAL ACCOMMODATION FOR ASSEMBLY.

MR. LEAKE (Albany), in accordance with notice, moved—"That, in the opinion of this House, further conveniences for the transaction of public business by members should be provided." He said: There is not sufficient accommodation within the precincts of this Chamber for the transaction of public business. A very superior building has been recently erected next door, for Government offices, and some of the rooms there might be devoted to the convenience of hon. members. There is, at present, no room where members can meet to discuss a Bill, or any other matter. If

the Opposition desire to hold a meeting, there is no apartment to which they can retire. Neither the Library nor the Clerk's room can be used by members, and the smoking-room is, of course, always occupied by members. The motion is not brought forward in any factious spirit at all.

THE PREMIER: There is the committee room.

MR. LEAKE: But that is the Ministers' room, and is used for select committees. If members of the Opposition were to take that room, they would be speedily turned out. If it be an understood thing that members can use the Ministers' room whenever they feel disposed, without having to ask permission from the Speaker or Premier, that, of course, will be a concession. Personally, I should never think of taking hon. members into that room, without special permission; and I am not going to ask that permission every time I want a room. It is beneath the dignity of the House to expect members to go cringing to a Minister, whenever they wish to have a room in which to meet. Hon. members are not the only people who suffer inconvenience in the transaction of business in this House. I have had no complaint, but hints have been thrown out from time to time that the members of the press have not sufficient accommodation. The reporters can report proceedings from the gallery, but they have no retiring room, or what accommodation they have is inadequate. It would be well for the Minister of Public Works to direct his attention to this very important subject. I am not asking for any personal privilege, but simply for accommodation for members on both sides of the House. The new building, to which I have referred, is conveniently situated, and rooms might be allotted there for the purposes I have mentioned.

THE DIRECTOR OF PUBLIC WORKS (Hon. F. H. Piesse): I should be only too pleased to provide the accommodation asked for by the member for Albany; but the difficulty is that there are no rooms in Parliament House suitable for the purposes he mentions. The Government have had to go all over the city in order to obtain offices for the various departments of the public service; and it is only just now that they have

been able to erect the building next door. It is possible I may be able to provide a couple of rooms in that building for the convenience of members. These rooms however, will not be on the first floor, for the reason that the rooms on that floor have all been allocated. After a time, however, it is intended to construct a lift in the building which will enable hon. members to reach rooms on the higher floors with ease and convenience. I will see what can be done to make the provision the hon. member asks for. On all occasions, when members have required the committee room, known as the Ministers' room, it has, I think, been placed at their disposal. I do not know that any application by hon. members for the use of that room has been refused.

MR. LEAKE: If we cannot have the use of the room as a right, we will not have it at all.

THE DIRECTOR OF PUBLIC WORKS: The hon. member knows the inconvenience the Government have had to suffer in consequence of the smallness of the Parliament buildings; and I should be obliged if he could throw out any practical idea as to a better architectural arrangement of the rooms. The Chamber itself has been made as comfortable as possible, under the circumstances; and I will look round and see what can be done to provide additional accommodation for hon. members.

HON. H. W. VENN: If the present latrines were removed to another part of the premises, space could be found for one or more large rooms, which might be prepared within a week or two.

THE PREMIER (Right Hon. Sir J. Forrest): I fully recognise that we have not the palatial accommodation here which is provided for members of Parliament in the other colonies. The leader of the Opposition has evidently enjoyed the hospitality of the New South Wales Parliament, and finds a somewhat marked contrast between that House and this; but I do not think there is such terrible inconvenience here as the remarks of the hon. member would lead one to suppose.

MR. LEAKE: No; but there is no convenience.

THE PREMIER: The room in question is certainly labelled "Ministers' Room;" but if there are any persons

who use it less than others, they are Ministers of the Crown; and I myself seldom use it. I think it is under the control of the Speaker, like the other rooms, and is used by committees and for all sorts of meetings. Sometimes it has been used by the Attorney General when conferring with other Ministers during sittings of the House. As far as I am personally concerned, I have no objection to its being used by the hon. member and any other members of this House. I admit that more commodious Houses of Parliament would be a good thing, both for hon. members and for the country; but I must say that I never heard of any complaints to the effect that the accommodation is altogether unsuitable; in fact, nobody has ever complained to me at all. We must remember, too, that this will not be for all time the Legislative Chamber of the country. We intend, as soon as our means will enable us, to provide a Parliament House worthy of the colony; and therefore it is not worth while to increase the accommodation in this building more than is absolutely necessary. If there are any rooms to spare in the adjoining buildings, my friend the Director of Public Works will see that they are allotted to the use of hon. members. I should not like it to be supposed that Ministers are solicitous only for their own comfort, and are indifferent to the wants of other members. Perhaps Ministers do use the room in question more than other members; but, as far as I am concerned, I should cheerfully give up any privilege that I may possess in connection with it, rather than provoke any complaint on the part of hon. members of want of accommodation.

MR. LEAKE: I do not want hon. members to think that I am making a complaint. I am merely drawing attention to the fact that there is a lack of convenience. It seemed reasonable to me that we should have the use of one or two rooms in the new buildings in Howick Street; but the hon. the Director of Public Works says that this is impossible.

THE DIRECTOR OF PUBLIC WORKS: I said I would see what I could do for you.

MR. LEAKE: If the Minister will see that the convenience and comfort of hon. members are not subordinated to the convenience of members of the civil ser-

vice, and that no members using the apartment marked "Ministers' room" will be regarded as trespassers, his action will do much to lessen the inconveniences under which we labour at present. I shall be glad to use that room when I can do so, without interfering with Ministers. In the circumstances, I beg leave to withdraw the motion, as I think the object I had in view has been attained. If the Director of Public Works will permit me to confer with him on this subject, I shall be glad to offer him any suggestions in my power.

Motion, by leave, withdrawn.

MOTION—RESIDENCE AREAS ON GOLDFIELDS.

MR. MORAN, in accordance with notice, moved :

That, in order to facilitate permanent settlement around goldfield centres of population, the laws be amended to provide a better and a cheaper system for obtaining residence areas, &c.

He said: I take it that the subject-matter of this motion is familiar to all the older members of this House. Members of the Government will, no doubt, call to mind that during the four years I have occupied a seat in this House, I have made the satisfactory settlement of the mining population round the towns a leading question. One of the principal subjects with which I dealt in the first speech I delivered in this House was in reference to goldfields town lands, and the advisability of allowing the first settlers in a new goldfields town to get security of tenure for their residence areas there. The unsatisfactory state of the law in regard to residence areas is to a large extent the reason for the absence of the wives and children of the miners on the goldfields; and, as I have said on several occasions, this question is of greater importance to the miner than the reduction of the food duties. Speaking from a close and intimate acquaintance with the miners and the fields, extending over four years, more especially in Coolgardie in the old days and latterly at Kalgoorlie, I can inform other members who are not so well acquainted with the subject that no other disability has given rise to so much trouble and discontent among the miners as that of securing

the undisturbed possession of land for residential purposes. Until two or three years ago, the residence area question had scarcely been considered at all by the Government; and the fact that no member of the Government had any acquaintance with the peculiar conditions surrounding the settlement of a new goldfield no doubt accounts for the absence of legislation on the subject. In dealing with miners, as with agriculturists, it would be a good, sound policy to give them land to live upon at as low a price as possible. We have already affirmed that principle in reference to agricultural lands; and we are only too pleased to give to every selector a free homestead on the best Crown land we can find. We say, "Here is the land; live upon it; we are glad of your company, and hope that you will become a permanent resident of the colony." We even go a step further, and lend him money from the Agricultural Bank to assist him to make his home in the country. I was one of the strongest supporters of the Homesteads Act, and of every other measure which has come before Parliament for bettering the condition of the agriculturists of this colony; and I want to extend to the miner the same principle that we have so successfully applied to the farmer. I want the Government to say to the miner, "Here is a goldfield: we want not only you, but your family, to settle down here. We will give you a piece of land, a quarter-of-an-acre, or an acre; or, in cases where it is far out from a township, two acres. We will give you this free, or nearly free, of charge. We will not give it you in fee simple, but we will give you an inalienable right to live upon it." The occupants of the Treasury bench have been practically the only opponents I have had, when trying to bring about a satisfactory settlement of this question. Certainly I have found none in the ranks of the Opposition; and I think the leader of the Opposition himself brought forward a motion closely resembling this one, for the perpetual leasing of town lands. I opposed it, because I believe in disposing of such lands in fee simple. But I am now dealing with pieces of land surveyed alongside a town, to which anyone who comes to the colony should be directed by a Government official, and which should be

procurable on application to the warden, and on the payment of a survey fee of, say, 30s. or £1—the cheaper the better. The applicant should then be able to pitch his camp on the land in absolute security. There is no question which has given rise to such heart-burning on the goldfields as this; because in hundreds and thousands of cases men have surveyed and taken up residence areas, and have been positively driven off them—in some cases by the Government, and in others by private speculators. I do not know whether there will be any opposition this evening to the motion; but I am addressing myself more particularly to the Ministers of the Crown. I have told them that they have failed in their efforts to deal satisfactorily with this question of residence areas—not intentionally, perhaps, but probably through ignorance of the best means of encouraging settlement on the goldfields. Had there been a satisfactory residence areas Act in operation, we would have at least four times as many women and children on our goldfields as we have now; yet the encouragement of settlement in the colony is one of the most important planks in the Government programme. When I used to discuss this question in the years gone by, one member of the Ministry, who left it a considerable time ago, used to say it was neither right nor just to give away valuable lands on our goldfields, which our children's children might possibly require hereafter. Well, it would be useless to refer to the heated debate which took place on this question; but that policy has had a very bad effect upon the revenue of this colony. The faulty administration of the Land Act in and around our goldfields towns is the only charge which I have latterly had occasion to bring against the Government. Even the present Commissioner of Crown Lands has not yet thoroughly grasped the situation, although it is only fair to say that the people on the fields have fared much better since he took office than they ever did before. The principle I want to affirm is that it is absolutely necessary, if you want to encourage settlement, that instead of charging men £20 for residence areas—and I know any amount of men on the fields who want residence areas and have not got £20 to spare—you should enable these

men to settle on a piece of land which they can call their own, and from which they need not be shifted at the dictation of this person or that, as I know has been the case. If the working miner settles on a piece of leased land and begins a bit of a home, the leaseholder says, "You must not reside on my leasehold," and then the man has to go farther out, and perhaps be moved from place to place by other leaseholders, who treat him in the same way. I know that even now the Commissioner of Crown Lands is about to kick off a large number of people who have been residing for twelve months or more on portions of land where they have built homes, and they have to move off because the Commissioner is going to give that land to the municipal council, or some other body, for making zoological gardens, or some wild idea of that sort. Working men on the goldfields have not been able to make a home of their own, because they could not get a piece of land on which to settle with certainty; and I know many instances in which men who wished to make homes for themselves have become disgusted with such conditions, and have left the colony rather than attempt to make a home in it. In submitting this motion, I need not ask for the support of mining members in this House, because they know as much about this question and the difficulties which surround settlement on the goldfields as I do. Their support to this motion may be taken for granted. I do not expect any opposition from the agricultural members in this House, because they know that we, the members generally, have affirmed the principle that every possible inducement should be given to promote settlement in agricultural districts, and I feel sure they will sympathise with this request for some assistance from the State to promote settlement on the goldfields. I am asking for residence areas to be declared on the several goldfields where survey should precede settlement, and where supply should be well ahead of demand. I have presented two petitions to this House within the last fortnight, relating to this question: one from working men at the Boulder asking for residence areas, and I may say there are from 500 to 1,000 men there to-day who cannot get land on which to put down their four pegs for making a home which

