own opinion of the matter was that whether a cure could be found for it or not it would prove so expensive in its application as to render it impracticable. But they might ascertain the cause of it, and thus aid our settlers in taking steps to prevent their cattle being attacked by it. Such information would be of great value.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said that some years ago an inquiry was made by the Government as to this disease, and, as the hon. member for Murray and Williams had said, he had shown to the hon. member the papers and correspondence on the subject, from the various districts of the colony, so that he might satisfy himself how far the inquiry had gone. The Government at that time endeavored to find out the root of the evil, in order if possible to provide a remedy, but he was sorry to say they were not successful, on that occasion. Whether the appointment of a Commission of practical men might have the desired result of course he could not say; and, so far as he was aware, there could be no objection to the resolution as it stood. He thought no stone should be left unturned to ascertain the cause of this disease among our cattle, but, as he had already said, the result of the inquiry made in the past did not advance our knowledge of the origin of the disease in any way; they were just as wise after the inquiry as they were before.

MR. HENSMAN said as the hon. member for the North, who had suggested an amendment in the wording of the resolution, was debarred from addressing the House again, he moved to substitute the following amendment: "That an humble address be presented to His Excellency the Governor, praying that he will appoint a Commission, with a view to making inquiries into the nature and cause of the disease in cattle known as rickets, or wabbles, and to recommend such steps as they may deem requisite to eradicate such disease."

The amendment, upon being put, was carried.

APPROPRIATION BILL (SUPPLEMENTARY), 1888.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser), without comment, moved the second reading of this bill, which was agreed to *sub silentio*.

Bill read a second time.

GOLD DECLARATION BILL.

Read a third time and passed.

BOAT LICENSING AMENDMENT BILL.

Read a third time and passed.

SCAB BILL.

On the order of the day for the committal of this bill,

MR. HARPER moved, as an amendment, that it be referred to a select committee, consisting of the Colonial Secretary, Mr. Burt, and the mover.

Agreed to.

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

LEGISLATIVE COUNCIL,

Wednesday, 31st October, 1888.

Cotton Waste for Railway Department—Reward for capture of the bushranger, Hughes—Public Buildings, Pinjarrah: Why not proceeded with—Reduction in Subscription rates, Telephone Exchange—Railway Van Receiver for late Letters and Newspapers—Reduction of Fees under Gold Mining Regulations—Reply to Message (No. 3): the "West Australian" Petition and the Chief Justice—Roads Bill: in committee—Adjournment.

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

PRAYERS.

COTTON WASTE FOR RAILWAY DEPARTMENT.

MR. HORGAN asked the Director of Public Works whether, within the past 12 or 18 months, a bale of *cotton waste* for railway engine purposes, of the value of £4 8s., was forwarded by the Crown Agents to the Railway Depart-

ment; and whether they charged £14 6s. for inspecting it prior to shipment, over and above their commission?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) replied that, within the last 18 months, the Government had received a good many bales of cotton waste, and it was, therefore, hard to say which particular bale was referred to by the hon. member. He had, however, investigated the case, as it appeared a very curious one, as represented by the hon. member. He found that the last cotton waste purchased by the Crown Agents was accounted for in their accounts for October, 1886, No. 42. They charged £4 4s. for inspection on waste invoiced at £154 13s. 1d. This waste arrived here by the *Earlshall*, early last year.

THE POLICE AND THE REWARD FOR THE CAPTURE OF THE BUSHRANGER HUGHES.

MR. HORGAN asked the Colonial Secretary whether the police who captured Tom Hughes, upon his first escape from prison, were paid the reward offered by the Government; and, if not, why not?

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said the reward was not paid to the police, because it was not offered for the "capture," but "to be paid to such person, or divided among such persons, who should furnish such information as should lead to the apprehension of the said Thomas Hughes."

PUBLIC BUILDINGS AT PINJARRAH: WHY VOTE NOT EXPENDED.

CAPT. FAWCETT asked the Director of Public Works why the re-appropriation of the balance from the item "Mandurah Breakwater"—the balance of £981 11s. 7d. to be expended on public buildings, Pinjarrah—had not been expended, as promised on April 11th last?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said that owing to the construction of other important works, nothing had been done in the matter of these buildings. Now, however, the plans were in hand, and the work would be proceeded with, at an early date.

REDUCTION IN SUBSCRIPTION RATES, TELEPHONE EXCHANGE.

