

Legislative Assembly, Wednesday, 27th September, 1893.

Tariff Bill: third reading—Estimates, 1893-94: Committee of Ways and Means—Appropriation Bill: first reading—Imported Labour Registry Act Amendment Bill: in committee—Chinese Immigration Act Amendment Bill: in committee—Appointment of Water Supply and Sewerage Board: adjourned debate: in committee—Width of Tires Bill: second reading—Wines, Beer, and Spirit Sale Act Amendment Bill: in committee—Municipal Institutions Bill: discharge of Order—Adjournment.

THE SPEAKER took the chair at 4:30 p.m.

PRAYERS.

TARIFF BILL.

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

ESTIMATES, 1893-94.

COMMITTEE OF WAYS AND MEANS.

THE PREMIER (Hon. Sir J. Forrest) moved that the House resolve itself into a Committee of Ways and Means.

Question put and passed.

IN COMMITTEE.

THE PREMIER (Hon. Sir J. Forrest) moved that towards making good the supply to be granted to Her Majesty, a sum not exceeding £508,093 6s. 2d. be granted out of the Consolidated Revenue Fund of Western Australia.

Question put and passed.

Resolution reported.

Report adopted.

APPROPRIATION BILL, 1893-94.

THE PREMIER (Hon. Sir J. Forrest), in accordance with the foregoing Resolution, moved for leave to introduce a Bill intituled "An Act to apply a sum out of the Consolidated Revenue to the Services of the financial year ending the last day of June, One thousand eight hundred and ninety-four, and to appropriate the Supplies granted in this Session of Parliament."

Question put and passed.

Bill introduced, read a first time, and ordered to be printed.

IMPORTED LABOUR REGISTRY ACT AMENDMENT BILL.

IN COMMITTEE.

Clauses 1 to 4, inclusive:

Agreed to.

Clause 5.—"Employer to return labourer to the port from which he was shipped":

THE PREMIER (Hon. Sir J. Forrest) moved that the words "of a labourer imported after the passing of this Act" be inserted between the words "employer" and "on," in line 1 of sub-clause (1).

Question put and passed.

THE PREMIER (Hon. Sir J. Forrest) moved that the word "the," in line 5 of sub-clause (1), be struck out, and that the word "such" be inserted in lieu thereof.

Question put and passed.

THE PREMIER (Hon. Sir J. Forrest) moved that the words "with whom such contract is made" be struck out of lines 5 and 6 of sub-clause (1).

Question put and passed.

THE PREMIER (Hon. Sir J. Forrest) moved that sub-clause (2) be struck out, and the following be inserted in lieu thereof:—

"(2.) If any such labourer is within the limits of the colony and not under an unexpired contract of service made under the principal Act or this Act, the last employer of such labourer shall be liable to a penalty of not less than Twenty-five pounds nor more than One hundred pounds, unless such employer proves to the satisfaction of the Court—

"(a.) That sufficient time to enable such labourer to return as aforesaid has not elapsed since the termination of his contract for service.

"(b.) That such labourer has refused to return as aforesaid or has otherwise prevented such return, and such employer has given notice in writing of such refusal or prevention respectively, as soon as practicable, to the Magistrate with whom the deposit as aforesaid has been made."

Question put and passed.

Clause, as amended, agreed to.

Clause 6:

Agreed to.

Clause 7.—"Employer to bear expense of return of labourer sentenced to imprisonment to port of shipment or place of employment":

THE PREMIER (Hon. Sir J. Forrest) moved that the words "and imported after the passing of the Act" be inserted between the words "Act" and "is," in line 2.

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

Clause 8:

Agreed to.

Clause 9.—“Expenses incurred by Government in respect of labourer may be recovered from employer”:

THE PREMIER (Hon. Sir J. Forrest) moved that the clause be struck out.

Question put and passed.

Clause 10:

Agreed to.

Ordered that Clause 10 be re-numbered Clause 9.

Schedule:

Agreed to.

Preamble:

Agreed to.

Title:

Agreed to.

Bill reported, with amendments.

CHINESE IMMIGRATION ACT AMENDMENT BILL.

IN COMMITTEE.

The Bill was further considered in committee.

Debate upon new clause proposed by MR. RICHARDSON, to stand as Clause 2 of the Bill, namely:—“The word ‘one’ in the second line of the eighth section of the principal Act is hereby repealed, and the word ‘two’ shall be read in lieu thereof”—continued.

MR. RICHARDSON said that, in consideration of the very stringent character of the Imported Labour Registry Act Amendment Bill which had just been passed, no great harm would result if the new clause he proposed in this Bill were adopted, for enabling two Chinese to be imported for every 500 tons of ship's burden, in view of the small amount of steamer communication with Northern ports. This would meet, in some degree, the demand for Chinese labour in the Northern parts of the colony. He inquired, however, whether a vessel under 500 tons burden could bring any Chinese at all into the colony, under the principal Act.

THE PREMIER (Hon. Sir J. Forrest) said that no vessel under 500 tons register could land any Chinese in this colony, according to the Act.

MR. RICHARDSON said that, according to the Premier's answer, and in view of the small class of steamers trading to

Northern ports, he would ask leave to withdraw the new clause, and submit his proposal in an altered form.

Motion, by leave, withdrawn.

New Clause:

MR. RICHARDSON moved that the following new clause be added to the Bill, to stand as Clause 2: “The words ‘five hundred,’ in the third line of the eighth section of the principal Act, are hereby repealed, and the words ‘two hundred and fifty’ shall be read in lieu thereof.”

THE PREMIER (Hon. Sir J. Forrest) said the hon. member based his argument on the fact that only two steamers of considerable size were trading between Singapore and this colony, but he believed another steamer was to be added shortly. Besides this service, the House should bear in mind that the mail steamers now calling at Colombo and Albany might develop a traffic in Chinese passengers, and there was no reason why this should not be done if inducement offered. The Orient line carried passengers at a very cheap rate, and if Chinese were brought here by way of Colombo, a large number, say 20 or more, might be landed from the large mail steamers every week, according to tonnage register. And, under this proposed clause, the *Australind* could bring from Singapore about three on every trip, and the *Saladin* five. It was not desirable that many Chinese should come to this colony. It would be better for this colony to make its legislation on this question in accord with that of the other colonies.

MR. RICHARDSON said that this Chinese Immigration Bill, coming on top of the Tariff Bill, would show the Northern people that they must expect nothing from the South.

THE PREMIER (Hon. Sir J. Forrest) said he had read in a newspaper published at Cossack an attack on the Government, in severe terms, for introducing Chinese into the colony.

MR. A. FORREST, speaking as a representative of the North, said pastoralists there had quite sufficient labour without Chinese.

MR. H. W. SHOLL said that in the Roebourne district Chinese were wanted as waterdrawers and cooks. The newspapers published in the North did not represent the views of the settlers. The colony would have to be given over to the

miners before long. He supported the new clause, because great injustice would be done to the North if some provision was not made for importing Chinese labour. The Bill would "squash" the pearling industry altogether.

MR. MONGER opposed the new clause. Although very few Chinese had come by the Colombo route, there was nothing prohibitive in the rates from Hong Kong *via* Colombo, for he found the amount of passage money was only about £2 per head more than from Singapore. If, therefore, any further concession were made in this Bill, a big influx of Chinese might be expected by way of Colombo to the Southern portions of this colony. As to the North, he did not take his information from newspapers, but learnt by inquiry among settlers that there was no scarcity of Chinese in the North, and he was informed that Cossack and Roebourne were swarming with Chinese and Malays, and other coloured races. If the limit of the tonnage was to be reduced from 500 to 250 tons, there would soon be a further number of these men coming into the Southern parts of the colony. It was all very well to say the Northern stations could not do without them; but if, as he knew was the case, stations at Kimberley and the Murchison could do without them, so also could other stations in the North.