they can call their own. The question is equally as important around Kalgoorlie, and the Commissioner of Crown Lands knows that he has recently extended the town boundary of Kalgoorlie, so that within two or three miles of the town it is impossible for working men to get residence areas. We see that the Government are, on the one hand, calling for settlement and lending the assistance of the State to promote it in every possible way, while we also see that, on the other hand, they are refusing to give on the goldfields a bit of land on which working men may settle down and make their homes. I want every man on the goldfields, whether rich or poor, to be able to go to a quarter where residence areas have been surveyed, and to take up a piece of land on which he can make his home without fear of disturbance from anybody. By promoting settlement in this way, you will be better able to look after the sanitary arrangements of the place. At the present time any number of men are camped on Crown lands, and they do not know the hour when they may be ordered to leave; and, when the order does come, they have to go without any compensation for any building they may have put up. I know of many cases in Kalgoorlie to-day, where widows had absolutely to leave their homes because the Government wanted to resume the bit of land on which they had settled, and wanted to give it to somebody else for some other purpose. These widows, when so disturbed, have got no compensation for anything they may have spent in making their little homes. It is absolutely impossible to-day to get a residence area either at Kalgoorlie or at the Boulder. Therefore, in submitting this motion to the House, I think it should assist the Ministry in any policy they may contemplate for promoting settlement on the goldfields; for, as I have said, the Ministry have been to blame, and nobody else, because they have not grasped the situation in respect to the proper settlement of people on the goldfields. It will be far better to give land for nothing, rather than prevent working men on the goldfields from making a settlement; and I think the Government should certainly try to induce settlement there. They will not do that if they persist in charging twenty or

thirty pounds for the right to occupy a piece of land, as they are doing now. In conclusion, if this motion be adopted, as I hope it will be, I trust it will be followed by such executive action as will give real effect to it.

MR. ILLINGWORTH (Central Murchison): I have great pleasure in seconding the motion. I think the Ministry have not grasped the fact that in all mining districts in the other colonies, and I refer especially to Victoria, a miner's right carries with it a right to live on a quarter-acre block upon a goldfield. I do not think the Ministers here have looked at the question in the way that people have been compelled to look at it in other mining countries. In Victoria, any miner who has his miner's right can take up a quarter-acre block and reside upon it without fear of disturbance. He has no title beyond his miner's right, but that is sufficient. He cannot sell the land, and consequently it does not pass from the State; but he has a right to occupy that land and, so long as he lives on it and pays the fee for his miner's right, he has an occupation which no one can disturb. The large number of people, if not the majority, who have come to this colony for mining purposes from other parts of Australia, have been there accustomed to this practice; and, rightly or wrongly, they feel it a great injustice when they cannot get a piece of land on which to camp or make a home in this colony in the same way as miners obtain land for occupation in other colonies. It does seem to me that the Government ought to give this right, perhaps in the form suggested by the mover of the motion; or they should, at any rate, allow a miner's right to carry with it the right of residence. No man who has a lease on the goldfields can object to a miner going on that land, unless the miner wants to plant his house in such proximity as to hinder the working of the mine; and all that is necessary in such cases is that the miner, desiring to occupy part of the leased area, should get the location on the lease agreed to by the holder of it. This is a concession which, in all parts of Australia except this, has always been given to miners; and they look on it as a great hardship that they cannot get the same concession here. I know of no reason why the concession

should not be granted; and, if the Government look to the pounds-shillings-and-pence aspect of the question, they can survey a whole township and put it up to auction, if they like. The privilege of residing on the land should be the right of every miner who holds his miner's right and proposes to reside on it. I want the Government to get out of their heads, if they can, the idea that they are giving away something from the State, by making such a concession: that is not what is asked for. The right of living on a piece of land, while the miner is in the district and holds his miner's right, is all that is necessary; and that right is so well-established in other parts of Australia where mining is carried on that I have known a house, valued at £400 to £500, change hands from time to time without any title other than that the holder has a miner's right. So well is it established in Victoria, for instance, that a man looks on his right of residence in a mining township as a certainty, and does not hesitate to erect his home and spend hundreds of pounds on the land he occupies. If circumstances require him to leave the district, he can sell his right to someone who will take his place and continue to occupy the land under the same conditions, paying him for the improvements. If the Government here cannot see their way to grant the same privilege as is granted elsewhere, I hope they will take the matter into consideration in something like the form in which it is presented in the motion. Perhaps the Commissioner of Crown Lands will explain what the departmental practice is; and he need not go into the legal question, as that has been discussed already in the House upon a motion which I introduced, claiming that a miner's right carries with it a right to occupy a business area, and I believe that principle was affirmed by the motion being carried. What we ask for now is that men who go on a goldfield shall have the right to occupy land, whether a leasehold held from the Government by some other person or Government land, and shall be able to put in his four pegs and ask to have a survey located; after which he should have a right to occupy that land and a right to all improvements he may put on it, so long as he occupies the land and holds a miner's right. It is for the Government to put

the matter into a form most agreeable to themselves; and I am sure this motion does not ask so much as is the general practice in other mining portions of Australia.

THE COMMISSIONER OF CROWN LANDS (Hon. G. Throssell): I am glad the member for East Coolgardie (Mr. Moran) has brought forward this motion; and I think he must recognise that the Government are desirous of carrying out the principle that workmen's blocks shall be provided, not only on the goldfields but in every part of the colony. Therefore I wish the motion had gone much further, so that it should affirm the necessity of providing for blocks to be made available for working men at the goldfield centres and throughout Western Australia. So far as the residence areas at Kalgoorlie and the Boulder are concerned, I believe that at present there is possibly not the same free access to residence areas at those two towns as there is in other places; but no one knows better than the hon. member what is the reason which moved the Government to take action for closing those residence areas, in order to prevent the practice of indiscriminate settlement. It will be interesting to the House to know that we have a plan under consideration whereby the very principle initiated by my friend the member for Central Murchison (Mr. Illingworth), will be provided for; that is to say, a system of perpetual lease on goldfields for working-men's blocks. I take it that there is some complaint against the Government for having closed up the residence areas around Kalgoorlie and the Boulder, and I plead guilty to having taken that course; but I will explain the reason why we were compelled to take this action in self-defence. If, as one or two hon. members have said, I have not sufficient grasp of the requirements of the goldfields for promoting settlement, I can only say I have an honest desire to do so, and an honest desire also to carry out the wishes of the hon. member who brought forward this motion, by providing the most liberal conditions possible for working men who require land on the goldfields for settling and making their homes. But I want to say also that, while providing residence areas or blocks of land for working men, we do not want

to find, later on, that the working man has merely been made a scapegoat for others. Referring to the reasons for closing the residence areas around Kalgoorlie and the Boulder, I may say this matter gave me much anxiety. It was pointed out that those blocks of land would be worth from £300 to £500 each. There was a dual control over the lands, and it is only when a town is extended that these areas come under the control of the Lands Department. Previously to the extension of the town, they were under the Mines Department. In order to check abuses that have existed in the past, the Government instantly extended the boundaries of the township, and thus gave the Lands Department control over the blocks. I should have been unworthy of the position I hold if I did not seek to secure for the State the increased value of the land, instead of allowing it to go to speculators who obtained the deeds, which could, after the fulfilment of certain conditions, be purchased for £20. Were I a resident at Nannine or at Kalgoorlie, I might take the same advantage of the law as other men have done. What I wish to emphasise is that, in the past, there have been tremendous abuses in connection with these blocks of land.

MR. MORAN: Abuses principally by the Government.

THE COMMISSIONER OF CROWN LANDS: The minimum price of a block at Kalgoorlie is £20.

MR. MORAN: Why do you want the £20 at all? That is where the abuse comes in.

THE COMMISSIONER OF CROWN LANDS: In other townships the prices of blocks are £30 to £40. Many of the blocks purchased for £20 have changed hands, I am credibly informed, at £500 each. When the township of Kalgoorlie was extended, it was complained that the Government had not consulted the local mayor on the matter; but, if the mayor had been consulted, it would only have meant that a large proportion of the blocks would have been taken up by speculators. It is proposed very shortly to introduce a measure into this House providing that working men, not only on the goldfields but throughout the colony, shall be able to acquire allotments of land, not in quarter-acre allotments, which I maintain are too small, but in

one to five-acre allotments. How it is that such a measure has not been passed before, is not for me to say. I preach the gospel of larger areas for working men, whilst safeguarding the State by granting only surplus ground. The Government hope to initiate some scheme by which men may come direct to the State for land, instead of going to speculators. At the present time every man landing in Western Australia can go straight to the Government and get a farm of 160 acres. That principle it is proposed to extend to small allotments of say five acres. I have sufficiently grasped this question to know that very great abuses have gone on upon the goldfields in the past—abuses which I claim, in a great measure, to have checked. It is astounding to discover men going on the goldfields, taking possession of the first block they can get, putting up houses, and the Government, when they desire to sell the blocks, finding they have an illegal squatter to deal with. The Government advertised certain blocks at Kalgoorlie and Coolgardie for sale, subject to improvements, if any. Here was where the brainy man of capital saw his chance. The capitalist picked out a splendid unoccupied block, and put on it a £500 warehouse or dwelling. The land itself was put up for £40 at auction, and then it was found it was subject to this £500 warehouse. [MR. MORAN: Quite right, too.] These abuses have been stopped by peaceful means, and the condition now is that no improvements made after June last will be allowed to those who have built on Government allotments. Whoever heard of a farmer going on to Crown land, erecting a £500 house, making other improvements, and then, when he is discovered there, quietly informing the Government that he has laid out £1,000 on the land, and must be paid that sum before he clears off? That is what has been going on upon the goldfields.

MR. MORAN: You are "bushed" altogether.

THE COMMISSIONER OF CROWN LANDS: As I have said, it is the intention of the Government to deal liberally in the matter of residence areas, not only with residents on the goldfields, but with artisans and others round about Perth, Fremantle, and throughout the colony.

MR. VOSPER (North-East Coolgardie): All mining men in the House must have listened with great pleasure to the statement of the Minister of Lands, in reference to the intentions of the Government in the near future. I wish that decision had been arrived at long ago, because, had it been so, the Government would not be confronted with the present problems on the goldfields. The dunning of blocks on the goldfields has been carried to an enormous and shameful extent. In Kalgoorlie and Coolgardie lands have been taken up in the various suburbs and fenced, and other so-called improvements made, for the mere purpose of keeping out the poor men. Wealthy capitalists have taken advantage of the existing law, in order to make large fortunes at the expense of the community generally; but these things could not have occurred had the Government not, in the first place, afforded opportunity for their occurrence. If temptation had not been offered by the existing law, the present state of affairs would not have arisen. The initial error committed by the Government was in allowing blocks to be sold. Land on the goldfields should not be alienated. The hon. member for Central Murchison has pointed out that a different practice prevails in the Eastern colonies.

MR. MORAN: The land is all sold there.

MR. VOSPER: In Queensland, with which colony I am best acquainted, the land is not sold. [MR. MORAN: It is every bit sold.] If you go on to the Gympie goldfield you will find the blocks in the main streets are held under miner's right.

MR. MORAN: You can get the fee simple at any time you like.