MR. HORGAN, in accordance with notice, moved: "That in the opinion of this House it is desirable, with a view to increasing the revenue and facilitating trade, to reduce the annual subscription of £15 to the Telephone Exchange, by one-half." The hon. and learned member said he found that the number of subscribers to this exchange amounted to 85, and, of that number, 20 were official users of the telephone. In consequence of the present high scale of subscription the public were actually paying for the use of this convenience, so far as the use of it by the Government was concerned, and he thought it was unfair to the public that they should be taxed so highly when the Government themselves so largely used this telephone. The 65 private subscribers paid £975 a year, which enabled the Government to have their work done cost free. He submitted this was unfair to the public, and he thought they had a right to ask that the rates be reduced, seeing that the exchange was intended, like the post office and the telegraph, for their convenience. He believed if the scale were reduced a great many more people would use it.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said the Telephone Exchange was at present one of the few Government works that paid, and he hoped it would continue to do so. The hon. member had asked that the subscription be reduced one-half, at one fell scoop, with the result that instead of the Government being able to make the receipts cover the working expenses, the exchange would be worked at a direct loss. The hon. member said the present rate prevented many people from using the telephone. Possibly so. But, when he told the hon. member that in London, where the population is thickly concentrated, the subscription rate is £20, and that in New York, where it is more largely used, the rate is £25, I don't think the charge here can be regarded as excessive, when we bear in mind the smallness of the population and the distance to be traversed. He thought it was early yet, at any rate, to reduce the charge. If the hon. member would read his official report he would see that he there stated, if private houses, small

storekeepers, and people like that would use it, he would be prepared, as the number of subscribers increased, to reduce the subscription rate. But he certainly thought that the present rate was not too high in the case of our large business houses, banks, and those who now used it; especially when it should be borne in mind that there was a considerable loss on the telegraph line between here and Fremantle, and also (more than people probably thought) on the railway. He was aware that the subscription rates in the other colonies were lower than here—in Sydney and Melbourne it was £7 10s. a year, within half a mile of the exchange, with 25s. a year added for every quarter of a mile beyond; but he would remind hon. members that subscribers there had to pay for their wire and instruments. As soon, however, as people here could be induced more generally to use the exchange, as he hoped they would before long, he should be the first to ask that the rate be reduced.

MR. PARKER said there was no doubt that this Telephone Exchange was of very great benefit and convenience to all those in business, and, knowing what a great convenience he found it himself, he could not help thinking that we got it at a very moderate price. Although as the hon. member had pointed out there were a number of Government offices that paid nothing towards the maintenance of the exchange, yet it must be borne in mind that it was the very fact of these public offices being connected which made this exchange so convenient to private subscribers, for, if they were not so, the exchange would be comparatively valueless to many who now used it. He was glad to hear from the Director of Public Works that this Telephone Exchange was a paying concern. If so, he thought that certainly the officer in charge was underpaid; and he hoped that when the Estimates came before them, they should see that it was proposed to give this officer a fair remuneration for the services he rendered the public. If there was any surplus of revenue at all from this department, that officer ought to get the benefit of it. But to reduce the rates simply because the exchange pays its way would, it appeared to him, be unfair to the general body of taxpayers. At present those who paid for this convenience were people who could afford it, and he was not aware there was any great dissatisfaction among subscribers as to the rate of subscription.

MR. SHOLL said he agreed with the hon. member for Sussex, especially as to the salary of the officer in charge. The success of this exchange was due to the energy and ability shown by the Superintendent of Telephones, and, if the other servants of the department were proportionately so ill paid as this officer was, there was no wonder the department paid. When they considered that this officer was only getting £200 a year—less than many second class clerks—he thought all would agree with the hon. member for Sussex that if there was any profit on this exchange, the Superintendent ought to have the benefit of it in an increase of salary. As to reducing the subscription rate, he did not agree with it at all. He did not think there ought to be any reduction until the number of subscribers was likely to largely increase. As to the taxpayers having to pay, it was not the taxpayers at all—it was those who used the telephone that had to pay for it; and, where the argument of the "poor man" came in here, he failed to see.

MR. RICHARDSON thought the hon. member for Perth ought to have been the last man to introduce such a motion as this, seeing that this telephone was only of service to his own constituents and the people of Fremantle. Moreover it was a curious argument in support of decreasing taxation to seek to convert what was now a source of revenue into a charge and a burden upon those who did not use it, nor want to.