MR. R. F. SHOLL said he had been told by an agent of one of the P. & O. boats that a deck passage from Colombo was £12. He thought members representing the North knew more about what was wanted in the district than the hon. member for York. It was not the people in the Northern towns who needed the Chinese labour, but the stations far inland. He supported the new clause.

MR. SOLOMON said the difficulty was that if the new clause was passed the Southern districts would suffer, as the Chinese would come mainly to those districts.

MR. RICHARDSON said the trouble in the South had arisen by the importation of Chinamen by Chinamen, which was now to be prohibited, and rightly so. He maintained that the expense of importing Chinamen *via* Colombo was too high for any to be introduced that way.

THE PREMIER (Hon. Sir J. Forrest) said there was nothing in the Imported Labour Registry Act to compel labourers to return; therefore the numbers might increase by accumulation, and he thought they would. The chances were that an imported labourer, at the end of his term, would either re-engage or be transferred by his employer to another master, and so the increase would go on. There were many more Chinamen in the South than in the North at the present. When they first arrived they were useful at a low wage, but afterwards they took the places of white men in the labour market. A considerable increase in the shipping trade of Northern ports might be expected now that the effects of the drought were disappearing.

MR. RICHARDSON said there was much trouble in the indenting of labourers, and when a settler indented a labourer, and obtained one who was suitable, he would try to keep him, and not want to indent a fresh one at the end of each term.

THE PREMIER (Hon. Sir J. Forrest) said the only trouble the hon. member referred to was the trouble of paying the necessary expenses. All the trouble was undertaken by an agent, this indenting being a regular business at Singapore. As to the Imported Labour Registry Act, the conditions were such that the labourer was brought down pretty well to serfdom, and the conditions were really in the interests of the employer. The labourer was not allowed, even at the end of his term, to engage with any other employer without his present employer's consent.

MR. R. F. SHOLL said this kind of legislation was killing the pearling industry.

THE PREMIER (Hon. Sir J. Forrest) said he could not see that, unless the Act put the labourer too much under the thumb of the employer.

MR. R. F. SHOLL said most of the pearling schooners employed from 50 to 60 men, and if the Government required a deposit of £10 to £12 on each diver, the owners would have to deposit as much as £600 or £700 before obtaining enough imported labourers for a boat's crew; and this would be too much of a tax upon the industry.

The committee divided on the new clause, with the following result:—

Ayes	8
Noes	11

Majority against 3

AYES.	NOES.
Mr. Darlöt	Mr. Connor
Mr. Hassell	Sir J. Forrest
Mr. Loton	Mr. A. Forrest
Mr. Paterson	Mr. Marmion
Mr. E. F. Sholl	Mr. Molloy
Mr. H. W. Sholl	Mr. Monger
Sir J. G. Lee Steere	Mr. Fiesse
Mr. Richardson (Teller).	Mr. Quinlan
	Mr. Simpson
	Mr. Solomon
	Mr. Traylen (Teller).

New clause negatived.

Preamble:

Agreed to.

Title:

Agreed to.

Bill reported.

APPOINTMENT OF WATER SUPPLY AND SEWERAGE BOARD.

ADJOURNED DEBATE.

IN COMMITTEE.

Debate upon motion by MR. TRAYLEN—
“That in the opinion of this committee it is expedient to make other provision for supplying with water the city of Perth and its suburbs, and for the sewerage thereof; and for these purposes it is desirable to create a Statutory Board of Water Supply and Sewerage for the purchase or construction, maintenance, and general administration of such works, and for the acquisition of land for such purposes; and that the Government should obtain a Message from His Excellency the Governor authorising the introduction of a Bill for these purposes, and to provide for the use of funds from the Consolidated Revenue for the first year's expenses”—
resumed.

MR. QUINLAN said there had been a meeting of the Perth Municipal Council since the last debate on this question, and, from what he could gather, the feeling was in favour of the motion. [MR. MOLLOY: No.] Personally, he was strongly in favour of the motion, which would give the Government power at any time to purchase the works and to raise money for the purpose. The Perth Council had quite enough on their hands at present, so that the water supply and sewerage would be better managed by a statutory board. The sewerage of the

city must sooner or later be attempted, but the Perth Council, having their hands tied in regard to borrowing, could not properly undertake such a large work. It was true the Perth Council would not benefit by any surplus from the works, but it was unlikely there would be any surplus for some time.

MR. SOLOMON called attention to the fact that there was not a quorum present.

A quorum having been formed,

MR. TRAYLEN said the city of Perth, owing to the necessitous condition of the time when the waterworks were started, was glad to get the water supply on any terms. When it came to a question of striking a water rate, it was seen that the agreement was very faulty, and a revised agreement was entered into; but even this agreement was adverse to the citizens. Another objection was that the works might fall into the hands of a few capitalists, who need not part with them for less than the stipulated purchase price of £200,000, *plus* one-third of every pound they expended, so that if they expended £3,000, the city would have to pay £4,000. Unless the motion were carried, the works could not be purchased until next session. If the Government guaranteed the purchase of the works, it would mean a saving of £18,000 or £20,000 to the citizens. He might state also that, when a water catchment area was being sought for in the Canning Hills, Messrs. Saunders and Barrett spent three months in finding the present catchment area, and he asked whether the Government were to give this area away to the city. There might be thousands of people outside of Perth who would desire to use the water from that area, and he thought it should not be exclusively under the control of the Perth Council, but under a statutory board, who could supply the wants of all living within a fair distance of the area. To give effect to his resolution, he had drafted a short Bill to meet all the requirements of the board for the first ten or twelve months, pending further and more complete legislation. It would be the duty of the board, when formed, to frame resolutions to be embodied in an amending Bill to be laid before Parliament next session.

MR. MOLLOY said that by the present agreement between the contractors and the City Council, the cost of purchase

was £230,000, but an offer had been made by which the city could purchase for £180,000, and he believed they could get it further reduced. That would give them an advantage of £50,000.

MR. TRAYLEN said his object was to purchase on the same lines as the Council.

MR. MOLLOY said that if the Government could secure this advantage, so could the Municipality, which would then have the control of the waterworks. If this resolution were agreed to, and the works acquired, the Government would be the proprietors, and the City Council would be bound, during the next seven years, to strike the shilling rate, besides which, if the City Council still wanted to purchase, under the optional power of its agreement, it could acquire the works from the Government only by paying the full purchase money under the agreement. The arguments of the hon. member for the Greenough were plausible, but the City Council were fully alive to this subject, and considering that they asked the Government to run no risk, that they had a certain amount guaranteed from the rates of the city, and that the difference between the amount of the interest and the amount the rates would produce was secured by the contractor's deposit, he did not see any harm in the Government assenting to the proposal, if asked by the Council to give a guarantee. He thought the contractors were not acting wisely in placing any obstruction in the way of the City Council, and in approaching the Government directly, as they were doing.

MR. TRAYLEN said he was entirely responsible for the origin of the motion, and the contractors did not know a solitary syllable about his intention until his motion appeared on the Notice Paper.

MR. MOLLOY said the City Council did not wish to transfer the present concession to anyone, but to obtain all the advantages which could be derived from it. If the Government listened to the proposal of the hon. member, they would not be acting in the interest of the rate-payers of the city.

MR. A. FORREST suggested that the proposal should be withdrawn, and that the Government, if asked by the City Council, should agree to a guarantee after having first had the works valued by the Engineer-in-Chief. His only reason for not agreeing to the hon. member's pro-

posal was that if there was any profit to be gained it should belong to the city. The agreement made some years ago was so iniquitous that this House should assist the citizens to obviate the great loss that must result in future, from the unfairness of the existing agreement.

