

of country land." He did not see why a distinction should be drawn between town and country land in respect of the time allowed for paying for a fence, if the Government refused to draw a distinction between the two classes of land in other portions of the Bill.

THE ATTORNEY GENERAL (Hon. S. Burt) said the reason why these words appeared was because the law, in its retrospective application, already applied to town and suburban lands, and this Bill extended its provisions to country lands; and they thought they would give the occupier of country land a little time to pay for his fence, as this principle was a new one in his case, whereas it was not so in the case of town land.

Mr. JAMES said that argument would be convincing if it were a fact that all dividing fences in town had been paid for; but there were a large number that had never been paid for. Under the existing Act you could not recover any compensation in respect of your fence unless you took proceedings to protect yourself before the fence was erected. [THE ATTORNEY GENERAL: That is not the case. You may, but you are not bound to.] Assuming the hon. gentleman was right, the effect of this Bill would be to cause owners of fences already erected, but not paid for, to compel the adjoining owner to share half the cost.

Mr. SOLOMON thought they ought to give poor people in town time to pay for their fences under this Bill, the same as those in the country, and, for that reason, he would support the amendment.

Question put—That the words proposed to be struck out stand part of the clause. Upon a division, the numbers were:—

Ayes	...	...	...	14
Noes	...	...	...	7

Majority for ... 7

AYES.  
Mr. Clarkson  
Sir John Forrest  
Mr. Hassell  
Mr. Loton  
Mr. Marmion  
Mr. Paterson  
Mr. Pearce  
Mr. Piesse  
Mr. Richardson  
Sir J. G. Lee Steere  
Mr. Throssell  
Mr. Venn  
Mr. Wood  
Mr. Burt (Teller).

NOES.  
Mr. Connor  
Mr. Dillingworth  
Mr. James  
Mr. R. F. Sholl  
Mr. Simpson  
Mr. Solomon  
Mr. Leake (Teller).

Question thus passed.

Mr. ILLINGWORTH said the clause as it stood gave a man six months to pay for a fence if the amount did not exceed £25, and unless the money was paid it became a charge upon the land. He wished to mitigate the hardship and injustice which this Bill would inflict, so far as he possibly could, and with that object he proposed to amend this clause by moving to substitute £10 for £25 in this instance, and to make a corresponding reduction where the amounts payable were larger. He now moved that the words "twenty-five" be struck out, and "ten" inserted in lieu thereof.

Mr. RICHARDSON thought that the amendment of which the hon. member for the Williams had given notice would effect the same purpose in a better way, as it would give a man twelve months (instead of six) to pay the money, whether the amount was small or large, so long as it did not exceed £25.

THE ATTORNEY GENERAL (Hon. S. Burt) moved that progress be reported. Agreed to.

Progress reported, and leave given to sit again another day.

#### ADJOURNMENT.

The House adjourned at five minutes past 5 o'clock p.m.

### Legislative Council.

Wednesday, 22nd August, 1894.

Bankers' Books Evidence Bill: third reading—Employers' Liability Bill: first reading—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at 4.30 o'clock p.m.

#### PRAYERS.

#### BANKERS' BOOKS EVIDENCE BILL.

This Bill was read a third time and passed.

**EMPLOYERS' LIABILITY BILL.**

This Bill was received from the Legislative Assembly, and was read a first time.

**ADJOURNMENT.**

**THE COLONIAL SECRETARY** (Hon. S. H. Parker): I beg to move that the House do adjourn until this day fortnight. I do so because at present it is obvious that we have not received sufficient work from the Legislative Assembly to engage our attention for more than a few minutes a day, but in a fortnight's time we shall have sufficient to keep us going for some time at each sitting. There is no reason why we should meet sooner than the date I have named, except it be for the purpose of answering the questions on the notice paper. With regard to one of these questions, I may say now that the Abrolhos Islands are let to Mr. Broadhurst on a royalty for every ton of guano taken away, and no conditions are imposed as to the class of labour that shall be employed. Then, as to the other question, I may say that the Railway Department is doing its utmost to provide the necessary trucks to carry on the traffic with. If, therefore, we meet tomorrow, it will not in any way facilitate the getting of the trucks; but I will promise my hon. friend who has tabled the question, that I will, before we next meet, confer with the Commissioner of Railways, and urge upon him the views of the hon. member. I now move that the House adjourn until this day fortnight.

**THE HON. H. MCKERNAN**: The Hon. the Colonial Secretary has referred to the two questions on the notice paper, but he has studiously abstained from referring to the notice of motion standing in my name, and which involves serious consequences to the country. My motion was adjourned for a fortnight, and now it seems somewhat strange that the House is to be adjourned for a fortnight. Evidently there is some connection between my hon. friend, Mr. Henty, who moved the adjournment of the debate on my motion, and the Colonial Secretary. Considering that the revenue is losing £1,500 a month by allowing the contractor to run the line, I should like to know why my motion has been passed over?