MR. VOSPER: If that be so, the change has been made recently. It would be quite impossible to get up a land boom in or around Gympie, for it would be impossible to speculate in land there in the way in which it could be done in this colony. At Charters Towers, on the other hand, they had freeholds since the opening of the field, but only over a very limited area in the centre of the town. The freeholds were granted by the Government by way of experiment; but the system was found to be a most disastrous one. It gave a monopoly of

the best sites in the town to a small number of persons; it made these sites a means of speculation; and it interfered very considerably with the development of the mineral resources of the place. Reefs were discovered underneath the town, and in order to work them it was necessary to buy out the occupiers of the land, either with a certain number of shares or in cash. It is probable that many of the goldfields towns in this colony have been built on sites which would never have been selected had the mineral resources of the colony been understood; and it is difficult to imagine what would be the effect of such a discovery as I have described in respect of one of our own townships. Many people would be desirous of mining underneath the town; and, if the prospects were sufficiently tempting, it might lead to something approaching to very serious disorder. Nothing can be more contrary to the first principles of right than the practice of depriving people of their residential areas. I have seen a good deal of this in Coolgardie and other goldfields towns, where men have been evicted by order of the Minister of Mines. I remember a large area being cleared in that way some years ago, and some very hard cases arose out of it. Some of the residents were suffering from fever, and petitions were in many instances sent to the Minister against their forcible removal. There again the speculator reaped the benefit, for the land was afterwards sold. I do not think the proposal of the Commissioner of Lands (Hon. G. Throssell) would be an effectual remedy for the evil which the motion before the House seeks to remove. I believe it is quite as easy to dummy a perpetual lease as a freehold; and I trust the hon. gentleman will take into serious consideration the advisability of finding some other means of meeting the difficulty than the one he now proposes. I should like to see introduced the system in force in the other colonies, where a person can occupy a residential area as long as he likes to keep it; and, when he does not choose to occupy it any longer, he can leave it to be taken over by someone who will do so. We do not want these lands to fall into the hands of absentee syndicates and companies. Our object should be to settle a large population around our goldfields

towns; and a man should have the right of holding his land in perpetuity by virtue of his miner's right, the fees in respect of which are equivalent to a perpetual rent for the land, and are also a guarantee that he will remain in occupation of it. I believe, with the hon. member for East Coolgardie (Mr. Moran), that legislation of a satisfactory and practical character would very materially increase settlement on the goldfields; and it is, therefore, highly desirable that the Government should take prompt action with this object in view. It has always seemed to me a great anomaly that a man should be asked to go to the goldfields and pay from twenty to forty pounds for a quarter-acre block of land which, but for his efforts and those of other residents, would be absolutely worthless.

THE DIRECTOR OF PUBLIC WORKS: That applies to all settlers.

MR. VOSPER: No; it does not. I will point out the distinction. The land on the goldfields, taken by itself, is utterly worthless, and will produce nothing except minerals. Miners who live on it and take all the risks of early settlement make that land valuable; yet, so soon as any one of them wants to reside on a piece of ground outside his claim, he is called upon to pay thirty or forty pounds for it. The agricultural settler, on the other hand, takes up 160 acres of ground on which he pays one pound, and can get advances from the Agricultural Bank. His land is intrinsically valuable. Unless that land were capable of producing wealth it would not be taken up at all. I never could understand why that distinction has not been recognised, or why such an anomaly has been permitted to exist so long. The hon. member for East Coolgardie (Mr. Moran) says there is a good demand for residence areas on the fields, and I can fully indorse that statement. Not only is that the case in Kalgoorlie and the Boulder, but it also exists at Kanowna, Bardoc, and Broad Arrow; and, if the Government can find a means of quickly altering the existing state of affairs, settlement in these places will very largely increase. This drawback has much to do with the absence from the goldfields of the wives and families of miners. I do not say it has as much to do with that as the food duties, but it is one of the many

factors in keeping people out of this colony; and, even if the Government cannot see their way to interfere with the fiscal policy, here, at any rate, is an evil they can remove and an abuse they can get rid of. I think the debate on this motion should not conclude without some explanation from the Attorney General or from some Minister—though I presume it is the province of the Attorney General to do work of this kind—of the law as it stands at present. According to the Goldfields Act, a man can take up a residence area and obtain registration on a miner's right, and that registration entitles him to hold the land in perpetuity. But a man may go on the land and apply for registration week after week and year after year, to no purpose. I have known hundreds of cases where a man has applied for registration, and has done everything required by the law, and has yet continued in a state of uncertainty, and liable to be thrown out of his home at any time. Under these conditions it is not surprising that dummifying has taken place; and, as the Government have had a pretty liberal education in goldfields matters during the last five or six years, it is about time that they took advantage of the knowledge that they now possess. An authoritative utterance from the Attorney General on the law as it stands would dispel many doubts, and would be of very great assistance, not only to miners, but to the country generally. I congratulate the Minister of Lands on the many reforms he proposes to introduce, and hope he will escape the numerous pitfalls which will beset him.

MR. CONOLLY (Dundas): The statement made by the Minister of Lands, with regard to residence areas, will be welcome news to many of our miners. It will be a difficult matter to deal with the question in such a manner as to give the full benefit of the proposed change to the class for which it is intended, namely, the working men. We have seen too many cases in which the speculator has simply made the working miner the stepping-stone whereby he might acquire large areas of land for speculative purposes; and it will be no easy matter to prevent these transactions in the future. We have heard for some considerable time past that the mining population of our goldfields cannot be considered as per-

manent residents; and the best means of securing the permanence of the miner is to assist him to make his home on the goldfields close to his work, by giving him a piece of land for that purpose. I would suggest to the Minister of Lands that a special block of land should be set apart at each of the mining centres, for selection for residential purposes. This could be done without unduly interfering with mining, and would be a welcome amendment to the land regulations at present in force.

MR. SOLOMON (South Fremantle): I congratulate the Commissioner of Crown Lands for the expression of opinion he has made on this question, and especially in regard to the policy he indicates for providing workmen's blocks around various townships of the colony besides those on the goldfields. The idea has been growing, and I for one brought it forward for discussion in the Municipal Conference, as to the introduction of a Bill by the Government for giving effect to the principle which the Commissioner of Crown Lands has now stated; and I feel sure that, if the system were carried out, one effect would be that the large numbers of tents we now see dotted around the towns, and which are causing so much trouble of a certain kind to authorities in the larger towns, will be disposed of altogether by this new facility being provided for acquiring blocks on which working men can make their home. Something of this kind has been tried by the Church of England trustees at Fremantle, in connection with a large block of land held by that body; and, within the last three or four months, something like 47 sections on that block have been taken up for settlement, in areas of about 30ft. by 170ft. I trust the Government will see their way clear to carry out the idea, so well put forward by the Commissioner of Crown Lands, for providing areas for working men, not only in connection with towns on the goldfields, but in the various centres of the colony.

MR. GREGORY (North Coolgardie): I desire to congratulate the Commissioner of Crown Lands on the statement he has made, with regard to the introduction by the Government of what is known as the blocker system of settlement at the

various centres in this colony. I was sure he had intended to move in this direction, and I have been surprised that no mention was made of such intention. I hope the Government will now go a little further than the Commissioner of Crown Lands has indicated, and will not only provide this facility for working men to settle on blocks, but will also assist the settlers to build cottages. In regard to the goldfields, it has been said that the fault is that of the squatter who settles on a valuable block; but I believe the Government have been to blame in many instances, for it should never have occurred that any man should be allowed to take possession of a piece of land without the authority of the Government; and no Government official should have been allowed to refuse the registration of any residence area, or business license, before a townsite was declared. Such was done recently at Mount Malcolm, where the warden refused to register certain town blocks before the Government had declared a townsite. That is not right. Any person holding a miner's right should be permitted to take up a piece of land, either for a residence area or a business license. The Government have refused that, and the consequence has been that certain people squatted on the blocks, and, when a townsite was afterwards declared there, some difficulty arose in picking on another piece of ground where a person could erect business premises. The Government should select a large area to be thrown open for residence only; and any holder of a miner's right should be allowed to take up one block only on a system of perpetual tenure, and for residence only. Special facilities should be provided, so that a person who has settled on a block and put up a building should not lose the value of it if circumstances required him to remove, but he should be allowed to register his transfer to another man on condition of the successor holding the same ground, and on the same terms. We have been told that the people on the goldfields are not treated more harshly in this matter than are the people in other places; but to-day I met a gentleman from Niagara, and he told me of a place where a man wished to take up a garden area of three acres, that the first well sunk by the man was in salt water, that he

then obtained a fresh piece of ground and has to pay £1 per acre annually for the right of occupying it, and raise vegetables for the purpose of supplying people in the neighbourhood. If this is true, I hope some alteration in the system will be made, for there is a great necessity that people on the goldfields should be supplied with fresh vegetables, and every facility for doing this should be provided by the land laws or regulations, so that, where land is required for this purpose, a lengthened lease should be allowed for using the land as a garden. I do not think the land should be alienated from the control of the Lands Department; but, at the same time, every care should be taken by the department that the mining industry does not suffer by unnecessary restrictions in this way. I do not think the Government should try to obtain large revenues from this source; but they should have their town sites declared, and where a man takes up a piece of ground within a town site prior to its being proclaimed, and has a business license, the Government ought not, in such a case, to sell that ground within two or three months afterwards, to the injury of the occupier. Such a transaction is robbery, and should not be allowed; and I hope the Government will treat people leniently in cases where some right has been acquired by occupation in this way.

MR. RASON (South Murchison): The remarks of the Commissioner of Crown Lands show he has an intention of moving in the direction indicated by the motion; and if the hon. gentleman, when carrying his intention into effect, will condescend to take into his confidence a few members representing mining constituencies, they may be able to make some suggestions and help him in a way that will assist and guide to a right conclusion. I am glad the motion has been brought forward because, as a member representing a goldfields constituency, I do say the question of residence areas is now a burning one. What is desired is not a large piece of ground for each working miner to settle on, and it is not a piece of ground desired for purposes of trafficking, or as to which there should be any possibility of trafficking. All that is wanted is a piece of ground, not in the centre of a townsite, or too far from it, but conveniently situated,

on which a man may make his home, and which he can claim as his so long as he resides on it. The possibility of trafficking in these blocks of land need not, and should not, enter into the question. I can confirm what has fallen from the member for North Coolgardie (Mr. Gregory) as to market garden areas on goldfields, because I know that in my own district a man has spent hundreds of pounds in sinking three or four wells for gardening purposes, and he at length began to grow a few vegetables on his garden area, these products being of considerable benefit to the inhabitants of the district. He has to pay £1 per acre per annum for that land.

THE PREMIER: He should be able to get it cheaper than that.

MR. RASON: He says he cannot get it cheaper, and he has no security, his lease being only from year to year. Indeed, so insecure is his tenure, that a portion of his garden area has been taken from him, without any compensation at all. That is an evil which can be easily remedied, and I have no doubt it will occur to the Commissioner of Crown Lands that this is a state of things which would not be put up with by agriculturists in coastal districts, and that the farmer would never be expected to put up with such conditions. Therefore, it is hardly fair that a man who has a market garden on a goldfield should be treated in this way. I am sure the Commissioner desires to do all he can in the way of assistance for working men, not only on the goldfields, but in all other centres of the colony; and every member of this House will be glad to assist the Commissioner in his praiseworthy desire to promote settlement in the way he has suggested.