MR. COOKWORTHY said if the Government guaranteed the bonds, they ought, in the interests of the colony, to form a statutory board as suggested, the guarantee asked for being a large one. [MR. A. FORREST: It is nothing.] He considered the proposal of the hon. member for the Greenough worthy of consideration.

THE CHAIRMAN said that, on reference to the Standing Orders, he found that although the committee might agree to a motion of this character, the House could not adopt any resolution of that nature, unless recommended by Message from the Governor.

MR. TRAYLEN said that was in the motion, and he had not yet asked the House to adopt a resolution.

THE CHAIRMAN said he thought the discussion could have no possible result, as the motion, if carried in committee, could not be adopted by the House without a recommendation by Message from the Governor.

THE PREMIER (Hon. Sir J. Forrest) suggested that the latter part of the motion, relating to expenditure, should be struck out.

MR. TRAYLEN said he would adopt that course.

THE PREMIER (Hon. Sir J. Forrest) said the mover was quite correct in saying that these statutory boards were appointed in other colonies, and they seemed to be advantageous. The reason was that the chairmen of these boards were men of experience and ability, professional knowledge, and business capacity, who were paid high salaries. It was thus found that the business was better managed than by honorary elected boards, such as municipal councils. If the hon. member's wish were complied with, and this board was established, and had power to purchase the works, he did not think the city of Perth would suffer to any great extent, because he did not suppose any such board would impose such a rate as to make a profit out of it. He agreed, too, with what the hon. member for Sussex

said regarding the guarantee, and he was surprised at the hon. member for West Kimberley saying it was nothing. Surely, a guarantee of £180,000, with interest, could not be called "nothing," considering the responsibility the Government would undertake. To show that there were risks, he said the dam of the reservoir might burst, and then who would have to find the money to pay for rebuilding it? Of course the Government, as the guarantors, would have to do so, and there would have to be another loan in order to provide funds for that purpose. The city, they might be told, would pay the interest on the new loan, but the Government would be called upon to guarantee it. That could not be called "nothing." He could see clearly enough that the citizens of Perth had made a bad bargain with regard to the waterworks. He did not know how it was that all those who might have advised a better course did not do anything at the time. [MR. MOLLOY: It was pointed out forcibly at the time.] At any rate, they made a bad bargain. It was not the price he objected to, but as the rates of the city increased, so the interest increased up to 10 per cent. [MR. MOLLOY: It can go as high as 10 per cent.] That was a ridiculous interest; 6 per cent. might be reasonable. At present these proprietors made nothing at all, but were rather out of pocket. He agreed with the hon. member for the Greenough, to some extent, that if the Government were to guarantee this or anything else, the country must have some security and some control over the works. If not, he could easily see friction might arise. The City Council might, for instance, refuse to pay the interest. However, he did not think there was the slightest fear that if this guarantee were given by the Government, and the control given that was asked for by the hon. member for the Greenough, they would ever quarrel. But he thought the matter was too important to deal with at the present time, when they were nearly at the end of the session. Many members were away, or were going away, and he could not see how they could deal with it at the present time. The hon. member for the Greenough said he wished them to be in a position to purchase the works. How were they to get the money? [MR. TRAYLEN: That is part of the Bill.]

Even then the Government would have to give the guarantee, and make up their minds to do so, and get someone to value the works. He thought that at this late period of the session it was best to defer the matter, and he hoped they would be able to deal with it next year.

At 6:30 p.m., the Chairman left the chair.

At 7:30 p.m. the committee resumed.

THE CHAIRMAN said that unless the hon. member amended his motion by omitting the latter part, he must rule it out of order.

MR. TRAYLEN formally withdrew the latter portion of his motion, relating to expenditure of funds from the Consolidated Revenue, and the introduction of a Bill.

Motion, by leave, amended accordingly. Debate continued.

MR. TRAYLEN said the reason for bringing forward his proposal at this late period of the session was that he had been waiting for the arrival of the copy of an Act from Sydney, and could not deal with the subject until he obtained it.

THE PREMIER (Hon. Sir J. Forrest) said it would be wise to withdraw the motion. Some hon. members who would not like to vote against it were not prepared to go with the hon. member at present. The proposal was, in his opinion, a move in the right direction, not only in relation to Perth, but to all parts of the colony; but, if put to the vote now, many members might feel compelled to say "No" to it, at a time when they had not made up their minds as to the course which ought to be taken in dealing with so important a matter.

MR. RICHARDSON said there was a great deal in what the Premier had stated. For himself, he would like to consider the matter further.

MR. TRAYLEN said that, on the appeal made to him by the Premier, he would withdraw the motion, while regretting that he had not had the material which he required earlier in the session.

Motion, by leave, withdrawn.

WIDTH OF TIRES BILL.

SECOND READING.

MR. RICHARDSON, in moving the second reading, said: In bringing forward

this Bill as a private member, I am not actuated by anything but a desire to promote the public interest, for this is a matter entirely concerning public policy and public funds. The concern which any private member can have in a Bill like this is small indeed, but his interest is affected by the cutting up of the public roads, thus entailing a large and unnecessary expenditure of money in their upkeep. As this session drew on, the Attorney General had so much work to do that I thought there was a probability of this matter dropping out of notice for this session, notwithstanding that a resolution on the subject had been carried in this House; and so, with some legal assistance, I got this Bill prepared. I may say it is based largely on an Act which has been in force in South Australia since 1867, and has worked very well for the public roads. It may be in the knowledge of hon. members who have travelled over the country roads in South Australia that there are no roads in other colonies to compare with them; and this exceptionally good condition is really the effect of the law which prevents the cutting up of roads with heavy loads carried on narrow tires. I do not think this Bill will cause serious hardship to teamsters or others, and the expense of necessary alterations will fall on those who have been carrying unreasonably heavy loads on very narrow tires. Any teamster, with an ordinary cart carrying an ordinary load, will not have to alter anything, under this Bill; but those persons who have large teams and use them for carrying immense loads may have to incur some little expense in complying with the Bill. There are instances of our country roads being cut into ribbons by the carrying of unreasonably heavy loads on narrow tires, such cases being most noticeable in connection with the construction of railways. It is proposed that this Bill shall not come into force until the year 1895, so as to allow a notice of about eighteen months in which to prepare for the change. It will be seen—and this may be urged as an objection by some hon. members—that provision is made for the weighing of carts and loads; but it will be apparent to anybody that weigh-bridges are a desirable convenience, and the objection against providing them is not insuperable. I am informed that a weigh-bridge

costs about £70, and the fitting up about £15 more; so that this is no great matter, and not a great many weigh-bridges would be required, except at the centres of population. The Bill can be carried into effect, and do a large amount of good, without the necessity of fixing public weigh-bridges, although weigh-bridges erected by private persons, who charge a small fee for weighing a load, are found to be rather paying speculations along a high road where there is a good deal of traffic. This Bill simply provides that an inspector, or any person appointed by the Government or a local authority, shall have the right to test what is the load on a cart; that is to say, if he sees a load which he considers to be far in excess of the provisions in this Bill he may challenge the driver, and compel him to have the load weighed or measured. So, I can see no great hardship in this section. The amount of weight allowed by the Bill to be carried on tires is quite as much as any reasonable teamster would put on. The South Australians have been reducing the weight gradually, but at present they allow seven hundredweight to the inch of tire; so that in the case of a dray having 3-inch tires, equal to six inches of tires altogether, the weight allowed would be 42 hundredweight, including the weight of the vehicle. I do not think that in this colony there are many two-wheel carts which carry anything like that weight on them. A waggon having 2½-inch tires would carry a greater load, in that proportion, than is usually carried, but if that weight were exceeded the teamster should provide wider tires. A 3-inch tire waggon would carry four tons. Therefore, no hardship is likely to be caused to individuals by this Bill, because if they are not carrying most unreasonable loads the Bill will not affect them at all. But we wish that men who disregard what is reasonable should not be allowed to cut our public roads to pieces, and cause a large amount of unnecessary expense to the ratepayers and the colony generally. I would like to see the limit of seven hundredweight to the inch reduced to six in this colony. However, Clause 2 provides that not more than seven hundredweight to the inch of bearing surface shall be carried in any waggon, cart, dray, or other vehicle; and