MR. MARMION said the Director of Public Works had referred to a suggestion in his report as to small storekeepers and others becoming subscribers to this Telephone Exchange, which the hon. gentleman said would enable him to reduce the rate. He had referred to the report, but he saw no mention made in it of small storekeepers—probably the hon. gentleman was wise in not endeavoring to discriminate in this colony between the small storekeeper and the large storekeeper. He thought, however, without going so far as to support any proposal for reducing the present rate to people in business, it might be worthy of considera-

tion whether a lower scale might not be adopted for private houses. That might increase the revenue of the department, without possibly increasing the working expenses very much.

Mr. A. FORREST protested against any discussion at all on the subject of reducing the subscription to the Telephone Exchange, for it was well known those who used it were able to pay the subscription. It did not affect anyone outside the subscribers themselves, and so long as they did not complain, he thought other people had no business to interfere. He thought that to propose a reduction of one-half at the present time was very bad form indeed, and he considered the time of the House was being wasted in discussing the subject at all.

Mr. HENSMAN was somewhat astonished at some of the remarks that had been levelled at the hon. member for Perth. The hon. member had suggested what appeared a very innocent motion—that it was desirable the Government should charge half their present rate of subscription to this Telephone Exchange; and the hon. member had been told that he was wasting the time of the House, bringing forward a resolution which he ought not to make, and that other people had nothing to do with this matter. He ventured to differ from those who made these suggestions.

POINT OF ORDER.

Mr. BURT: I rise, sir, to a point of order—whether a member who seconds a motion can speak to the same motion again?

The SPEAKER: When he has simply formally seconded it, by an inclination of his head, or without comment, he may subsequently speak to the motion.

Mr. BURT: I think, sir, it has been ruled otherwise in this House.

The SPEAKER: A member who in seconding a motion makes any comment upon it cannot speak to it again; but when a member simply seconds a motion, formally, by rising in his place, without speaking to it, he has a perfect right to speak to it at a subsequent stage of the debate. That is provided for in our own Standing Orders.

DEBATE RESUMED.

Mr. HENSMAN, continuing, said they were informed by the Director of Public Works that this Telephone Exchange paid now, and that if he could get as many more subscribers he could reduce the subscription rate one-half, and still make it pay. Therefore there was nothing very wrong about the motion of the hon. member for Perth. They all knew how it was predicted that the introduction of penny postage in England would result in a loss to the Post Office, and how this prediction was falsified by the result. The cheaper they made these means of communication the greater the revenue from them was. It was not a question of whether a number of successful merchants and business men could afford to pay £15 a year, but whether by reducing this subscription you would not largely increase the number of subscribers, and correspondingly increase the revenue. Therefore there was nothing so very vicious or wasteful of time in the motion of his hon. and learned friend. Whatever might be said, he did not think the hon. member was to blame for moving in this matter, even although he was the junior member for Perth; for he believed the motion, whatever became of it now, would be followed very soon by a reduction of the present tariff.

The COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) did not know that anybody had said anything reflecting upon the hon. member for Perth, for bringing forward this motion. He thought the hon. member would have many people with him in thinking that if the present rate could be reduced it would be a very good thing. It was simply a question of ways and means, he thought, with his hon. friend the Director of Public Works, who in his report said that if the telephone were more largely used by private houses he would be able to reduce the subscription. He himself looked forward to the time when every private house in Perth would be connected by telephone, and when other centres of population would be connected. In Honolulu he believed every single house was connected by telephone, and he thought it would be a splendid thing if all our tradespeople, such as our butchers, bakers, storekeepers, and so on were connected by telephone with the houses of their customers. It would save an immense amount of trouble and riding about for orders, and be a great

boon to housekeepers as well. He looked upon the motion himself as a move in the right direction; but the request could not be acceded to at present, it appeared. But that the rate would be reduced, in time, there was not the slightest doubt about it, and he was sure his hon. colleague would be the first to do so, when he saw that his means would allow it.

MR. HORGAN said the town of Perth was now studded at present with immense poles, which would bear a great many more wires than they now had, and he thought it was a pity these poles should not be utilised to their fullest extent. The cost of the additional instruments would not be much. He had a London paper in his hand, containing an advertisement from a firm, who offered to supply complete instruments, with batteries, insulators, etc., at a price of £4 10s. No doubt the Government, by taking a large number, could get them for less; and the present appeared to him a very favorable opportunity for a reduction of the scale of charges for subscribers. However, in view of the assurance of the Director of Public Works that as soon as the number of subscribers increase he will be prepared to make a reduction, he would, with the leave of the House, withdraw his motion.