MR. KENNY (North Murchison): I must congratulate the member for East Coolgardie on the motion he has brought forward, and congratulate my fellow goldfields members for their support given to it. I do not think there is any part of the colony where the want of residence areas for working miners is more apparent than on the North Murchison; for men have been working mines there during the last six years, to my knowledge, living in tents or having thrown up a few stones as a sort of shelter; and they do this because they

cannot afford to pay the extortionate ground rents in the townsites demanded by those lucky ones who stepped in first and purchased the town lots when offered for sale by the Government. I feel confident the desire of working men on the goldfields is about to be met by the action indicated by the Commissioner of Crown Lands; and, doubtless, the hon. gentleman has discovered that it is never too late to mend. I take it, from what he has said, that whatever errors have occurred in the Lands Department in connection with the goldfields—and in saying this I am certain I only echo the sentiments of every member—he intends they shall not occur again. On the North Murchison are some half-dozen mining centres; and if the Commissioner of Crown Lands could see his way to set apart from fifty to one hundred acres to be subdivided into half-acre lots, and placing them open for selection by working miners and working men on those fields, I believe that not many weeks would pass before all would be taken up. I cannot too often repeat that, in the best interests of this colony and for promoting settlement in it, we cannot do better than bring ourselves into line as much as possible with the laws and regulations governing the other colonies. In Victoria, as the member for Central Murchison (Mr. Illingworth) has informed us, a miner's right carries with it the right to occupy a residence area.

THE PREMIER: We have the same law here.

MR. KENNY: But it is not carried out in the same way. There is one thing I am certain of, and that is that if the Commissioner of Crown Lands will act on the suggestion thrown out by the member for South Murchison (Mr. Rason), he will find that all the goldfields members will be only too pleased to afford him every assistance in making such arrangements as will suit all parties concerned. Further, I am confident that any effort on the Commissioner's part to fall in with the views that have been expressed here on this question, will meet with the approval of every mining representative, and will earn the gratitude of every working man on the Murchison goldfields.

MR. KINGSMILL (Pilbarra): It gives me the utmost pleasure to support

the motion. I congratulate the hon. member for East Coolgardie, and also the House, on the welcome statement heard from the Commissioner of Crown Lands. The Government, when introducing the measure which the Minister spoke of, should take every care that blocks are used by *bonâ fide* working men only. The supply of these blocks should keep well ahead of the demand. Whenever a townsite in a mining centre is surveyed, there should simultaneously be surveyed a sort of fringe for residential areas, to be allotted to men who can satisfactorily prove, not only that they hold a miner's right—which seems to me altogether a subsidiary consideration—but that they are employed as *bonâ fide* miners or prospectors. In South Australia the land laws in regard to residence areas are even more liberal than in Victoria. In South Australia, residence areas are available to any man by right of occupation, without any absolute title to the ground. But, in addition, on the gold reserves which exist throughout South Australia, a man who holds a miner's right—which can be obtained for five shillings—is able to obtain a garden area of five acres. That principle would not, I fear, be altogether applicable to the eastern goldfields of Western Australia; but it would be well to embody a similar provision in the measure promised by the Government.

MR. OAT'S (Yilgarn): I am pleased to see that the Commissioner of Crown Lands is about to depart from the course followed in the past, and give concessions to working miners. No other section of the community is more entitled than the working miner to consideration, and to a quarter of an acre on which to make a home for himself and family. Working men, especially miners, are not rich, and cannot buy land. But it is the miners who, by exploration and hard work, have built up this country. It is true that land in mining centres has been manipulated by speculators. At the same time, the working miner must be protected, and no better protection could be given him than to allow him to have a piece of land on which to make a home in the vicinity of the place where he is working. In the early days of the goldfields the working miner had no right to camp on a lease, and in some cases was not allowed to camp outside..

THE PREMIER: If a miner had a miner's right, he could camp.

MR. OATS: Not on a lease.

THE PREMIER: No; but he could outside a lease.

MR. OATS: The warden, to my own knowledge, has, on many occasions, refused permission to miners to camp outside a lease.

MR. VOSPER: In this connection a miner's right is not worth waste paper.

MR. OATS: When first there was an influx of miners to Kalgoorlie, scores came to me and said they wanted places to camp. I told them to camp on the lease, on my responsibility, and that the only condition I would insist upon was they should keep the place in a sanitary state so as to avoid sickness. Before the Boulder town was thought of, the Government sent up Mr. King, one of the surveyors, who asked me my opinion as to what should be done. I was not in favour of the Boulder as a township, but I wanted every miner to have a right to a piece of ground on which he could put a camp near his work. The Government however, saw their way to make money by proclaiming a township. Every miner should have a right, as should his widow and children after him, to a piece of land on which to keep a home, the site of which the miner himself should choose. The Government could, no doubt, make a township for miners, but then the men might be working some four or five miles away from their homes. A miner should have the right to reside on a lease, provided he has the consent of the leaseholder.

THE PREMIER: A miner can do that now.

MR. OATS: A miner should have a right to a residence area to be held in perpetuity. I, myself, as mine manager, have given consent to miners to reside on the lease. It is all very well to talk about building up towns, but what would the towns be without the miners? The miners, who make the towns, should be supported. Working men throughout the colony should have the right to residence areas. We have a big country, and what we want is a settled population on the land.

HON. H. W. VENN: No one will oppose any reasonable arrangement the Government may choose to make in reference to residence areas, and no doubt the Gov-

ernment are pleased to have the views of the goldfields members on the question. But the handing over to individuals of land in perpetuity under conditions that will preclude gambling, is a matter of considerable difficulty. I feel sure, however, that the Government will evolve a scheme that will be satisfactory to the working miners and to this House. Every one will not quite follow the hon. member for Yilgarn in his proposal for residence in perpetuity on all leases, an arrangement which could only lead to trouble.

MR. OATS: Not a bit, if there be the consent of the owner of the lease.

HON. H. W. VENN: The owner would probably not give his consent, and I do not think such a scheme would work very well. When a township is proclaimed on the goldfields, a portion could be surveyed and used only as residence areas by those who hold miners' rights.

MR. ILLINGWORTH: That would not meet the difficulty. The miner wants to live near his work.

HON. H. W. VENN: Directly an attempt is made to get the miner near his work, other rights on the goldfields are encountered. With my limited knowledge of the subject, I should say there would very likely be serious interference with other interests. If the Government set apart an area of the township for the purpose of residence areas, that would, to a great degree, meet the difficulty. But there should be some definition of what is a "residence area." I suppose a man could say he still resided on an area, if he opened a shop and commenced business there. All these difficulties can, I dare say, be met by law.

MR. ILLINGWORTH: The mode proposed has been the practice for 30 years in Victoria.

HON. H. W. VENN: If that be so, I feel sure the Commissioner will evolve some scheme satisfactory to the members of this House and to the miners.

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

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

THE PREMIER (Right Hon. Sir J. Forrest): This is an important matter, which I should not like to let pass

without one or two observations. This difficulty, which has been referred to by the hon. member for East Coolgardie, has existed for a very long time—from the time when our goldfields were first settled upon up to the present—in a more or less acute form. I believe too that, in any country similarly situated to ours, there will be found the same difficulty that we have experienced. In our system we have townsites on the goldfields, which are proclaimed, and set apart, and sold, and we all know the high prices which persons pay for these lands—very high prices in many cases. That is all straightforward business. The townsite is proclaimed, the survey is made, the allotments are laid out and sold, as by auction, to the highest bidder. We have provided under the law, by Section 30 of the Goldfields Act, for cases where business residences and other holdings have been in existence for 12 months, and have been registered. The Section says:—

Where it is proved to the satisfaction of a warden that any building or other improvements have been erected or made as aforesaid upon any lands occupied by the holder of a miner's right or business license and duly registered, and that the holder has been in possession of such land for a period of at least twelve months, he shall have the exclusive right of purchasing the lands on which such buildings or other improvements have been erected or made, at the upset price, to be determined by the Commissioner of Crown Lands; provided that such right shall be exercised within three months after the service upon such holder of a notice signed by the said Commissioner or his agent in that behalf, that such lands are about to be sold; and until such lands are sold, such holder shall be entitled to renewal of the right or license by virtue of which the lands are occupied.

Therefore by the law we provide for the person who is already on some land which is to be sold, and has registered his right, having the first chance of taking the land, not by auction, but at the upset price fixed by the Commissioner. That is copied, I think, from the law in Victoria. That has all been pretty satisfactory up to the present time. Then we come to another class of people, who want an allotment by virtue of their miners' rights outside townships; and there is no doubt about it, these people desire to have this land set apart for them as close as possible to townships. They want to get to their work as quickly as possible,

they say. That is quite right, but they want the land as close as possible to sites that other people have paid a lot of money for, and they want it for nothing. I do not think I am over-stating the case when I say that.

MR. MORAN: We do not want the fee simple at all.

MR. ILLINGWORTH: You should not have sold any by auction.

THE PREMIER: The hon. member is most magnanimous and liberal-minded, but there is such a thing as requiring money for the administration of public business, and I do not think the hon. member imagines for a moment that the business of the country can be carried on without money. We are not blessed by nature with many advantages except the gold, and I think the hon. member must recognise that money is necessary, and the money from the sale of the land has been of assistance to the Government. If we are going to sell land at all, we must devise a plan by which those who purchase the land at good prices are not placed in competition with persons close alongside, who pay nothing for it. I cannot meet the view of those who desire that this land should be very close to the town. My idea is to have the town laid out, and sold at an upset price, and then to lay out another area some distance away which should be under a different tenure, where the working people—people of small means—can obtain a block of land at a reasonable rate, on which to place their dwellings. The difficulty in the past has been that, as soon as a man obtains a piece of land, he wants it included in the town site. He wants all the advantages of a municipal government, and he wants to sell out to anyone at a high price. We cannot have the one man paying, say thousands of pounds, in one place, and in another place allowing a man to occupy the land for nothing or next to nothing, and then to make a lot of money out of it. That would not be fair. My hon. friend made one remark, which I do not think he intended to carry the meaning which I placed on it. He spoke of men engaging to buy lands and not being able to get them, because of some subterfuges of the holders under a miner's right. This is right enough, but at the same time these men do not deserve much sympathy from

us. They only want to get as much money as they can for the land, because often men buy land in a rising township on the goldfields for speculative purposes and not for building purposes. I have generally sympathised with the man, even if he has some ulterior object in view, who has spent a lot of money in improving his land. He shows his *bona fides* in that respect, and if he gets some advantages he deserves them. One hon. member—I forget who it was—said there were about 500 persons at Kalgoorlie wanting pieces of land on which to build a home. This is not an unusual state of affairs. There are thousands of people in Perth, I suppose, who would be very glad to get a piece of ground at a cheap rate or for nothing, on which to put a tent or build a house, and everywhere a similar state of affairs exists. There is no place, of which I have had experience, where people think they have a right to take possession of a piece of land, hold it, and get the fee simple for nothing. No man has any right to go and squat on a piece of land belonging to the country, and claim it against the wishes of the owner—the Government. [MR. MORAN: That is the law at present.] Then it is a bad law, if it is so. No one has the right to do that. The Government of the country have the right to say whether a piece of land is available for settlement or not. No person has the right to come and settle here or there, and say, “I am going to hold this land against the owner”—the Government.

MR. MORAN: They do it in regard to the pastoral and agricultural land.

THE PREMIER: The hon. member is wrong. Every piece of land is subject to the approval of the Commissioner.

MR. MORAN: But he never refuses it.

THE PREMIER: That is because the application is in order, and it is in respect of a piece of land which the Commissioner wants to sell. The hon. member knows very well that there are hundreds of cases in which land is being held in Coolgardie, and the land has never been registered at all—it has not been registered for a long time, at any rate.

MR. VOSPER: Because the registration has been refused on every ground.

THE PREMIER: Without registration people squat down on pieces of land and

claim the land as their own. The hon. member knows there are many cases in Coolgardie in which people hold pieces of land to which they have no title whatever, except that conferred on them by their miners' rights. The miner's right carries all these privileges, but it must be registered and approved of. The hon. member for North-East Coolgardie (Mr. Vosper) has said that a miner's right is of no use; but it gives a man a great deal of power, and I am glad of it. It gives him power to take up land and to extract the gold out of it.

MR. VOSPER: Under the present administration it is useless, because leaseholding is better in every way.