there is this proviso: "That nothing in this clause shall be deemed to apply to the conveyance of any piece of heavy machinery which cannot be taken apart without great expense or loss." Clause 3 says any local authority may make by-laws for regulating weight by measurement. Clause 4 provides that every person in charge of any vehicle carrying goods or merchandise shall, on request by the authorised inspector or other officer, or by any councillor of a municipality, or any member of a road board, allow such goods to be measured, and such measurement shall be taken to be the actual weight; and the clause provides that, if not satisfied with the weight, the load shall be taken to the nearest or most convenient weighbridge, if there is one. Of course if no weighbridge is available, the inspector's weight is to be taken as correct. Clause 5 requires the owner's name and the weight of the vehicle to be painted conspicuously on each vehicle. There are some words in this clause which the draftsman has added, on his own responsibility, to those which are in the South Australian clause, but which I do not consider desirable. These additional words are: "Provided, further, that nothing herein contained shall be deemed to apply to any private passenger vehicle not plying for hire, and ordinarily used for private passenger purposes only, even if goods are occasionally carried therein." I think that if goods are carried in a private vehicle they should be subject to the conditions of the Bill. If a private person chooses to load up his vehicle or cart with goods, I do not think he should be allowed to take advantage of these few additional words to the extent of putting on an unreasonable load. As to the springs, I do not think any ordinary carriage or cart springs would carry more weight than the Bill allows. Clause 9 gives power to local authorities, if they think proper, to erect weighing machines on any roads within their jurisdiction, and at such distances as may be thought expedient, so that the local authority can cause these weighbridges to be put up in any convenient place they may think desirable. One point I wish to draw attention to is that this Bill is not brought in with the idea of being sharp or hard upon the owners of existing carts or on team-

sters, and, in fact, very few of them will wish to carry more than this Bill allows. But what we do wish is to make the fact generally known that such a Bill is coming into force on a certain date, in order that when any teamster is getting a new team, or is ordering new wheels for an old team, he may know how the Bill will affect him, and may regulate the size of the tires to the load he intends generally to carry. It will thus become the practice to have wider tires. All the countries which have not a law of this kind are considering the propriety of adopting such a law. In France, the tires are tremendously wide—4, 5, or 6 inches—and the people there even resort to the expedient of having the hind axle wider than the fore one, by which means the roads in France are kept in beautiful order. If we had had such a Bill in force before commencing the construction of the Yilgarn Railway, the roads in that district would not have been cut up so terribly as they are now by the operations of contractors. It is proved scientifically that a much less draught is required to draw a weight with broad tires than the same weight with narrow tires, particularly on a sandy or boggy road. So that all the nations are realising that it is desirable to have a law for regulating the width of tires according to the weight of the load. I read recently in the *Australasian* newspaper the remarks of a person who said he had been struck with the splendid condition of the bush roads in a certain district in Victoria, and found, on inquiry, that one influential resident had set the example of having nothing less than 4-inch tires on his drays, and had induced many of his neighbours to follow his example. The writer went on to say what a pity it was that the whole of Victoria did not do the same.

MR. PIESSE: No doubt, this Bill is introduced with the desire of benefiting the people of the colony. The country roads have been very much cut up, in places, and it has been suggested that the adoption of broader tires would have a good effect. But such a law, if passed, must apply to the whole colony, and it would be a great hardship to compel persons who have drays to alter the width of the tires. Even if they were compelled to alter the tires, the larger loads they would then be able to carry would be out

of proportion to the ordinary loads they have been accustomed to carry, and that applies to many districts. I have seen three or four tons on 3-inch tires.

MR. RICHARDSON: You can carry five tons, under the Bill, if you like.

MR. PIESSE: If we are to regulate the load by the weight, and to have weighbridges in every district, the expense will be considerable.

MR. RICHARDSON: That is not compulsory.

MR. PIESSE: You would leave it to the inspector to decide as to the weight of the load, but we may have an inspector acting in a strange manner, in one case, and allowing other persons to pass with heavy loads without complaint. I am sure this plan would cause no end of difficulties. It might apply very well to municipalities or to the more populous towns, but in country districts I do not see how it can be made to apply. We have a great length of road to keep up, in a Road Board District, and if we enforce this law we shall have no end of difficulties cropping up, and many persons will find the law a hardship. Clause 2 does not state the size of the wheel; but if we say a wheel of 2 inches in breadth of tire on a four-wheel dray, that will be 8 inches of tire, and on that breadth 2 tons 16 cwt. may be carried, according to this Bill. Well, if that weight be allowed on 2-inch tires, the Bill will perpetuate the present system, which cuts up the roads. It would be better to restrict the width of tire, instead of regulating the weight. Let it be known that there must be a certain width as a minimum—say 5 inches—and we know a wide tire is much easier to draw than a narrow one, over soft roads. All the teams built at Bunbury and in that district have tires of 5 to 6 inches, the roads being mostly sandy; but in the Katanning district the soil is different. It would be better to adopt a law dealing with the width of tires in the future, rather than the weight of loads; for if we enforce this law, it will be a dead letter, because the roads will still be cut up as now. A Bill requiring all tires to be made much wider, in the future, would be a benefit to all. With regard to weighbridges, they would be of great service in populous centres; but in a district extending some 40 miles by 30, you would require some

three or four weighbridges, and the cost of these would be greater than the hon. member has stated, namely, about £120 each when lauded in the colony, with another £25 for erection, and if the work were not done in a permanent and skilful manner, the machine would be a source of trouble. Weighbridges can be bought at various prices, but a good weighbridge, according to the catalogues I have seen and the inquiries I have made, would cost more than the hon. member stated. With regard to the traffic on the Yilgarn roads, the hon. member's remark was correct; but no matter what width of tire were to be introduced by law, the roads there would be cut up, because unless roads are properly macadamised and regularly maintained, the width of tires will make no great difference. I am not able to support the Bill as it stands.

MR. COOKWORTHY: Anyone who is at all acquainted with the roads of this colony must be fully in accord with the desire of the hon. member in bringing in this measure; but I cannot agree with the second clause. I do not see how the weight of a vehicle is to be ascertained without a weighbridge, and in the Sussex district, for instance, it would be almost impossible, at present, to get a vehicle weighed. Except in the centres of population, weighbridges are not likely to be obtainable. The second clause might be amended so that any cart constructed to carry from one to two tons weight should have 4-inch tires, and any cart constructed to carry a greater load should have, say, 5-inch tires. There is no doubt that on country roads the tires ought to be wide. In the Sussex district, 4 or 5-inch tires are generally used; but I have noticed that about Perth and in the Eastern districts very narrow tires are used—the reason why I cannot tell. I know the narrow tires do cut up the roads, whereas 4 or 5-inch tires would be far better for the roads. There is no great difficulty in ascertaining the weight of a load. Everyone who loads timber, or potatoes, or corn, or hay, will know the weight of the load pretty well; but when the vehicle is included in the weight, I do not see how that is to be ascertained, together with the load, unless a weighbridge is available. I will support the Bill, but cannot agree with the second clause.