Leave given, and motion withdrawn.

RAILWAY MAIL VAN RECEIVER FOR LATE LETTERS AND NEWSPAPERS.

MR. HORGAN, in accordance with notice, moved: "That in the opinion of this House it would be conducive to public convenience if a receiver were provided for the reception of English and Colonial late letters and newspapers, in the railway mail van, upon the departure of the mail trains from Perth and Fremantle, like unto a similar arrangement existing in the Eastern Colonies." He spoke from his own experience as to the existence of this arrangement in the other colonies, and he had himself frequently posted letters in these mail van receivers, which were left open to the public until the last moment, without any extra fee whatever. He had been told that the same practice was prevalent in the United States; and, as it would entail no extra expense on the Postal Department, he thought it might be adopted with advantage here, and be a public boon.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said the Government had already anticipated the hon. member's suggestion. Up to the present time, unfortunately, they had had no proper mail van attached to their trains; there was what purported to be a mail van—which was simply a closed goods truck—but it possessed no convenience for the reception of letters, and it was therefore impossible to have it used as a travelling post-office. But the Government were now having built a proper post-office van, which would be fitted up with a receiver such as that the hon. member referred to, and it would be used for that purpose, but for letters only. Newspapers were not received in these boxes, anywhere, that he was aware of. This new mail van would be used as soon as the railway was opened between here and Albany.

Motion put, and negatived.

REDUCTION OF FEES UNDER GOLD MINING REGULATIONS.

MR. HORGAN, in accordance with notice, moved: "That in the opinion of this House it is desirable, with a view to encourage prospecting for minerals, to assimilate the Miner's Right fee to the figure charged in Victoria and New South Wales, namely 5s., instead of £1 as chargeable here: and that the other high fees chargeable under the Mining Regulations tend rather to impede and cripple mining enterprise, now in its infancy." He found in the schedule of fees payable under the Goldfields Act and the Regulations, that the fee payable for a miner's right was £1; that, he thought, ought to be reduced, as he said, to the figure charged in Victoria and New South Wales. The business license fee was £4; he thought £1 would be ample. Rent of gold-mining leasehold, per acre £1; he thought 10s. would be ample. The rent charged, per acre, for area to stack tailings, was £1; he should think half-a-crown an acre would be sufficient. Market garden area, £1 per acre; that, too, was too high—10s. would be quite enough. Now he came to the exemptions. Gold-mining leaseholds, exemption from labor,

one month, a guinea; he thought half-a-crown was ample. The charge for exemption for any time exceeding one month was £3 3s.; he should make that 5s. Claim for labor, 10s.; he should say 2s. 6d. would be ample. Exemption of race from use, 10s.; he should make that half-a-crown. Under the head of transfers, the present charge was, for leaseholds or shares therein, £1 1s.; it seemed to him that 5s. would be enough. Claims, or shares therein, 5s.,—one shilling, he should say. Business areas, 5s.; half-a-crown would be ample. Residence areas, 5s.; ditto,—and so on, all along, he would reduce the 5s. fee to half-a-crown. Then he came to registration. The present fee for registering union of claims was 5s.; he would reduce that to 2s. 6d. Declaration of loss of a miner's right, 5s.; that ought to be reduced to 1s. The fee for the examination of registers was 2s. 6d. for each entry; he would make it a shilling. In his opinion, those would be about the proper charges, and quite high enough for a poor struggling colony like this, trying to get gold. When the gold was proved to be there in payable quantities, there might be some reason for this high tariff of charges; but at present it was rather a prohibitive tariff, and it impeded the development of gold-mining as an industry.

The COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said the fees referred to by the hon. member were the fees fixed by an Act of that Council; therefore, before interfering with them, it would be necessary to repeal that Act. Hon. members were probably aware that our Gold-mining Regulations here were founded upon those of Queensland, and the fees (he believed he was correct in stating)—with the exception of the fee for a miner's right—were exactly the same as in Queensland. The "miner's right" fee there was 10s., but, when the question was considered here some two years ago, it was thought that £1 would not be too high, and the House fixed it at that. With that exception, our fees were the same as those in Queensland, and our Goldfields Act, in a great measure, too. It was thought that, as regards its goldfields, Queensland more resembled this colony than any of the other colonies, being a widely scattered community, the same as we are. The fees and labor conditions here were generally considered very liberal indeed—in fact experienced miners had told him that in no other colony in Australia were they so liberal. It must be remembered that there were great expenses incurred by the colony in superintending and providing machinery for preserving order upon these goldfields. These fields were situated in parts of the colony remote from the seat of Government, and we had to provide wardens, surveyors, police, and other expenses, all of which the colony had to pay. Of course, he knew, we were playing for a great stake, and therefore the development of these fields deserved every encouragement we could afford. But he did not think the fees were in any way calculated to cripple or retard their development. Therefore, he hoped hon. members would carefully consider this matter, before they supported the resolution now before them.

Motion put and negatived.

REPLY TO MESSAGE (No. 3): MESSRS. HARPER AND HACKETT'S PETITION.

Mr. PARKER: I beg to move, sir, "That an humble address be presented to His Excellency the Governor in respect to his Message No. 3, informing His Excellency that the Council agrees with him that no further steps should be taken by the Legislature in respect to the petition therein referred to, pending the reference of the memorial of the petitioners to the Right Honorable the Secretary of State for the Colonies." It will be observed, sir, that I do not move any further. I stop there.

Mr. SCOTT seconded.

Motion put and passed.

ROADS BILL, 1888.

The House went into committee on this bill.

Clause 1—Short title, and Act to come into operation on 1st January, 1889:

Agreed to.

Clause 2—Repealing existing Ordinances, etc.:

Mr. BURT said he observed that, in the 5th sub-section, the present District Roads Act, 1871, was referred to as the "34th Vict., No. 26;" and so it was. But in all the other clauses of the bill it was

referred to as the "District Roads Act, 1871," and, for the sake of uniformity, he thought it would be as well so to call it in this particular section. He therefore moved to strike out "34th Vict., No. 26," and insert "District Roads Act, 1871."

Agreed to.

MR. BURT called attention to the following words in sub-section 5: "It shall be lawful for a road board to class any road as a main or minor road," subject to approval. He merely wished to point out the existence of the words in this sub-section, so that they should not escape the attention of the committee. The Commission that was appointed to consider this question of roads, in 1885, —and he believed this bill was in some measure based upon the recommendations of that Commission—suggested that the distinction between main and minor roads should be done away with. For his own part he did not see any particular objection to the words of the sub-section, but some country members might; and he only wished to remind the House that the Commission recommended that the distinction between these two classes of roads should be abolished.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said there existed considerable objection on the part of the roads boards themselves to this distinction being done away with. The matter was referred to them, and they were of opinion that the result would be that most of the funds at the disposal of the boards would be spent upon what were minor roads, and that the main roads would be neglected. This bill provided that not more than one-fourth of the board's income shall be expended on minor roads.

MR. RICHARDSON said that was a very proper provision, no doubt, in many respects; but there might be a minor road which would require an expensive bridge, and where a bridge was absolutely necessary; and it might be detrimental, and even awkward, if the district board were strictly limited to only spending one-fourth of its revenue upon minor roads. This, however, was a matter that would come before them later on, in another clause.

THE ATTORNEY GENERAL (Hon. C. N. Warton) said he only wished to point out that it was only one-fourth of the board's public revenue that was restricted to minor roads. A board might have some other source of revenue than that derived from public funds; but the proviso referred to—as the hon. member would see on reference to the clause (clause 81)—dealt only with sums granted or apportioned from public funds.

The clause was then put and passed.

Clause 3—Interpretation clause:

Sub-section 2.—"'Rateable property' "shall mean all buildings, lands, tene- "ments, and hereditaments in the district, "except the following, namely: All such "property situate within the limits of a "municipality or in any town where there "exists a town council or town trust; "waste lands of the Crown in the posses- "sion of the Crown; land the property of "the Crown and used for any public "purpose; churches, chapels, cemeteries; "places for the public worship of Al- "mighty God; public schools, or schools "deriving aid from Government; public "buildings and lands appropriated and "held upon trust for any religious, charit- "able, or public purpose, or reserved or "set apart for the benefit of the abori- "gines:"

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) moved to add the words "or leased by the Crown for pastoral purposes," after the word "Crown" in the ninth line of the sub-section. The object of the amendment was to except leasehold lands from being rated, in the event of a road board deciding upon levying a local rate. He believed it never was intended that such lands should be included within the "rateable property" of a district, under any of the Roads Acts now in existence, though such lands were not specifically mentioned in this clause, among the other properties exempted. His attention had been called to it by the hon. and learned member for Sussex, and he was very pleased to move the insertion of these words.