THE PREMIER: No; not for mining purposes.

MR. VOSPER: The leaseholder is much better off in every way.

THE PREMIER: The leaseholder must have a lot of money in his pocket to pay the survey fee and other charges; but the miner's right holder can hold his claim against the world. He can always go on Crown land, unless prevented by the regulations; he can have a residence there, and can do many other things by virtue of his miner's right. But a law which would permit a man to take possession of any piece of land, in spite of the fact that the Government required it for other purposes, would not be a good law. The Administration must be supreme in such matters.

MR. MORAN: That is the law nowhere.

A MEMBER: We are not asking for that.

THE PREMIER: A comparison was made by the member for North Coolgardie (Mr. Gregory) between the way in which the Government treated the miner and the way in which they treated the agriculturist. But the cases are not the same at all. The agriculturist is given land for next to nothing, in order that he may improve it and make the country productive. But the man who takes up a piece of land on the goldfields, unless he builds a house on it or does something to improve it, is not increasing its productiveness.

MR. MORAN: Why the “unless”? He is bound to do that.

THE PREMIER: But we do not give away town lands to the agriculturist.

MR. MORAN: We do not ask for town lands.

THE PREMIER: Such blocks are very close to town lands, and are practically the same. My friend, the hon. member for Yilgarn (Mr. Oats), said we should encourage the working miner, for he was the man to whom we owed everything. That is a very good proposal, from the hon. member's point of view; but I want to know who the working miner is. I am sure no one will contend that all the applicants for land on the goldfields, whom my friend the Commissioner of Crown Lands and his predecessors have had to deal with, have been "working miners." I should like to have some definition of the gentleman, so that we can deal with him in an exceptional way. The greater part of the trouble we have does not come from the working miner, but from the dealer—from the man who does not do much manual labour. It is he who tries to take undue advantage; and, if it were not for him, there would be no difficulty whatever in administering this Act. Unsophisticated persons cannot even imagine the devices which are resorted to in order to get the "best" of the Government, not only on the goldfields, but everywhere else. I do not think it will be difficult to put this matter on a proper footing. What we have to do now is to work on some principle. If we are to sell our lands as townsites, we cannot charge a high price for one piece of land, and give away a lot close by for nothing. I do not think people would be satisfied to settle down upon residence areas, unless they had the right to transfer them. How to improve matters I am not quite certain. I think some rent ought to be paid for the residence area, particularly when it is close to a township. And even if a man could get land for nothing by living at a distance from the township, he would not do it, because he could not walk to his work. The law is pretty good as it stands; but some little alteration may perhaps be necessary. We all want to encourage the growth of our towns, and to provide suburban areas for the working people; and that ought not to be a very difficult matter. My friend the Commissioner of Crown Lands has some plan in his mind with regard to this, and I believe he has done something already in that direction. It ought to be a comparatively easy matter, seeing that

we have plenty of land available for the purpose, which is certainly not very valuable in its natural state. The only difficulty is in regard to those persons who have invested a large amount of capital in town lands. It does not seem fair to them to allow another town to arise close by, under altogether different conditions. We cannot afford to give up the purchase money derivable from town lands. If we could say to everyone, "There is the country: you can take up your residence area under your miner's right, or your business area under your business license, and there is nothing to pay except the fee, and you are all on equal terms," then there would be no difficulty, as they would be all on the same basis. But we have to consider the men whom we encouraged to come here and to spend large sums of money in town lands. I think the thanks of the community are due to my friend the member for East Coolgardie for bringing this matter forward. Nothing but good can come of it; and, if we can only devise some plan which will be fair to everyone, and which will also meet the conditions existing upon the goldfields, I think we shall have done very well indeed.

MR. LEAKE: The motion before the House will not, I suppose, be objected to by many hon. members; but, underlying that motion, there are one or two very important principles, and a good deal depends upon the point of view from which we regard this question of residence areas. In the consideration of this subject I ask myself this question to begin with: What is a residence area? I take it that, in the event of a rush of people to any particular spot, there should be provision made to enable the miner to secure for himself a camp, on which he can safely reside as long as he thinks fit and the circumstances justify him. Such a camp as is provided for by the existing law was never meant to be converted into a town block at the will of the holder; and, although difficulties have arisen in regard to this particular matter, I attribute them to the faulty administration of the Mining and Lands Departments in the past, and to their failure to recognise the distinction between alluvial mining and reefing. I believe that is the basis of the whole difficulty. In providing for these re-

sidence areas, the framers of the Act no doubt had in mind an alluvial rush. In these alluvial rushes it was impossible for the miner to live upon his claim, because it was not big enough; and the law then stepped in to his assistance and said: "You may have your claim on this spot and your residence area on another spot; and, as long as you are working your claim, you may hold your residential area and be secured in that holding." The fee is a nominal one. In Section 16 of the Act, which defines the privileges conferred by a miner's right, the last paragraph but one provides, among other things, that the holder of a right may take possession of and occupy, for the purpose of residence and not for business purposes, an area of Crown land not exceeding one quarter of an acre, as shall be provided for by the regulations.

MR. MORAN: The regulation says that the warden "may" register it, not "shall." The miner may not be able to register, after all.

MR. LEAKE: The hon. member did not listen to what I read, or he would have seen that his objection was quite inapplicable. The Act says that a person, under a miner's right, may take possession of Crown lands not exceeding a quarter of an acre in area, as shall be provided for by the regulations—that is, a quarter of an acre or such piece of land, less in extent, as shall be prescribed by the regulations. That clearly shows that my view is correct, namely, that the Act contemplated a rush to alluvial ground. We all know that these alluvial rushes are, in many instances, only temporary. They do not necessarily lead to permanent settlement, as the discovery of big reefs does. If, however, the population becomes permanent, then the surroundings change entirely. Persons are attracted to the place, business increases, and everything thrives. It is a question of permanency. If the settlement is to be a permanent one, what must follow? The declaration of a townsite. It was never meant that the camp which was taken up—I call the residence area a camp, for the sake of illustrating my argument—should, by any force of circumstances, be turned into a town block; because the law already recognised the distinction between a residence area and a business area. The business area may

possibly be turned into a town block; but not so with the residence area. There are subsequent sections dealing with business areas. There is ample authority under the present Act to provide for the granting of residence areas to miners on the goldfields. [MR. MORAN: So say I—quite ample.] It therefore becomes a question of proper administration; and with a competent Mines Department, backed by a competent Government, there should be no difficulty. A man who has camped on a particular spot should be asked to move on, if the necessities of the country demand it. The Commissioner may require a big reserve for a town site, but outside that town site any person should be at liberty to camp, just as he can on any portion of Crown land, and remain there as long as he likes without being forced to spend his money in the purchase of the more expensive town block. If that principle were followed, I cannot see how there should be any difficulty. There is no necessity for special areas being declared for residence purposes. [MR. MORAN: What about sanitation?] The miner camping on Crown lands not reserved for any special purpose could be charged a small sum.

THE PREMIER: But the miner wants to build a house.

MR. LEAKE: He wants to build a house and own it, right in the centre of population. He wants for nothing that which is going to be worth £1,000 the day after to-morrow. We have to consider the rights of the miner, but must also consider the rights of the State. What is it that increases the value of these particular areas? It is the State. It is not the action of one or two men, but the action of a peculiar combination of circumstances working in one particular direction to one end. Myself and other members in this House are as much entitled to claim credit for developing the goldfields as the man with the pick. That man may, perhaps, assist in developing the country in one particular way, but we here may provide him with the tools to do it. The miner has no greater rights on the goldfields than the artisan, who is doing as much as his brother worker to thrust the country forward. We must not be led away by mere sophistry, but regard this question from all points of view. A change is arising from the fact

that persons prompted by greed of gain seize an opportunity afforded by faulty regulations and administration to put themselves into a position from which they cannot be moved unless they are bought out. Speculators have come in and dummied land; and that is what it is desired to prevent. The object is not to interfere with the right of any person to walk over or camp on Crown lands. So long as these Crown lands are not required for the purposes of the State, a person should have the right to camp there. To have special areas would be to force men to reside in a particular place, far away from their work, and would, in addition, very likely defeat the object in view. Concentration would be encouraged, and areas be developed and rendered so valuable as to necessitate, perhaps, the removal of the people from that particular spot. The object of residence areas is not to concentrate residence or business in a particular spot on Crown lands, as would be the desire no doubt, if towns were being established. When a townsite reserve is declared, people are invited to come in, but are told they must pay extra for the land. The circumstances attending settlement and the increase of population will, of course, send up the land in a town reserve to its fullest value, and the State is entitled to the benefit of the unearned increment.

MR. ILLINGWORTH: You would give a fee simple, then?

MR. LEAKE: The law at present gives the fee simple. Some people seem to argue that a miner's right should carry with it a tenure which is so secure and permanent as to be equivalent to the fee simple. But that was never contemplated by the Goldfields Act, and we ought not to encourage the idea. I do not care how often I repeat that these residence areas were at first only regarded as camping grounds, off which a man could not be turned. Owing, however, to faulty administration, persons on those camping grounds were allowed to remain while town blocks were sold all round. Their residence areas became town blocks, and the occupiers began to look upon themselves as owners of town property, and clamoured for increased prices. Residence areas ought not to be transferred, unless the incoming tenant pays for improvements. If that be made a condition,

the residence areas are still branded as residence areas, although they may be transferred. They are not allowed to develop from residence areas into permanent or town blocks. Every area taken up as a residence area must be held for purpose of residence only. A distinction must be made between residence areas, business areas, and town lands, and that distinction cannot be preserved if residence areas are clothed with the advantages, privileges, or attributes of land of a different description. Leases in perpetuity, which would be altogether foreign to the principle of the Act, should not be granted. If leases in perpetuity be given, the fee simple may as well be granted at once.

MR. GREGORY: You would prevent business being carried on in a residence area.

MR. LEAKE: Of course I would prevent business being carried on in residence areas.

MR. ILLINGWORTH: A title is not asked for, but only the right to reside.

MR. LEAKE: Perhaps I am assuming too much in thinking that hon. members have argued that residence areas should be granted in perpetuity, and I will leave that point.

MR. MORAN: I, of course, want conditions attached to residence areas.

MR. LEAKE: The condition would simply be residence. So long as a man makes a residence of one of those areas, let him have it, and if he wants to go away, let somebody else come in.

A MEMBER: A man must not build a public-house on his area.

MR. LEAKE: A man must not build a place of business there, and he is not expected to build a palace to live in. If he does so, he must do it at his own risk. If he wants to spend money on a permanent and valuable residence, he should go inside the town reserve. If hon. members get it into their minds that these residence areas are taken up for the purpose of camping, they will understand the subject better. So long as the ground is used simply as a camp, there is no desire to turn the occupier off; but he must not turn a camp into something which can be got under other circumstances and conditions. This discussion brings vividly to my recollection a proposal I made in the House two or three years ago, when I

suggested that land on the goldfields should be leased only—that none should be granted in freehold. Although it is useless to cry over spilt milk and lost motions, I cannot help saying that if the House had adopted the suggestions then made, the Government would have been saved a great deal of trouble, and would now, perhaps, have had a very large income. There would have been enormous areas held under lease, and returning to the country a certain annual revenue. That is a very interesting subject, but I do not propose to discuss it now.

MR. MORAN: The proposal you then made would apply to the whole colony.

MR. LEAKE: As I said, I do not intend to discuss the question now. It is right that residence areas should be granted and recognised, but let these be residence areas and nothing else. Let them be held for a nominal rental in places clearly defined, or in places not set apart for other purposes. Proclaim large townsite reserves when necessity arises, and then the man with the swag, who is merely camped there, could easily be asked to move off.