MR. MONGER: There is no member in this House who likes to support the proposals of the hon. member for the DeGrey more than I do, but I am sorry that he has thought fit to bring in a Bill which I trust the Government, and a big majority of this House, will refuse, at all events for the present, to entertain. There is sufficient power given to the Roads Boards to make such bye-laws as would meet all the requirements mentioned in this Bill. [MR. RICHARDSON: Which they do not exercise.] Yes, as the hon. member says, powers which they do not exercise. I can only say, on that point, that if the people who elect certain gentlemen to represent them on the Roads Boards do so, knowing that their representatives will refrain from acting in the interests of those who elect them, I say those people should not elect such representatives. Let us first see the people in the country adopting such a course, and then something after the style which the hon. member wishes to introduce might meet with some favour in this House. But, as I was saying, every power is given to the Roads Boards to make such bye-laws or regulations as will enable every clause in this Bill to be carried out. If the Roads Boards, not only in the Northern, but in the Southern parts of the colony, have not thought fit to make bye-laws providing for these requirements, I say it is not for the Legislature to pass a law which evidently does not meet with favour at the hands of the people who are most concerned. I admit I have not gone carefully into the question, but I know that in the York district this matter received serious consideration by the Roads Board, and the members thought there was no necessity to make any bye-laws or regulations such as this Bill now proposes. Those members must have given to the question the consideration which it deserves, and they concluded that there was no necessity for them to take action in that direction. I assume that, in their wisdom, they must have done their best in the interest of that particular district. But, in citing the action of the York district, I am also referring to all districts in which there are Roads Boards. No doubt the objects which the hon. member has in view are most worthy, and no doubt he acted on the recommendation of the Attorney

General in framing a Bill on this subject, when the Attorney General was too much occupied to deal with it. But I think that, if the Attorney General had taken this subject in hand, he would have produced a Bill in a very different form. I do not think it is necessary to refer to the clauses of this Bill, because I object to the whole lot. I therefore move, as an amendment, "That the Bill be read a second time this day six months."

MR. HASSELL: I beg to second the amendment.

MR. DEHAMEL: I am sure we all feel that the hon. member has conferred a public good on the colony in introducing this Bill; but I regard the Bill as premature. We are being overdone with legislation, and I see many difficulties in the way of this Bill being properly carried out. The hon. member said these weighbridges might be established along public roads where there is a deal of traffic; but along our high roads, at present, there is not any great amount of traffic, because we have built railways adjacent to nearly all our principal roads, and they carry most of the traffic. It is true that a certain amount of damage has been done along the main roads, between Perth and Bunbury, during the past twelve months; but that damage was done by the very heavy weights carried by the railway contractors during the work of construction, and will not occur again. I do not think there is need for us to introduce further legislation, merely to provide in the future for a temporary difficulty like that which has occurred during the construction of railways. It will be got over, in the future, by a provision in new contracts, that no weight over a certain amount shall be carried, except on wheels having a certain width of tire. In other colonies we find that a load of 10 to 12 tons is carried on a single vehicle; but here we have no loads of that kind, the heaviest loads in this colony being the large boilers which are taken out from York or Geraldton to the goldfields for mining purposes. As to carting sandalwood, I believe that two to three tons—nay, I am told not so much as three tons—is about the heaviest load of sandalwood that is carted; and that kind of traffic does not go along our main roads, but mostly along bush tracks. I do not think it is necessary to introduce a measure of this sort, merely to regulate

the width of the wheels on which sandalwood should be brought in from the bush; and very little sandalwood is being brought in now. I cannot see that any good case has been made out, and I shall support the amendment.

MR. R. F. SHOLL: I intend to support the Bill, because I think the principle is a good one; and, if members approve of the principle, the Bill should not be thrown out, but be allowed to go into committee for amendment of the details; so that, if a satisfactory Bill cannot be made of it, we can throw it out on the motion for the third reading. I think the principle of having a certain width of tire, for preserving our roads, is a good one, and, at any rate, deserves support on the second reading of the Bill. As to the contention of the hon. member for York, that the Roads Boards have ample power to do all that this Bill proposes, we know that the Roads Boards have also the power to rate the land within their districts for raising funds with which to maintain the roads in repair; but, with the exception of the Yilgarn Roads Board, they have not exercised the rating power. I believe that in the Yilgarn district some of the mining properties have been rated, but that is an exceptional case; for as long as the Roads Boards can get money from the Legislature for the upkeep of the roads, they will not rate the holders of land. It is our duty to support a measure which will in any way relieve the general revenue from the cost of keeping up the roads of the colony. Year after year we have to vote large sums for the upkeep of roads; whereas if we had a Bill for regulating the width of tires on roads, the wear and tear would not be so great, and the roads would be kept in better condition, without the enormous expenditure now required out of the public funds, for which the whole population are taxed. Great damage is done to roads by the excessive loads carried on narrow tires, and this can be prevented by regulating the width of tires. I do not think this Bill will operate harshly; it will not interfere with the ordinary two-wheeled vehicles, as it will permit them to carry loads up to 30 hundredweight, and it simply provides that excessive loads shall not be carried on narrow tires. I have seen, at the Canning, heavy timber brought in on narrow-

wheeled waggons, which cut into the roads like a knife. All the timber waggons have narrow tires, and the heavy loads carried on them do more damage in a day than the ordinary traffic would do in a month. There may be details in this useful Bill which members do not agree with; but we should let it go into committee for amendment. With regard to weighbridges, they would be a useful institution, even in the towns, for if you buy a ton of wood or coal, you do not know whether you get the right weight, and the same with loads of chaff.

MR. LOTON: This House has already, in this session, affirmed the principle of a Bill of this description; and if the principle of this Bill is good and desirable, the sooner we adopt it the better. There will always be difficulties of detail. I can scarcely see how this Bill will affect wool teams in outlying districts; but a four-wheel waggon, with 11 inches of tire altogether, would allow a load of 77 hundredweight to be carried, at seven hundredweight to the inch, and you will find very few loads in excess of that, on that width of tire. Having a certain weight of load, there must be a proportionate strength of cart-arm and axle; therefore, when you get up to about four tons you must have a width of three inches, which would be a narrow tire for that weight. As to sandalwood, taking $2\frac{1}{2}$ inches of tire, I can assure hon. members that a waggon load of sandalwood of 50 hundredweight, drawn over ordinary roads, is a very good average load, and only in exceptional cases would the load be in excess of what the Bill allows.

THE PREMIER (Hon. Sir J. Forrest): What is the use of it, then?

MR. LOTON: The great use and advantage and saving would apply principally in the centres of population, in the Municipalities, where very heavy loads of stone and timber are carted on narrow tires, over the best-made roads; such a load as 500 bricks, weighing about 45 hundredweight, being frequently carted on $2\frac{1}{2}$ inch tires. It is in these localities, mainly, that an alteration in the width of tires would have to take place; and in these localities there would be no great hardship in imposing an extra width of tire. Such a Bill would have a beneficial effect, in these localities, and I trust the House will not throw it out, but will at

least affirm the principle by allowing the Bill to be read a second time, thereby indicating to the country that the House approves generally of the principle, and intends to go further with it, if not this session, yet at a future time.

MR. SOLOMON: When an hon. member takes trouble to bring forward a Bill of this importance, containing a principle that is to a great extent approved of, it is only right that the Bill should be allowed to go into committee. I do not altogether agree with the clauses, because there may be great hardship where homesteads are widely scattered, and teamsters have to go long distances. Clause 2 is hard on the teamster, by compelling him to limit the weight he may carry, while it does not compel the local authority to provide a weighbridge for testing whether a disputed weight is excessive. I am of opinion that the principle of a width of tire is a real necessity for the preservation of our roads, which are terribly cut up by heavy loads on narrow wheels, causing great expense. Our railways will take a great deal of traffic off the roads, but as the homesteads increase and farther roads are constructed, there will, in the near future, be a necessity for a Bill of this kind.