MR. BURT said this clause had been in the Act since 1871, exactly as it stood here, and now the Commissioner appeared suddenly to wake up to the necessity of introducing something else. He should like to hear the opinions of other hon. members on this question. If we were going to exempt pastoral lands from being rated, all he could say was there

would be very little land indeed in many districts left for rating; and the House might as well leave out the rating clause altogether.

Mr. SCOTT said if the object of the bill was at all to make these country districts tax themselves, for the purposes of their roads, it did seem to him a very strange thing to exempt these pastoral lands from local taxation. He thought that all property was benefited by having good roads through the district, and why should one class of property be exempted from contributing towards those roads any more than other property. He should like to know how it would be in towns, if certain people were exempted from paying rates because they happened to be this man's or that man's tenants. He did not see why the lessees of Crown lands should escape the payment of a road tax any more than the holders of other class of property. The amount received from this rate would be absolutely *nil*, if these pastoral lands were to be exempted.

Mr. KEANE said he quite agreed with the hon. member who had just sat down. Were squatters to have the benefit of the rates contributed by unfortunate freeholders, and contribute nothing themselves? They all had their goods and their produce carried along these roads, and why should not all help to pay towards keeping them up? Were the lessees of pastoral lands to pay nothing for these conveniences? That wouldn't be fair at all.

Mr. RICHARDSON thought it would be most unfair, even if they were to tax freehold land, to tax leasehold land. The Government let these leasehold lands for a term of years at what they considered a fair value, and now the lessees were to wake up and find that their lands were liable to other charges. He thought this would be the most unpopular measure ever passed by that Council, if it made a freehold tax compulsory; and he was sure, if they also placed a tax on leasehold lands, it would raise a cry throughout the length and breadth of the colony against it.

Mr. SHENTON said he recognised a great difference between freehold and leasehold property. The former absolutely belonged to the holder himself, whereas the latter belonged to the Crown. The pastoral tenant held his land, which was public property, at a price agreed upon between him and the Crown, at a rate fixed by the Legislature; but the holder of freehold land and private property was in a very different position.

Mr. MARMION would like to know whether lands leased from the Crown did not come within the meaning of the words already in the clause—"waste lands of the Crown in the possession of the Crown." It appeared to him that these pastoral lands, although leased from the Crown, were still possessed by the Crown. The Crown had not parted with its property in them. They were not alienated lands in the sense of having passed from the possession of the Crown.

The COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) did not think it had ever been held that these leasehold lands were subject to a local rate. No doubt, in the Northern parts of the colony, there would be very little other land to tax, and, with the exception of the small vote from the Legislature, he presumed these road boards and settlers at the North would have to look to themselves, for their roads. In other parts of the colony, where the country was more thickly populated, people as a rule had freehold land as well as leasehold, and he thought it would rather startle them to find that they were to be taxed for both their freehold and their leasehold lands.

Mr. PARKER said it appeared to him there would be a difficulty in making up the rate-book, if leasehold lands were liable to be rated. The 83rd section provided how the rate-book was to be made up; and said that, for the purpose of determining the rateable value of property, the "estimated net annual value of the same, clear of all outgoings," shall be taken. It was clear that the net annual value of leasehold land, clear of all outgoings, was not the 10s. or 15s. per thousand acres paid to the Government as rent. How then were they going to estimate the value of these pastoral leases, for the purposes of making up the rate-book? Again, even presuming that this could be done, he noticed by another clause that, in default of payment of the rate, the property might be sold. Was it intended that these boards should be allowed to sell these lands, belonging to

the Crown, in the event of the tenant not paying the rate? He thought it would be unwise for the Government itself to allow such a provision to remain in the bill. In mentioning this matter to the Commissioner of Crown Lands, he certainly had not in his mind the Northern districts, where, apparently, there would be no rate to be had; he was thinking of the more Southern districts, where, it struck him, it would be most unfair to rate a man's freehold and also his leasehold; it appeared to him it would be quite enough to tax his freehold. If they ever expected these road boards to put the rating clauses of the bill into operation, he feared no board would ever be tempted or prevailed upon to do so if they found they had to tax not only the freehold but also the leasehold land.