THE PREMIER: But he could build a store and all sorts of things.

MR. LEAKE: He could not. That must be done on a business area. The Act contemplates the recognition of residence areas, business sites, and town lands, and residence applies only to unoccupied Crown lands.

THE PREMIER: A camp soon becomes a town.

MR. LEAKE: Then let the individual move on. You have a big camp, perhaps 1,000 acres, and say you are going to have a townsite there. It is that which belongs to the State that has attracted these people to the spot, and has kept them there and made the community. I am not going to listen to the argument as to one man making a country. The force of circumstances, acting together, does that. We must make our aim the public good, and not allow self-aggrandisement in the future, as we have in the past.

THE PREMIER: The law guards against that.

MR. LEAKE: Then it is the administration that is at fault. The mining laws should be carried out. I do not wish to cast any slur on the present Minister, be-

cause he is doing very well. [A MEMBER: According to his lights.] Yes, according to his lights. This Act was not at first understood, and the whole difficulty has arisen by failing to distinguish between alluvial and reefing—there is no doubt about that. I have not risen to oppose the motion, but to express the views I entertain on what is, I admit, a difficult subject. I approach the consideration of it not from any one-sided point at all. I do not wish to dogmatise; I desire to be argumentative; but my idea is that we should follow out the suggestion made, and allow these residence areas to be taken up on Crown lands, and on Crown lands only. There is a special distinction given to Crown lands under the Goldfields Act, which says that the term "Crown lands" shall include "all lands of the Crown which have not been dedicated to any public purpose or reserved by the Governor," etc. Crown lands really are the waste lands of the Crown; all lands not dedicated to any particular purpose. Section 16, relating to residential areas, provides that the holder of a miner's right can take possession of Crown lands, not of reserved lands. I do not wish to detain the House any longer, except to say that, if we work together, we can surely devise some means, based on the principles I have mentioned, which ought to meet the requirements of everybody both in and out of the goldfields.

MR. MORAN (in reply): There seems to be a general opinion that the Government shall either legislate afresh, or else alter their method of administering the present Act. Every hon. member seems to be desirous that an opportunity should be given to rich and poor alike to have a home on the goldfields. It is absolutely necessary, therefore, that we should provide opportunities, as quickly and as readily as possible, to everyone on the goldfields to get a residence area. If we accept the theory of land alienation on the goldfields, we must not allow anyone to get a piece of land there for nothing. If we decide to give everybody an opportunity of obtaining a residence area, the question is: What is the best way of doing it? The leader of the Opposition is wrong when he says that the law contemplates a distinction between an alluvial and a reefing rush. A man who sets out to make a distinction between the two

would have a big task before him. Every great field in Australia has been worked as alluvial first, and afterwards the reef has been discovered. Every important field has been found by the alluvial men, and it was not known till afterwards that it was a reefing field. In Kalgoorlie they had hotels, stores, and everything else concomitant to a goldfield, absolutely established in a certain place. How then could the Government come in and say: "We require this land for a townsite, and you must move on." You cannot apply the "move on" policy to the goldfields: it would be impossible and unfair. One hon. member says he does not think that the claim of the first man on the field should be recognised; but that is the very man who makes the field. The Government give him a right to a piece of land at the upset price. As a pioneer, he has certain rights which must be respected. We know that the State works as one harmonious machine, but individuality must be recognised, and the pioneer must be recognised. I do not believe that socialism is a good thing, for the country which stifles individual effort is going on the wrong track; nor am I prepared to recognise, just yet, the advisability of stopping the sale of Crown lands on our goldfields. You cannot have one law for the goldfields and one for the towns. If you have land nationalisation in the country, you must have it in the towns. The existing law is not a bad one. Without altering it, the administrator has power enough to carry out the wishes of the House. Where the mistake has occurred in the past has been through the incompetency of the department. The present head of the office has discovered a mare's nest: there is no doubt about that. He has discovered that men will speculate on the goldfields, and that they will get hold of a piece of land to make money out of it. I admit there have been abuses on the goldfields; but I assert that no more have occurred there than have occurred in Perth. Some of the abuses can be traced back into the four walls of the department. Some men get registration and others do not; some get registration for one price and some for another. The maladministration can be laid at the feet of that department, which had not the common sense to make an applicant for a residence

area identify himself before the police, the result of which has been a great amount of dummying. I give the hon. gentleman credit for dealing with the agricultural side of the question, but he has not taken the opportunities which the Act gave him of stopping dummying. Every man who applies for a residence area does so in Kalgoorlie through an agent. A year ago I suggested to the hon. gentleman at the head of the department that he should instruct the warden to have every man who applied for a residence area identified by the police. He took no notice of my suggestion, and now the blame for what has occurred is laid on the people. I lay the blame entirely on the Government. The man who dummies should be convicted, and nothing is simpler than to find out who he is. If the police communicated with the agent, they could easily find out who was the applicant for the land. If this course had been pursued, the Commissioner would not have had occasion to say that there were a number of landsharks on the goldfields. I dare say there are just as many as there are in Perth. It remains for the Government to initiate legislation so as to distinguish between town lots and residence areas; but they must not forget that it is undesirable to allow men to settle all over the place. It is absolutely desirable, in our climate, to have people living close together for sanitation purposes: that is necessary for the killing of this horrible fever about the fields. The residence areas should be close together, so as to place them under municipal control, and that is why I say that we should centralise settlement on the goldfields. If you allow the people to settle here and there, you will have no control over them, and fever will be rampant. If you have centralisation, you can establish municipal control and collect rates from these people. The other question which has been brought forward is that a miner's right should be necessary to get a residence area. Why should it be necessary to ask a man keeping a drapery store in Kalgoorlie to have a miner's right? Every man does not want a miner's right. I would allow every man and woman who wishes to live on a residence area to apply for one under a separate Act, and give them one,

year by year, on payment of a small sum, so that the Government could step in at any time. These people might be asked to pay 2s. 6d. or a small fee every year, and they could stay there as long as they liked; and when they left, they could sell the improvements thereon to the next person who came in. It is absolutely impossible to bring any law into existence that would give entire satisfaction: we are dealing with unknown quantities. On these questions of residence areas, exemptions, and labour conditions, we shall never arrive at a satisfactory basis as long as mining is mining; but we can get as near to it as possible. As long as we have a fair Commissioner of Lands, and broad-minded men such as we have, and good government, we are likely to get a fair law.

THE PREMIER: Will the hon. member explain what he means by the word "cheaper" in his motion?

MR. MORAN: At the present time people have to pay £20 or £30 before they have any right to a piece of land. I say you should charge, say, 5s. a year, and do away with the fee simple altogether. Let the people pay the cost of survey, amounting to £1 or ten shillings, and after that to pay so much per year. Then, when a person leaves a piece of land, it can be transferred to the next one who wants to follow him. An occupier of a piece of land can say he has abandoned his land, and the man who follows him can be registered in his place. I believe that is about as satisfactory a system as we can get. There are 500 men who have applied for residence areas around the Boulder and Kalgoorlie, but they cannot get them. The Commissioner of Lands has taken a step lately, and has forbidden people to take out residence areas within two miles of these towns; and the Government say you cannot buy a town block unless you pay £300 or £400 for it. [**A MEMBER:** A tramway could be built along the two miles.] I think we should establish a balloon service along these two miles. We want some legislation to enable men to get residence areas within an easy distance from the towns. I hope we shall all be able to give a friendly hand in passing this legislation.

Motion put and passed.

EMPLOYMENT BROKERS BILL.

IN COMMITTEE.

[Clauses reconsidered, with amendments embodied *pro forma*.]

Clauses 1 to 5, inclusive—agreed to.

Clause 6—Objections to license and notice thereof:

MR. VOSPER moved to amend the clause by the elimination of the word "ratepayer" in line 7, with a view to the insertion of the words "person resident." Some of the businesses carried on under the name of registry offices by the existing employment brokers had been of a particularly infamous description. On the goldfields, men had had fees taken from them by some of the harpies controlling these offices, and the men had been sent for ten, twenty, thirty, and even one hundred miles in search of bogus employment—looking for jobs which had no existence, except in the imagination of the broker. These people at present had no remedy. The Bill was a laudable effort to put the system right, but he thought the measure would not be effective unless the alteration he had moved was made. The Bill confined the right of objection to ratepayers, who, as a rule, were employers of labour. The persons who suffered most should be entitled to lodge objections.

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

Clause 7—Hearing of application and attendance of applicant thereat:

MR. VOSPER: At every police station throughout the colony, there should be kept a book, in which it should be allowable for persons having complaints against employment brokers to make their complaint, and this book should be produced at every meeting of the licensing magistrates. The magistrates would not be bound to act on the information, but it would give the police and the magistrates a clue to investigate the work of the employment broker. He wished to amend the clause in this direction.

MR. BURT suggested that there would be an opportunity to bring up the amendment at the report stage, and the Bill had better be proceeded with as it stood.

MR. VOSPER accepted the suggestion. Clause passed.

Clauses 8 to 14, inclusive—agreed to.

Clause 15—How far books to be open to inspection :

MR. BURT moved, as an amendment, that the word "the" after "by," in line 4, be struck out, and the word "any" be inserted in lieu thereof.

Put and passed.

MR. BURT further moved that the words "in charge of the district," in lines 4 and 5, be struck out.

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

Clause 16—agreed to.

Clause 17—Penalty for certain untrue advertisements :

MR. BURT moved, as an amendment, that the words "without truth," in line 2, be struck out, and the words "untruthfully and" be inserted in lieu thereof.

Put and passed.

MR. BURT further moved that the words "or otherwise untruthfully and wilfully in any way represents" be inserted after the word "announces," in line 2.

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

Clause 18—agreed to.

Clause 19—Fees :

MR. KENNY: The fees ought to be increased. He had been in the Victorian Parliament when a similar Bill was under discussion. The working men in that colony had suffered at the hands of unscrupulous registry office keepers such as we had here, and the fees in Victoria, though first set down in the Bill at 50s., were subsequently raised to £5. This might well be done in Western Australia. There were three or four respectable registry offices in Perth which were quite capable of attending to all the business that offered, but there was a large number of unscrupulous persons who might possibly be compelled to abandon the business if a higher scale of fees were imposed. He moved, as an amendment, that the figures "10s." in line 5 be struck out, and the figure "£1" be inserted in lieu thereof; also, that the figure "£1" in line 8 be struck out, and the figure "£5" inserted in lieu thereof.

Amendments put and passed, and the clause as amended agreed to.

Schedules, first and second—agreed to.

Third schedule—Application book :

MR. BURT moved to omit the words "terms of employment so far as known," in the last column of the application book, and to insert in lieu thereof the words "wages as per day, or week, or month (as the case may be)."

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

Fourth schedule—Engagement book :

MR. BURT moved to omit the words "other terms so far as agreed upon," in the last column, and to insert in lieu thereof "wages per day, or week, or month (as the case may be)."

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

Title—agreed to.

Bill reported, with amendments.

INDUSTRIAL STATISTICS BILL.

IN COMMITTEE.

[Clauses reconsidered, with amendments embodied *pro forma*.]

Clauses 1 to 9, inclusive—agreed to.

Clause 10—If forms are not delivered, persons required to make returns must apply at police station for forms :

HON. H. W. VENN: The probability was that not one man in a hundred would remember to apply for the forms. If a collector did not call with the forms, the persons required to make the returns would most likely forget all about the matter. Any penalty for noncompliance with the requirements of the Bill should fall upon the collector.

MR. ILLINGWORTH: A person might say he had lost the form supplied to him, or that a form had never been left, and in such a case the clause was necessary. People would know that they had to make a return once a year.