THE PREMIER (Hon. Sir J. Forrest): When I read the title of this Bill, I thought it was a measure for regulating the width of tires, and that the principal clause would be that the tire should not be of less than a certain width. But I find that, instead of regulating the width of tires, the Bill merely regulates the weight to be carried on certain tires. It seems to me that the weight allowed to be carried by this Bill is certainly as great as is carried now, on the same width of tire. The hon. member for the Swan, who has had experience in the sandalwood trade, has told us the weight carried on ordinary roads is little if any over the weight allowed by this Bill. I find that a waggon with 3-inch tires would be allowed by this Bill to carry four or five tons, including the weight of the waggon; and that a 4-inch tire waggon would carry $5\frac{1}{2}$ tons; so that if you keep to this standard of seven hundredweight to the inch of tire, the result would not be an improvement on the present practice. I do not believe the carts can or do, as a rule, carry a greater weight than would be allowed by the Bill; therefore the

effect of the Bill would be one more statute that would really be a dead letter. The idea of erecting public weighbridges over the length and breadth of this immense country is out of the question altogether. Fancy putting weighbridges up in the Northern parts, or on the way to Yilgarn or the Murchison! People could not take loads to the weighbridges, if erected, because of the immense distances. The Bill provides that an inspector may measure any load, and if his estimate be disputed, the load may be tested at the nearest weighbridge. But the nearest weighbridge might be fifty miles distant, or more. It seems to me that the main reason why roads are cut up so much in this colony, is the practice of driving horses in a team, one after the other, in single line; and the second reason is that the roads generally are not macadamised, but are in a natural state; therefore, no matter what law you make for regulating loads, if you have to carry heavy weights in carts, the roads must get into a bad state, and the heavier the traffic the worse the road. It is unreasonable to suppose that, on the road to the Yilgarn goldfields, any system of regulation would keep the road in a good condition, unless it be macadamised for making it hard. Any ordinary bush road must become bad where there is much traffic. I can well understand that this Bill would be useful in Municipalities and thickly populated districts, but this House is not called on to legislate for Perth and Fremantle and York, unless those local bodies wish it to do so. How is it that they do not ask for such legislation, if they want it? To restrict people in the weight of wool they shall carry along the roads in remote parts, say from the Murchison, a distance of 300 miles to a port, seems to me altogether unnecessary. There is greater restriction on the weight to be carried in the amount of force that is necessary to draw the load across country over long distances; and, depend upon it, the teamsters will not desire to carry excessive loads, because the horses in a wool team, as a rule, have to feed on the natural vegetation along the journey, and very heavy loads cannot be carried under such conditions. I see no necessity for such a general law throughout the colony, and I believe it would be a dead letter if passed. It could not be

made operative in country districts, and I am not prepared to say that the towns want it, because they have got local government. In the Southern districts, especially about Bunbury, the tires are always wide, and I have often wondered why the tires are so narrow in the York district; but in that district the roads are naturally hard, and all along the Avon Valley the roads have been macadamised, to some extent. I would prefer that a Bill for this purpose should limit the width of the tire—say not less than $3\frac{1}{2}$ or 4 inches. An ordinary cart with $3\frac{1}{2}$ inch tires would run just as easily as one with $2\frac{1}{2}$ inch tires, and would be better on soft roads. I think, also, there is no pressure for this Bill. The hon. member does not propose that it shall come into force before 1895, and I do not think it would affect anyone if brought into force immediately, for there is no one breaking the law at present, as defined in the Bill. Fancy a loaded wool team coming down the Ashburton country being stopped by an inspector on a bush road, though a main one, and the inspector saying the load was heavier than the law allowed! Such a proceeding would be ridiculous. I am sure the hon. member is actuated by the best intentions, but the Bill is not necessary at the present time.

MR. A. FORREST: The thanks of the House are due to the hon. member for bringing in this Bill, as it is a move in the right direction as to the width of tires. The timber mills, which largely use bush roads, have their tires always of a great width, and by this means they can bring in logs weighing seven tons, whereas with narrow tires this would be impossible. The only other people who use wide tires are those in the Southern districts, because of the sandy nature of the country.

MR. COOKWORTHY: The Blackwood road is one of the best roads in the colony.

MR. A. FORREST: Yes; but the traffic on that road is not heavy. I think the hon. member might withdraw the Bill, because at the present stage it would not do much good, and the change which the hon. member proposes would not meet the case. I would rather go in the direction mentioned by the hon. member for the Williams, namely, that all carts made after a certain date should have marked

on them the maximum load they will carry, and the width of tires should be in proportion. There has been no call for this Bill. The Municipalities have not asked for it, although I should be glad to see a broader class of tires in the Perth district.

MR. PATERSON: My sympathies are entirely with the hon. member who has brought in this Bill. I have had experience in trying to pilot a Bill through this House, and, knowing the difficulties, I am sure the hon. member has no other object than the best interests of the colony. The difficulties of carrying this Bill into effect are not very great, if hon. members can get over the novelty of the proposals. The Bill is only to prevent the carrying of excessive loads on public roads. What is the reason of the present bad condition of the road to the Canning? It was the carting of all the heavy pipes for the Perth waterworks; and although that was a temporary traffic, it may occur again. I notice that in the printed catalogues of agricultural implement makers, one of the main points is the lightness of draught of a machine; and if hon. members have noticed the character of the agricultural machines introduced during the last six or eight years, they will have seen that the width of tires has almost doubled, because on soft ground the draught is easier with wide tires than with narrow ones, and the lightness of draught in that case is caused only by the greater width of tire. The loads carried over our roads, at the present time, are heavier than those which this Bill would allow, and it is the exceptionally heavy loads we want to prevent. In one case an engine was carried down a hilly road, causing a deep rut from top to bottom, and the Road Board had to expend £40 in repairing the injury. To-day in Perth I saw three horses starting to pull a roller weighing six tons for levelling a piece of road. That is what we want—wide tires to make the roads level and hard. The amount of money expended on our public roads is considerable, and most of that expenditure would have been unnecessary if wide tires had been in use. In the York, and Toodyay, and Northam districts there has been much more money available for roads than in the South, yet the roads in those Eastern districts are quite as rough

as the Southern roads. One heavy load will do more harm than a thousand light ones. We know it is the water lodging in the ruts during winter that does the most mischief, and unless a damaged road is repaired at once it gets rapidly worse. I would like to see the tires made wider, and this condition would not be a great hardship on those persons having vehicles at present, because as a rule the loads carried on them are not greater than the Bill allows. The Bill is in a right direction, and, though it cannot be carried at present, it will prepare the way for future legislation in this direction. When people once get into the way of using wide tires, I do not think they will ever again prefer narrow ones.