**THE HON. E. McLARTY**: I should like to ask whether it would meet the convenience of other hon. members if we met on Tuesdays instead of on Wednesdays, as the train from Bunbury arrives on the former day, and runs only every alternate day? The present arrangement means my leaving home on Monday and not returning until Saturday.

**THE HON. R. G. BURGESS**: I would suggest that we further discuss this matter when all hon. members are present. We may then be able to arrive at dates suitable to all.

**THE COLONIAL SECRETARY** (Hon. S. H. Parker): I may say that for my part I do not care whether the House meets every day or not, and when proposing Wednesdays and Thursdays I thought these would be acceptable days to hon. members. Another reason was that the Lower House meets on these days at half-past four o'clock, and it is necessary for us to meet on some days when that House meets, in order that we may exchange messages. I also proposed consecutive days so that hon. members might avoid having an idle day in town. Why the trains on the South-Western line do not run every day I do not know, and I hope hon. members will bring their influence to bear on the Commissioner of Railways to induce him to run every day. With regard to the motion on the notice paper in the name of the Hon. Mr. McKernan, I may say that, when moving the adjournment of the House, the matter quite escaped me. Now, the hon. member himself allowed the matter to be adjourned for a fortnight, so that evidently he did not attach much importance to it. The motion he has made is this:—"That in the opinion of this House it is desirable, in the interests of the colony, but more particularly in the interests of those people who are connected through trade, commerce, or mining with the Murchison goldfield, that the Government do take over and work that portion of the Mullewa railway line which is completed." It may, perhaps, be news to the hon. member when I inform him that the Commissioner of Railways says that no part of the line is yet complete. I may also remind the hon. member that the construction of this line has been let as a whole, and, therefore, if the Govern-

ment took over any part of it before the rest of it was complete, we might involve ourselves in the payment of compensation. The line was to have been completed by the 19th July, and it may be that the contractor has involved himself in penalties, although I understand he is entitled to an extension of time in consequence of some alterations which have been ordered. It is anticipated, however, that the whole line will be completed by the middle of October, and in the meantime the contractor, I am informed, is doing, and will do, all he can for the convenience of the public.

**THE HON. H. McKERNAN:** At whose risk?

**THE COLONIAL SECRETARY (Hon. S. H. Parker):** The Government felt it their duty to allow the contractor to carry traffic on the portions of the line that were fit for use, and had they refused there would have been a loud outcry, I am sure. The same course was adopted in regard to the Yilgarn railway. I trust that this explanation will be satisfactory to the hon. member.

**THE HON. F. T. CROWDER:** In regard to the question standing in my name, I may say that I shall be quite willing to allow it to stand over. At the same time, I ask the Hon. the Colonial Secretary to impress on the Government the necessity of doing all they can, because there are several industries at the present moment which are being ruined owing to want of trucks. Only last week a shipment of 300 tons arrived at Fremantle, and had to be taken back to Melbourne, because there were no trucks to unload it into.

Question put and passed.

The House, at 5.10 o'clock p.m., adjourned until Wednesday, September 5, at 4.30 o'clock p.m.

## Legislative Assembly,

Wednesday, 22nd August, 1894.

Agricultural Land and Homestead Blocks on Goldfields—Safety of North Fremantle Bridge—Employers' Liability Bill: third reading—Proposed appointment of Royal Commission to inquire into Sewerage and Water Supply schemes—Water Rights on Coolgardie Goldfields—Bankers' Books Evidence Bill: Message from Legislative Council—Patents Bill: second reading—Municipal Institutions Bill: further considered in Committee—Adjournment.

**THE SPEAKER** took the Chair at 4.30 p.m.

### PRAYERS.

#### AGRICULTURAL LAND AND HOMESTEAD BLOCKS ON GOLDFIELDS.

**MR. THROSSELL,** in accordance with notice, asked the Commissioner of Crown Lands whether it was the intention of Government to open lands suitable for settlement in the vicinity of Southern Cross and other goldfields for sale and for conditional purchase; and (2) whether the homestead block system would be allowed to apply to suitable lands in the same localities?

**THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion)** replied, as follows:—

1. The only way of dealing with agricultural land in goldfields is under the provisions of Clauses 26 and 27 of "The Mineral Lands Act, 1892."

2. It is impossible, under our law, to do so.

#### SAFETY OF NORTH FREMANTLE BRIDGE.

**MR. PEARSE,** in accordance with notice, asked the Director of Public Works whether he would obtain a professional opinion on the stability and safety of the North Fremantle bridge?

**THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn)** replied that professional opinion had been obtained, and that the bridge was considered safe for public traffic.

#### EMPLOYERS' LIABILITY BILL.

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