HON. H. W. VENN: The great object was to get reliable returns, and the collector should be responsible for the delivery and return of the forms.

MR. BURT (in charge of the Bill): Clause 15 dealt with the matter of penalties. It would be noticed that Clause 5 gave power to the Governor-in-Council to appoint collectors outside the police force. The idea was to make such appointments from persons who knew something about agriculture; and now that there were agricultural halls nearly everywhere, these collectors would be able to lecture and give valuable information

to farmers as to the supplying of the statistical returns.

Clause put and passed.

Clauses 11 and 12—agreed to.

Clause 13—Returns required from head of industrial establishment:

MR. BURT: This clause provided that every head of an industrial establishment in which 20 persons or more were employed, being a mine or quarry, or in which, not being a mine or quarry, four persons or more were employed, should make certain returns. He thought four was rather a small number. Elsewhere, in other Bills of this nature, the number was generally 12. The committee might make it six, or they would not be far wrong in making the number 12; but it would be inadvisable to specify such a small number as to make the Bill burdensome to the people. He moved that the word "four" be struck out, and the word "twelve" be inserted in lieu thereof.

MR. ILLINGWORTH asked the member in charge of the Bill not to insist on this amendment. In an Act just passed in Victoria, the number had been reduced to two. He was sorry to see that we had a Chinese furniture factory in this city already. The Bill would be evaded in more ways than one, if we made the standard for a factory too high. He did not think any great hardship would result if we made the number four.

MR. BURT asked leave to withdraw the amendment, and to substitute the word "five" instead of "four," which was the number named in the Bill introduced last year.

Amendment, by leave, withdrawn.

MR. BURT then moved that the word "five" be substituted for the word "four," in the third line.

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

MR. BURT moved, as a consequential amendment, that the word "five" be substituted for the word "four," in the interpretation clause already passed.

Consequential amendment agreed to.

Clause 14—agreed to.

Clause 15—Penalties for offences by persons required to make returns.

HON. H. W. VENN: In sub-section (a) reference was made to persons who wilfully neglected to procure information, for which a penalty not exceeding £20 could be imposed. This penalty would

be very heavy for this offence of negligence. He asked also what was meant by the term "wilful?"

MR. BURT: The term was well-known in law. Any person knowing he ought to do a certain thing, and not doing it, would be guilty of wilful neglect. If he claimed that the time had slipped by and he had forgotten to do it, that would hardly bring him within the definition of wilful neglect. The term applied to a man who absolutely refused to carry out the provisions laid down by law. There were, for example, peculiar individuals, who refused to have their children vaccinated, and such a case would be met by the term "wilful neglect." It was the duty of the collector to deliver the forms and to collect the information. Under Section 16, the collector who refused or neglected to do what was required of him by the Bill would be liable to a fine. That was a protection to the owner or occupier of the land, who could not be charged in such a case with wilful neglect. Section 10 provided that, if by a certain period the prescribed forms had not been delivered to every person required by the Act to supply this information, it should be the duty of such person to supply the information. If he refused to give the information, or neglected to give it, knowing he ought to do so, that would be a case of wilful neglect.

Put and passed.

Clauses 16 to 20, inclusive—agreed to.

Clause 21—How notices may be given:

HON. H. W. VENN: The wording of the clause provided that "a notice may be served" and "a general notice may be given," etc. The word "shall" should be substituted for the word "may" in both cases. The word "may" might be equivalent to the word "shall," but he would prefer to see the word "shall." He also suggested, as a good way of drawing people's attention to the fact that the returns had to be sent in, that notices should be placarded in each district, stating when and by whom returns were to be sent in.

MR. BURT: The section said notice "may" be given by registered letter, and if the word "shall" were inserted instead of "may," the collector would be bound to give notice in that way, and be precluded from giving notice in any other way.

Put and passed.

Clauses 22 to 26, inclusive—agreed to.

Title:

MR. BURT moved, as an amendment, that the word "dairying" be struck out, and the word "other" be inserted in lieu thereof; making the title read, "Pastoral, Agricultural, and other Pursuits."

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

Bill reported, with amendments.

SALE OF LIQUORS ACT AMENDMENT BILL.

IN COMMITTEE.

Consideration of new clauses resumed.

MR. LEAKE asked the member in charge of the Bill whether he desired to go on with the Bill that night, as the member for Geraldton (Mr. Simpson) had a number of new clauses to propose, and he was ill.

MR. BURT said he would like to go on with the measure. They could leave the proposed new clauses standing in the name of Mr. Simpson until another sitting of the House.

New clause—certain agreements void:

MR. LEAKE moved to add the following new clause to the Bill:—

Whenever in any agreement a licensed person agrees or is bound to purchase liquor or goods of any kind exclusively from any person, or as any person shall direct, or is in any way restrained from purchasing goods or liquor in the ordinary course of trade, such agreement shall be void.

The object was to prevent public-houses being "tied" to trade with any particular firm or business house. The practice obtained here, as in many other places, of binding down a publican to buy his liquor from one particular merchant. That was really a contract in restraint of trade, because it prevented the party bound from going where he liked to buy his liquor. The result was that many publicans were put into houses merely as agents of the big seller, which was not in the interest of the public. It might be a good thing for the wine merchant or the brewer, but the committee should not regard the drink traffic from one point of view only, but rather from the standpoint of what was best for the public. At present, a merchant was enabled to sell liquor of any quality, through the medium of his nominee.

MR. LYALL HALL: Not if the inspector did his duty.

MR. LEAKE: A majority of the publicans' leases provided that the tenant should buy from a particular house or firm. It was true the contract generally said that he should only be bound to purchase liquor of good marketable quality, and at a fair market price; but it did not pay the tenant who was depending on a firm to squabble with the person who had put him into the hotel. As a rule, the publican was only the nominee of the big man, who held the screw in the shape of a bill of sale, and if any trouble arose it was easy for the merchant to give notice to the licensee to pay up, and the licensee could be turned out at a moment's notice. In the majority of these cases, the licensee was the mere nominee and tool of the big man. Why should a man indirectly sell contrary to his license? The wine and spirit merchant obtained a license to sell liquor wholesale; but, by this little artifice, he became a retailer as well. That was foreign to the principles of the liquor law, and the same argument applied to all the big breweries. The breweries owned half the public-houses in the place.

A MEMBER: What about the small breweries?

MR. LEAKE said he did not know whether the hon. gentleman's brewery was a small or a large one; but the hon. gentlemen was one of the directors of a large one. The question of interest would be of advantage to them in threshing out this matter. He was speaking as a disinterested party, and one who had the interests of the public at heart. Having considered the question, and knowing something about the methods pursued by the lessor in trying to bind the lessee, and how the lessee tried to wriggle out of his binding contract if he could, it was fair to conclude that this system of "tied" houses was not likely to promote the sale of good liquor, and that these contracts should be no longer recognised. Why should a man who had to cater for the public be bound to sell any sort of liquor that might be forced upon him by his lessor? In presenting this view of the case, he was, perhaps, pushing his argument to its extreme limit; yet not only was that contingency possible, but he knew of many cases wherein the thing had been

done. Such a publican could not afford to squabble with the man who put him in. The brewer took good care to put in a man whom he could hold under his thumb; who was not only bound to take beer from the lessor, but it frequently happened that such brewers were hand-in-hand with some of the big distillers, and they pulled together, so that the publican was bound to buy his liquor from a particular merchant, who had an arrangement with the brewer.

MR. LYALL HALL: It did not matter, so long as the liquor was good.

MR. LEAKE: The hon. member had now made a valuable suggestion. It did not matter, certainly, so long as the liquor was good.

MR. LYALL HALL: That was what they had to see to.

MR. LEAKE: Precisely; and if the law were amended so as to allow every publican to go into the market and buy liquor which he knew to be good, instead of being bound to buy that which might be bad, there would be a vast improvement in the quality of liquor sold. These contracts were clearly in restraint of trade.

MR. LYALL HALL: If a man were not a capitalist, he had no right to go into the trade.

MR. LEAKE: If a publican could go into the market and buy where he pleased, the chances were that he could set off one merchant against another, and thus get his stock at a cheap figure; but the lessor took care that the price of his liquor was the best market price, and he would not allow the tenant to buy it from an opposition firm at a shilling or two less per gallon. All he said to the tenant was this: "I offer you this liquor, which I consider to be good, and which you cannot prove to be bad, at what I consider to be a fair price." Then the tenant was bound to take it. Such a contract was clearly in restraint of trade, and it had nothing to recommend it. In no other trade could they find persons bound down to buy goods from one particular firm.

MR. LYALL HALL: Would the hon. member apply the principle to the small grocer? The same practice existed in that trade.

MR. LEAKE: The committee were not discussing groceries at all, but only this Bill; and they knew that when

liquor was sold under certain restrictions, it must be easier to get rid of bad liquor than to dispose of bad groceries. The two cases were not analogous. The committee ought to discourage a system which merely had for its object the pushing of the sale of liquor; and the mere money-grabbing instinct of the wine merchant ought not to be unnecessarily encouraged. By passing this clause, Parliament would have better control over public-houses, and would bring about a great improvement in the quality of the liquor sold.

MR. GREGORY: Would the hon. member make void present contracts?

MR. LEAKE: No; because to cancel existing contracts would be unfair, after this form of business had been encouraged by the law. That detail could be arranged afterwards. He sought to check the practice, and to prevent it from going further by limiting its continuance to a certain number of years. He commended the clause to members as a useful provision; and, if he failed to carry it, he would bring it up again next session; for he proposed to keep up the fight until he excited a certain amount of public interest in the subject. The question was a comparatively new one in this colony, though in other colonies it had been discussed over and over again. If any members were opposed to the liquor traffic generally he would appeal to them for support; and he hoped, also, that those who were not interested in the traffic would support the clause. It was his intention to test the feeling of the House by a division.

MR. BURT said that, being in charge of the Bill on behalf of the Government, it was his duty to examine anything which the leader of the Opposition described as a useful provision. The various amendments proposed by the hon. member were certainly sweeping enough; for not the slightest regard was paid to vested interests. In reply to the member for North Coolgardie (Mr. Gregory), who saw at once the effect of the clause, the leader of the Opposition had jocularly remarked that the question of vested interests was a matter of detail, which could be arranged afterwards.

MR. LEAKE: Existing contracts were admitted.

MR. BURT: The hon. member did admit them; but, at the same time, he

recommended this clause as a useful measure, while he admitted that it was an utterly unworkable and impracticable provision which he was ready to amend. Then it was not a useful provision. The amendment, if it became law, would put an end at a moment's notice to every agreement of this sort in the trade. The hon. member said, first of all, that agreements of this sort were in restraint of trade. Well, they were to be found all over the world, not only in the liquor trade but in almost every other trade. Possibly they were more noticeable in the cases of brewers and wine and spirit merchants than in others; but they would be found in the timber trade, the grocery trade, the drapery trade, and in almost all trades. The hon. member said these agreements were in restraint of trade; but in England they were quite common, and so they were all over Australia, to come nearer home. It was also maintained that they were not in the public interest, as they promoted the sale of bad liquor. The hon. member drew a distinction between liquor and beer; and evidently would lead the committee to suppose that the practice led to the sale of bad beer, as he distinguished the big merchant from the big brewer. But whether in regard to the big merchant or the big brewer, he (Mr. Burt) could not see that there was any harm whatever in such agreements, which were to be found all over the world. How could the public interests be injuriously affected by a house being tied either to a big merchant or to a big brewer? Such an arrangement was rather in the public interest, for it was unlikely that a big firm with a reputation to sustain, and with a desire to increase their trade and to conduct their business properly before the public, would encourage the making of these agreements by men of no standing; for there was such a thing as the forfeiture of licenses, and it was surely in the interest of a good firm to secure respectable licensees. He was afraid that, were it not for the assistance of men of capital, very few of such houses would be in the hands of the respectable people who held them now. All those agreements were subject to a covenant that good liquor must be supplied. If bad liquor was supplied, the publican need not accept it. There

was no justification for saying that the publican was always trying to wriggle out of his agreement; but even if he were, he could get out of it if bad liquor were sold to him. A big merchant or brewer would not go into court to enforce an agreement, if it could be shown he had supplied bad liquor. The covenant also provided that the beer and liquors must be supplied at current market rates, which were settled by the market, and not by the brewer or merchant. The hon. member for Albany had given an altogether wrong impression in regard to the prices charged and the quality of the goods supplied to the licensees of "tied" houses. This very Bill sought to put down adulteration, and the hon. member was doing nothing else but tilting at wind-mills. The want of consideration given by the hon. member to the subject was shown by his not having excepted existing contracts from the operation of the clause.