MR. RICHARDSON: I have not much to add, but to express my astonishment at the Colonial Treasurer having so little regard for the administration of the public funds as to oppose a measure that is designed to save some of the unnecessary expenditure on public roads. When we think of the large amounts required for the upkeep of public roads, which are cut to pieces by occasional heavy waggons, and not by the ordinary traffic, it is time for hon. members to withdraw their care and concern. The only motive that prompted me to bring in this Bill was a regard for the public funds, and a desire to prevent their being wasted on the upkeep of roads which could, by a little legislation, be kept in a better condition, thereby saving many thousands of pounds every year. The hon. member for York says the Roads Boards have all the powers which this Bill would give; but I would remind him that all those who elect members to the Roads Boards are interested, directly or indirectly, in the existing carts or waggons, and the compulsory expenditure of 10s. or £1 extra in getting broader tires for a vehicle would affect each one of them more than any matter involving thousands of pounds of the funds of the colony. This House has to conserve the funds of the colony, and prevent their being wasted. This is not a Roads Board question, but a taxpayer's question. One thing more. The Colonial Treasurer said something about hardship to particular districts, but the particular districts which he named would not feel the effect of this Bill in any way. If the appointing of inspectors to carry out the

provisions would be a hardship in any district, then that district need not appoint an inspector, and that applies to such districts as the Ashburton and the North-West. I maintain that this Bill would be no hardship to those owners of vehicles who load them reasonably. I cannot help feeling sorry to see the funds of the colony wasted, by expenditure in the upkeep of roads which are cut up unnecessarily by occasional excessive loads on narrow tires, when a little legislation would provide a remedy. I will put the Bill to the test of a vote.

Question put and passed.

Bill read a second time.

WINES, BEER, AND SPIRIT SALE ACT AMENDMENT BILL.

LEGISLATIVE COUNCIL'S AMENDMENTS.

IN COMMITTEE.

The amendments made by the Legislative Council in the Bill were read (*vide* Legislative Council's Message, p. 926, *ante*).

Amendments Nos. 1 and 2:

Agreed to.

No. 3.—On page 3, Clause 3.—Strike out the whole clause, and insert the following in lieu thereof:—

“Nothing in the principal Act or in “any amendment thereof contained shall “apply to any person who sells or supplies “liquor in a certificated club to a member “of the club for the use or consumption “of such member or other members of the “club, or his or their guests.”

MR. TRAYLEN moved, as a further amendment, that the words “or his or their guests,” in line 3 of the new clause, be struck out.

THE PREMIER (Hon. Sir J. Forrest) said the hon. member's intention was excellent, and the words he wished to strike out did give a little latitude, which might be abused in the case of bogus clubs; but, if these words were struck out, it would be found impracticable to carry on a club at all. In all clubs there was a “strangers' room,” where a member might receive and treat a friend or two; and if these words were struck out of the clause, no member of a club would be able to offer a glass of wine to a friend in his club.

Further amendment put and negatived, and the new clause agreed to.

No. 4:

Agreed to.

No. 5.—On page 4, Clause 5, strike out the whole clause, and insert the following in lieu thereof:—

“Upon such application, the Licensing Magistrates shall require proof to their satisfaction—

“(a.) That the club, if established in Perth or Fremantle, consists of not fewer than thirty ordinary members, and, if established elsewhere, of not fewer than twenty ordinary members.

“(b.) That the club is established for the purpose of providing accommodation for and conferring privileges and advantages upon the members thereof, upon premises of which such club is the *bona fide* occupier.

“(c.) That the accommodation is provided and maintained from the joint funds of the club, and no person is entitled under its rules or otherwise to derive any profit, benefit, or advantage from the club which is not shared equally by every ordinary member thereof.

“(d.) That the premises of the club are suitable for the purpose.

“(e.) That the entrance and subscription fees provided for by the rules of the club have been paid by the number of ordinary members hereinbefore mentioned in this section.

“(f.) That the rules of the club

“(i.) Provide for the management of the club by a committee of its members, and for the appointment of a secretary, and set forth how such committee and secretary are respectively to be appointed, and the powers and duties of the committee.

“(ii.) State the purposes to which the funds of the club are to be applied.

“(iii.) Provide for the payment of an entrance fee of not less than one guinea and a subscription fee of not less than one guinea per annum, payable half-yearly in advance, by every ordinary member.

“(iv.) Provide that notice of every candidate for election as an ordinary member shall be posted in the club premises at least fourteen days before the day of election.

“(v.) Provide for the mode and conduct of elections of ordinary and honorary members, and state the privileges to be accorded to the latter and the period or periods for which the same are to be enjoyed.”

THE PREMIER (Hon. Sir J. Forrest) moved, as a further amendment, that the words “the entrance and subscription fees provided for by the rules of the club have” be struck out of sub-clause (e), and that the words “an entrance fee of not less than one guinea and a subscription fee of not less than half-a-guinea for each member has” be inserted in lieu thereof. He said this further amendment was necessary, because the rules of a club might have been altered. For instance, in a superior club the rules provided for an entrance fee of 10 guineas; many of the members might have joined the club at a previous time, when the fee was only five guineas, and it could not be said, literally, that the entrance fee and subscription required by the rules at a later date had been paid by all the then members.

Further amendment put and passed.

THE PREMIER (Hon. Sir J. Forrest) moved, as a further amendment, that paragraph (ii.), sub-clause (f), be struck out. He said this sub-section was unnecessary, as sub-section (c) of the clause defined the purposes to which the funds should be applied.

Further amendment put and passed, and the sub-section struck out accordingly.

Ordered that paragraphs III., IV., and V. of sub-section (f) be re-numbered consecutively.

Amendment, as amended, agreed to.

Nos. 6 and 7:

Agreed to.

No. 8:

On page 5, Clause 12—Strike out the whole clause, and insert the following in lieu thereof:—“The provisions of the twenty-third section of the principal Act shall not apply to any justice of the peace by reason only of his being a member of, or interested as owner or otherwise in, the premises occupied by a club, whether certificated or not, but no justice of the peace otherwise disqualified by the said Act, or being an officer or agent of any society interested in preventing the

sale of liquor, shall be appointed as one of the licensing magistrates of a district under this Act."

MR. TRAYLEN said the new clause No. 12 was wholly unworthy of the Government, and if there was any action in this session for which the Government might fairly have ridicule poured upon them it was this. There were just two or three very innocent persons in the colony—justices of the peace—who happened to be members or officers of temperance societies. One was a treasurer, and therefore the House was asked to declare that he was wholly unfit to sit on the licensing bench. This was contemptible on the part of the Government—pouring contempt on Mr. Von Bibra.

THE PREMIER (Hon. Sir J. Forrest) said there were also brewers, who could not sit on the licensing bench.

MR. TRAYLEN said it was well understood that in cases where brewers and mortgagees were interested there was a bias; but merely because Mr. Von Bibra was treasurer of a temperance society, he was held to be unfit to determine whether an application made for a liquor license was in accordance with the terms of the Act. Not only was that alleged, in this section, but the Government found themselves in an awkward predicament, for after the Bill had left this House, they found it would disqualify every magistrate whom they could appoint to do this specific work—that nearly every magistrate was a member of a club in the town in which he resided; and so there was this amendment brought forward in the Upper House for declaring the absolute purity of those gentlemen, in order that, by reason of their being members of a club, they should not be disqualified from sitting on the Licensing Bench. This did seem to be almost beneath contempt. There was no language that could be used too strongly, if Parliamentary, to express the contempt caused by the bringing forward of an amendment like this, which provided that persons who were to grant a license to themselves, and others, were to be considered free from bias, while asserting, at the same time, that a gentleman like the hon. member for Northam (Mr. Throssell) was not upright enough to perform this same duty, because he sometimes was an officer of a temperance society.

MR. R. F. SHOLL said he was sorry the last speaker had not confined his remarks to the injustice of excluding members of temperance societies from sitting on the Licensing Bench. He was inclined to support the hon. member's objection as to that point; but the hon. member went farther, and said it was beneath contempt for the Government to exclude temperance members, while allowing members of clubs to sit on the Licensing Bench. It should be remembered that it was only for the purpose of putting down abuses that the genuine clubs were required to be licensed at all; therefore the hon. member should not cast reflections on those respectable persons who happened to be members of genuine clubs.

MR. TRAYLEN said he did not intend to cast reflections. He had only instituted a comparison.