MR. LEAKE again said he was willing to insert the words "saving existing contracts."

MR. HUBBLE: It would be a bad thing if there were no capitalists to come forward and assist honourable people who desired to go into the hotel business. The brewer and the wine merchant had greatly assisted in getting a better class of people into licensed houses; and this, of course, was beneficial to the public. If a firm of brewers and wine merchants had to put their hands into their pockets to the extent of £10,000 or £15,000 to assist a person to go into a hotel, it was only natural to suppose they would want some remuneration; and that remuneration they got from the sale of beer and liquors.

MR. JAMES: It was an old-fashioned, conservative principle, commended by centuries of experience, that every contract in restraint of trade was void. The object was, as far as possible, to keep trade perfectly free. Why did a brewer pay, say, one thousand pounds for the privilege of supplying a hotel? Because the brewer wanted to make certain of the trade. If the whole of the hotels in the community got into the hands of two brewers, what chance would there be of competition? He (Mr. James) held brewery shares, and, therefore, he was speaking disinterestedly. Let

the member in charge of the Bill explain his inconsistency, if he could. The reason why the brewers bought these rights was in order to exclude competition, and they should not be allowed to do it. It was not for the purpose of giving good beer, but to stifle competition that they acted in this manner. If the whole of the hotels in the town were in the hands of two brewers, what chance would there be for competition?

THE PREMIER: There would be competition if there were two.

MR. JAMES: But those two brewers would work together. There were monopolies in Western Australia just the same as there were in other parts of the world. There was a monopoly in the butchers' trade, and we had tough meat and high prices in consequence; but there was no reason why we should have a monopoly in the brewers' trade. Every penny the brewer paid went to the landlord, the man who owned the hotel.

THE PREMIER: The brewers owned the houses themselves, very often.

MR. JAMES: That was another phase of the question altogether.

THE PREMIER: The brewers leased the houses on the condition that the occupiers took the beer from them.

MR. JAMES: So far as the brewers were landlords, we were not dealing with them. We could not have any principle which did not, in some instances, work unjustly. As the case now stood, brewers and spirit merchants were often obliged in self-defence to buy houses, but they were quite prepared to go into open competition. If we had a law which did not allow the existence of "tied" houses, the brewers would hold out inducements to the beer-sellers by offering commission, as they did now to houses that were not tied. The public did not like tied houses, for the reason that the merchants to whom these houses were tied made them sell the particular line of liquors and essences which they were importing, which might not be to the public taste. If beer or liquor was good, competition would not hurt it. If it was bad why should we allow a state of things to exist by which this liquor could be forced on the public? He would be sorry to see the committee pass the new clause as it stood. Regard should be had to existing contracts. We might legislate so as to prevent any agreement

being hereafter made which would have the effect of tying houses. It was no answer to say, as the member for Ashburton said, that people in other classes of business—grocers or timber merchants—did the same thing. We were not dealing with grocers or timber merchants now, but with brewers and spirit merchants. We should never have legislation if we were going to wait till it was applied to every possible trade and to every possible individual. He moved, as an amendment in the new clause, that the words "hereafter made" be inserted in the first line after the word "agreement."

MR. LEAKE accepted the amendment.

MR. DOHERTY: If the hon. member who said there was no competition would look around Perth and Fremantle, he would see that during the last three months several breweries had been started—three at Fremantle, one at Cottesloe, one at East Perth, one at Guildford, and one at Northam. [**THE PREMIER:** And one at Bunbury.] If there was no competition, why should people go to the expense of building breweries? He did not know why the hon. member for East Perth had referred to him as a butcher. He was not a butcher, and he hoped in future the hon. gentleman would not refer to him in connection with that particular trade. He did not think the evils that had existed in the past in regard to the liquor trade would exist when this Bill became law. He would vote against the new clause.

MR. A. FORREST: The members for Albany and East Perth did not understand the question over which they had wasted the time of the House so much. If we passed this clause, it would be disastrous to the whole community. The hon. member for Albany showed how little he had considered his new clause when he was prepared to accept the amendment of the hon. member for East Perth.

MR. QUINLAN: Competition in the brewing trade would have the effect of remedying the evils complained of, and there would be competition, as the hon. member for North Fremantle had pointed out that a number of breweries had just been erected around Perth. The provision made in the Bill for the appoint-

ment of inspectors would put an end to the sale of bad liquor. From a fair experience of the brewing business, he was prepared to state that it was the custom to look round for people to take licensed houses who had something to lose, so that the brewery would not lose all. Although he was a large holder of brewery shares, his interest in the trade would cease on the following day, inasmuch as a large amount of British capital was coming into the colony to purchase the brewing business in which he was interested, and in which the hon. member for East Perth was also a shareholder.

MR. RASON: As no injustice was done to the public under the existing state of things, the amendment was unnecessary. When a brewer or spirit merchant acquired a house, he had to pay a fair price for it. The man who took a "tied" house did so with his eyes open, and knew exactly what he was doing; therefore no injustice was done. If bad liquor were sold in such houses, the public need not patronise them. The Bill further proposed to stop the sale of adulterated liquor; but it had never been attempted to upset this practice in any country in the world.

MR. GREGORY: Seeing the amendment had been altered by the insertion of additional words for the protection of vested interests, he intended to support it. Some years ago in Victoria an attempt was made to prevent the tying up of public-houses, and he was under the impression that some such provision would be found in the Licensing Act of that colony.

MR. KENNY: The clause would have his support, simply because he disapproved of allowing one man to bind another to buy goods from him against the buyer's interest. He knew of cases in which publicans who were bound by such agreements had been compelled to pay from 2s. 6d. to 10s. a case for their liquor over and above the price for which it could be obtained elsewhere. That in itself was a gross injustice. It was contended that these agreements were entered into by both parties with their eyes open, and that the agreements could therefore be enforced without injustice to either; but it frequently happened that, as time went on, competi-

tion brought down the price of liquor, and the merchant, while he was obliged to sell to independent houses at the reduced price, continued to charge the original price to the "tied" houses, because they had no alternative but to deal with him. He had seen spirits of various brands which could be purchased at one wholesale house for 52s. 6d. per case, invoiced to the "tied" house at 57s. and as high as 60s. Any agreement which would compel a man to pay a sum exceeding the market value by £7 10s. for every 20 cases of liquor purchased was obviously unfair.

MR. LYALL HALL: One phase of the question had not been touched upon. Some hon. members had opposed the amendment in the interest of large merchants; but he would do so in the interest of men of small means. Many an applicant for a license had very little money; and the only way in which such person could become a hotelkeeper was by getting the brewer or spirit merchant to back his bills for him, or to lend him money. Was it not an outrageous thing to expect that a brewer or merchant would put his hand in his pocket to assist a man to go into a hotel for the purpose of selling somebody else's beer or liquor? If this clause were carried, none but men with considerable capital would in future be able to become hotelkeepers; therefore, in the interest of the small man, he would oppose the amendment.

MR. ILLINGWORTH: If the contracts under discussion were fairly and honourably carried out, no injustice would result. But such agreements meant almost anything. The lessee was bound to take his liquor from one particular firm, whether he was fairly treated or not. He did not get it at a fair price, nor did he get the quality which he ought to obtain for the price paid. In cases of this sort, prevention was often better than cure. The Premier had held up Great Britain as an example for their guidance in this matter, but the trend of public opinion in Great Britain was very strongly in favour of the principle of this clause. The system was a recognised evil, which it had been found impossible to sweep away, owing to the vested interests which had grown up. It would be better to deal with the matter now in Western Australia, than to wait until the diffi-

culties were enlarged by the increased numbers of those engaged in the brewing trade. It was the commonest practice in the world, when a cask of beer was rejected at a free house, for that cask to be immediately taken to a tied house connected with the particular brewery. That was a clearly understood thing in the trade. [MR. HUBBLE: Nonsense!] What had been described was of daily occurrence. [MR. BURT: It never occurred in Perth.] It was claimed that all the virtues in the world were exercised in Perth, and no doubt their influence had even reached the brewers. In some cases brewing profits were 35 per cent., which doubtless would all be regarded as the result of the excellent quality of the beer and the large trade done. It was the public, and not the brewer or the licensee, who had to be considered. The fact of there being a license showed that the sale of intoxicating drink was regarded as a dangerous business. If the contract between the producer and the retailer had a tendency to depreciate the purity of the drink sold, that was a matter which clearly came within the scope of this Bill. The object of legislation should be to decrease the consumption of drink, first by the individual who took too much, and then by the State as a whole. Men should be allowed to take liquor if they so desired; but the State should reduce the temptations to excess and secure the purity of the liquor sold. There was no desire to interfere with existing contracts, although the tendency of these contracts was to compel a licensee to take what was handed to him. If the traders on both sides were absolutely honest, no difficulty might arise. But were there no tricks of trade on the part of the brewer or wine merchant? The object of the Bill was to prevent the adulteration of liquor, and the object of the amendment was to free the retailer in his choice of liquors. The brewer or wine merchant should be willing to assist a publican in return for ordinary trade, without enforcing a contract. A publican would not desire to go to another firm for his goods, if the goods and prices of the firm who had assisted him were the same as could be found in open market. When a publican was bound to take inferior liquor at a higher price, the

real sufferers were the public; and it was the interest of the public the committee ought to consider.

Amendment (Mr. James's) to the new clause, limiting its application to future agreements, put and passed.

New clause, as amended, put and division taken, with the following result:—

Ayes	7
Noes	12

Majority against 5

AYES.	NOES.
Mr. Conolly	Mr. Burt
Mr. Gregory	Mr. Doherty
Mr. James	Sir John Forrest
Mr. Keany	Mr. A. Forrest
Mr. Leake	Mr. Higham
Mr. Phillips	Mr. Hooley
Mr. Illingworth	Mr. Hubble
(Teller).	Mr. Lefroy
	Mr. Quinlan
	Mr. Rason
	Mr. Venn
	Mr. Hall (Teller).

New clause thus negatived.

On the motion of Mr. Burt (in charge of the Bill), progress was reported and leave given to sit again.

ADJOURNMENT.

The House adjourned at 10:55 p.m. until the next day.

Legislative Assembly,

Thursday, 11th November, 1897.

Papers Presented—Reporting of Debates, and corrections by Members—Motion: Leave of Absence—Aborigines Bill: second reading; in committee—Local Inscribed Stock Bill: second reading—Municipal Institutions Act Amendment Bill: second reading—Hawkers and Pedlars Act Amendment Bill: second reading; in committee—Width of Tires Act Amendment Bill: second reading—Sale of Liquors Act Amendment Bill: in committee (new clauses)—Adjournment.

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

PRAYERS.