THE PREMIER (Hon. Sir J. Forrest) said the hon. member (Mr. Traylen) had used the strongest terms he could in condemnation; but, for his own part, he did not see why persons should seek to make out that others were trying to throw discredit upon them when there was no such intention. The applicants for licenses would not have that confidence in justices sitting as Licensing Magistrates if agents of a society interested in the total prevention of the sale of intoxicating liquor were on the bench, as the applicants would have if the Licensing Magistrates did not hold those positions. He believed that applicants, if refused licenses by a bench on which those justices sat, would say, "What can you expect from such a bench?" In this way the disappointed applicants and their sympathisers might easily throw discredit on the Licensing Bench by imputing interested motives. It was in the interest of those justices, as well as in the interest of the community, that this provision was made in the Bill. The hon. member for the Murray (Mr. Paterson) had been prevented, in the past, from sitting on the Licensing Bench, because he was a vineyard proprietor; but, by such persons being prevented from sitting as Licensing Magistrates, no reflection was intended to be cast on them. Personally, he did not care about this provision, but the Government put it in the Bill because it was thought to be right. As to the other point, the hon. member (Mr. Traylen)

was right in saying there was scarcely a magistrate in the towns who was not a member of a club.

MR. TRAYLEN said he believed there were only two magistrates in the colony whom this provision affected; but if only the complaints of disappointed applicants were to be considered, were there not very large interests that had to be considered from the temperance standpoint, and not necessarily that of total abstinence? He had found that the licensing justices were usually ready to grant applications for licenses that were not in their own neighbourhoods; but were strongly opposed to granting licenses in the neighbourhoods where they resided.

MR. R. F. SHOLL said the hon. member had been a justice not many years, and at nearly every licensing meeting attended by the hon. member, he (Mr. Sholl) had attended also. His experience was different from that of the hon. member, and he challenged the hon. member to state a single instance to prove his assertion. The hon. member was evidently carried away by strong feeling.

MR. TRAYLEN said the application for a license for the Grosvenor hotel in Howick Street, Perth, was the instance he referred to particularly. He had found very strong opposition among the licensing justices when the premises to be licensed were anywhere near Adelaide Terrace; but when his own neighbourhood was concerned, there was no one on the bench opposing the application.

MR. SIMPSON said the hon. member's complaint was illogical, for if justices who had been pledged by oath against the use of intoxicating liquors were to be appointed as members of the Licensing Bench, it would be a farce for them to pretend to decide applications on their merits as to the public requirements of a neighbourhood, when their temperance society oath bound them in advance to refuse any application for a liquor license. The two justices who had been mentioned were held in such high respect, that no slur upon them personally could possibly be intended. A teetotaler had no more claim than a publican to sit on the Licensing Bench.

New Clause put and passed.

Nos. 9, 10, 11, and 12:

Agreed to.

No. 13.—Schedule.—Strike out the whole Schedule, and insert the following in lieu thereof:—

" FORM 'A.'

" Application for Club Certificate.

" I, _____, being the Secretary of the _____ Club, established in _____, do hereby make application for a certificate for the said Club, under 'The Wines, Beer, and Spirit Sale Act, 1880, Amendment Act, 1893.' The premises occupied by the Club are situate in _____ Street, _____ in _____ aforesaid, (or, as the case may be), and the number of members of the Club at present is _____, all of whom have paid the entrance and subscription fees provided by the Rules lodged with this application.

" Dated at _____, this _____ day of _____ 189____.
" Secretary of the _____ Club."

" FORM 'B.'

" Certificate of Club.

" We, the undersigned, being the Licensing Magistrates or the majority of the Licensing Magistrates (as the case may be) for the Licensing District of _____ do hereby certify that the Society or Association, known as The _____ established and occupying premises in _____ Street, _____, (or, as the case may be), is a Club within the meaning of 'The Wines, Beer, and Spirit Sale Act, 1880, Amendment Act, 1893,' and that the said premises are suitable for the purpose of a Club.

" Dated at _____ this _____ day _____ 189____.
" L.S.
" L.S.
" L.S."

THE PREMIER (Hon. Sir J. Forrest) moved, as a further amendment, that the words "all of whom have paid the entrance and subscription fees provided by the rules lodged with this application" be struck out of Form A.

Further amendment put and passed, and the new schedule, as amended, agreed to. Resolution reported.

Report adopted.

Ordered—That a Message be transmitted to the Legislative Council, informing them that the Assembly had agreed to certain amendments proposed by them in the Bill, and had amended others; in which further amendments the Assembly desired the concurrence of the Legislative Council.

MUNICIPAL INSTITUTIONS BILL.

DISCHARGE OF ORDER.

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

MR. SIMPSON moved that the Order of the Day be discharged. He asked the Government to consent to the postponement of this important and lengthy Bill until the next session, saying the Municipal Council at Geraldton had not been able to fully consider the Bill, and the country generally ought to have more time for considering the numerous provisions.

MR. DEHAMEL seconded the motion.

MR. A. FORREST said the Bill had been generally approved by the Perth Council, and as there were only a few clauses that would cause any discussion, the Bill might be passed this session. It was desirable that the new principle of rating unimproved lots should come into operation as early as possible, because of the unfairness of the present system.

MR. SOLOMON supported the motion, and said time should be given to the local Councils for a fuller consideration of this important Bill.

MR. QUINLAN said he would defer to the wish of the Government in the matter, while anxious to see the new rating provisions put into operation.

MR. HASSELL supported the motion.

THE PREMIER (Hon. Sir J. Forrest) said the Government were ready and willing to go on with the Bill; and, in the absence of the Attorney General, the Colonial Secretary would assist him with legal advice in dealing with the clauses. It did seem a pity, after all the time and labour expended on the Bill, that it should not pass in this session. Personally, however, he would not be sorry, at this late stage of the session, if the Bill could be postponed by agreement until the beginning of the next session. If the Mayor of Perth would consent, they might be unanimous.

Motion put and passed.

Order of the Day discharged accordingly.

ADJOURNMENT.

The House adjourned at 10:10 p.m.

Legislative Council,

Thursday, 28th September, 1893.

Elementary Education Act Amendment Bill: first reading—Engine Sparks Fire Prevention Bill: recommittal—Constitution Act Amendment Bill: Legislative Council's amendments—Tariff Bill: second reading: committee: third reading—Public Institutions and Friendly Societies Lands Improvement Act Amendment Bill: second reading: committee—Adjournment.

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

PRAYERS.

**ELEMENTARY EDUCATION ACT
AMENDMENT BILL.**

This Bill was introduced by the COLONIAL SECRETARY, and was read a first time.

**ENGINE SPARKS FIRE PREVENTION
BILL.**

The Order of the Day for the consideration of the committee's report on this Bill having been read,

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that the Order of the Day be discharged, and that the Bill be recommitted.

Question put and passed.

IN COMMITTEE.

Clause 1.—"Title:"

THE COLONIAL SECRETARY (Hon. S. H. Parker): As this Bill was originally proposed, it dealt only with sparks from engines; but a select committee of the Legislative Assembly added a clause dealing also with cinders in the ash-pan. I propose now to make the title accord with the Bill by striking out the word "sparks" in this clause.

Question put and passed. Clause, as amended, agreed to.

Clause 2.—"Interpretation:"

THE COLONIAL SECRETARY (Hon. S. H. Parker): I move that the following words be added to the end of the clause:—"Line of Railway" shall mean the lands taken, resumed, purchased, or otherwise acquired for the construction or maintenance of any railway line, whether the same shall be fenced or not. 'Prescribed' shall mean prescribed by regulations from time to time made by the Governor-in-Council." It will be observed that the