MR. SHOLL said he himself objected to this taxation altogether. The rateable value of a man's property was to be the annual value of a man's land, and, according to that principle of taxation, the man who cleared and cultivated his land and cropped it, as every good settler was expected to do, would have to pay a heavier rate than the man who left his land uncleared and unfenced, and uncultivated, and in a state of nature. In that respect he considered the system of rating proposed unfair altogether, and detrimental to the progress of settlement. He thought the man who improved his land should receive every encouragement; and, if they were going to tax at all, it was unimproved land, in his opinion, that ought to be taxed. He should himself like to see this proposal of taxation struck out altogether; it appeared to him it would be very difficult to find any plan that would work fairly. We would want to have different systems of taxation for different parts of the colony, the same as we had different land regulations applying to different districts. A system of rating that would apply to the South would not apply to the North, any more than would the same land regulations. He noticed that this clause they were now dealing with exempted "public buildings and lands appropriated and held upon trust for any religious, charitable, or public purpose," from taxation under this bill. That was all very well, so long as these religious bodies did not let these lands and buildings of theirs for other purposes—as he knew some of them did. He thought that when public bodies let their buildings or reserves to other people, those buildings and lands should be subject to taxation, like any other property.

CAPT. FAWCETT said he simply wished to raise his voice against any rates being imposed in the country districts at all; he did not think that any country land, whether freehold or pastoral, should be taxed. Country people had quite enough trouble already. Town people said, "We are taxed, and why shouldn't you be taxed?" His answer was, if a man found he was taxed more than he could afford to pay, in town, he should take a smaller house. They couldn't do that with their country holdings.

MR. BURT said undoubtedly a portion of the bill would have to be recast if leasehold lands were to be rated, but he did not think that need stop them, if this was a good thing in itself. For himself he could not see why country people should object so much to this rate. It could not possibly exceed 5 per cent. on the rateable value; and he presumed the rateable value of leasehold land would be the amount of rent paid; and if lessees objected to pay 5 per cent. on that, for the improvement of their roads, he, for one, should not think much of them. It would be a mere mite. Indeed, the main objection he thought there was to a rate at all was the probable smallness of the result compared with the amount of labor that might be necessary to get it. But there seemed to be a determination that we were never to have any rates in the country parts of this colony, for nothing at all. It struck him that before many years were over, there will be an awakening on this subject, and, if the property taxation will not be higher than 5 per cent. then, he thought hon. members might feel thankful.

MR. E. R. BROCKMAN did not think the system of taxation here proposed would press evenly upon people who spent a large amount in improving their property, and who, for that very reason, would be the people who would be most heavily taxed. In his opinion it would be very much better that all the funds required for these roads boards should come from the general revenue;

and, if it was necessary to tax the land, let it be done, direct, by the Government of the colony. He did not object to taxing our land; but let it be a tax that will bear evenly and fairly.

Mr. A. FORREST said he only wanted to say a word: as a member for a Northern constituency he protested against leasehold lands being included among rateable property in this bill.

Mr. MARMION said he was interested largely, as was pretty well known, in leasehold lands in the colony; at the same time he was prepared to bear his share of this taxation, and he could see no reason why lessees of land from the Crown should be exempted from this particular form of taxation. He could see no distinction himself between the man who rented his land from the Crown, and the man who rented it from a private landlord. He leased it from the Crown because he believed he could make a profit out of it; he did not do so out of a spirit of pure patriotism. As to the difficulty suggested with regard to the annual value of these leasehold lands, he thought that should be taken to be the annual rent paid to the Government. If members were going to conjure up these obstacles in the way of introducing this local taxation, we should never have a bill that would be worth "tuppence;" and we should never get country people to take any interest in the management of their local affairs until we made them put their hands in their pockets to pay for it. Another argument used was that it would be a tax upon improvements. Was not the same system in force in the town, and had been for years? Exactly the same. And the same principle was in operation all over the world. Did they find that it stopped people from improving their properties? Did it prevent people in the towns from building and improving their grants? Why should we exempt the holders of leasehold land? Would this small tax have the effect of preventing one leaseholder in the colony from carrying out improvements on his land, because he might have to pay a few shillings a year more in rates? He felt disposed to oppose these words being added to the clause, for another reason: it was well known that there was a feeling abroad in this colony that the lands of the colony were held upon too liberal terms. [Mr. A. Forrest: No, no.] The hon. member said "No, no." The hon. member, probably, like himself, felt the shoe pinch, and knew it was not so. But there was a feeling abroad that such was the case, and he thought it should not be allowed to go forth that the members of that House, who somewhat largely represented leasehold interests, while prepared to tax freehold lands or lands leased from private owners, objected to allow any portion of this burden to fall upon the large areas of land which they themselves leased from the Crown.

The COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said the whole scope of the present bill related to freeholds, and if the hon. member was anxious to tax leaseholds, he could do so under another bill. This bill never contemplated that lands held under a pastoral lease were to come under the operation of the rating clause, and there was no machinery in it to provide for such taxation. What was to become of the land if the lessee refused to pay, or was unable to pay accumulated arrears in the way of rates? Who was to decide what the rateable value of these leasehold lands was? It had been assumed that the rent would be the rateable value—he did not see why. If valuators were appointed he thought they would look at the improvements, and the value of the whole concern, the whole station; and he could see there would be many difficulties, and that the present bill would be inapplicable altogether. It was said that the boards at the North would receive nothing for their roads from local taxation, if pastoral leases were exempted. Who would suffer from that? Would it not be the lessees themselves? If they had bad roads, and the Government grant was insufficient, they would have to put up with their bad roads, unless they looked after themselves. He thought all this solicitude about the Northern settlers and their roads, in the event of leasehold land being exempted from taxation, would be somewhat thrown away. The whole bill was more applicable to the Southern portions of the colony, than the other side of Champion Bay. He did not think it would be at all a popular measure to include as rateable property lands leased from the Crown, nor did he think it would be fair. At the same time, he did

not think the insertion of these words was a very material point. At any rate the progress of the bill ought not to be stopped at this stage. If after further consideration hon. members might see an objection to them, the bill could be hereafter recommitted. He never anticipated there would have been so much fuss made about it, and he should be sorry if this amendment were allowed to stop the way. It was simply intended to make the section more explicit. The same clause had been in the Act since this principle of local taxation was first introduced into a Road Bill.

MR. SHENTON said the bill appeared to him to open up such a wide range for discussion, and was of such importance to the country, that he thought it ought to go to the country at the coming election, with the Constitution Bill. They were only at the 3rd clause yet, and the further they went on with the bill the more difficulties they would find. He certainly thought the country settlers ought to have an opportunity of expressing their views on so important a measure, before it became law, as it would affect their lands very much; and therefore he would move that progress be reported, and leave given to sit again that day six months.

MR. MORRISON thought this was really one of the most important bills that ever was before that Council, and, unless they were very careful what they did with it, he thought they might either inflict a great deal of harm or do a great deal of good to the colony. He was rather at a loss to know where he was to attack the bill, for matters were so mixed up in it that it was difficult to get at them. He thought the simplest way would be to get through the bill and see if it was not possible to divide it into two distinct measures, one defining the duties of the boards, and the other dealing with the financial part of the bill, as regards providing funds. He was quite open himself to go straight for a land tax; but if they meant to have a land tax let them say so, and let it be called a land tax; and not try and get it in by a sort of side wind. Let the Government itself impose the tax, and obviate all this elaborate machinery to be worked by country boards who very likely would not understand it nor be able to carry it out properly.

MR. HENSMAN thought the hon. member for Fremantle was in the right as to lessees of Crown land being already exempted under this clause, and that the words "lands, tenements, and hereditaments" meant freehold land only. He should support the motion to report progress for this reason: there were many important questions connected with the bill which they were now only just beginning to discuss, in committee—discussing principles which really would have been better discussed on the second reading. The second reading, however, was allowed to pass without members making a sign; but now, when they began to discuss the bill, they found themselves, as he thought they would, at opposite poles even on important questions of principle. It appeared to him a serious question whether that House, which might be said to be on its last legs, should deal with this important measure, or whether it should not be deferred until a new Council, fresh from the country, had an opportunity of dealing with it. It could not be regarded as a very urgent matter, for it must be three years ago now since he sat on a Commission who recommended something of this kind; and they had not gone much further with it yet. Were they really justified in disposing of an important measure like this at that very late hour of their existence. He had every confidence in the bill in one respect; it had been carefully prepared, and it had been put forward with all the authority of his hon. friend the Commissioner of Crown Lands—a department of the Government which he himself never quarrelled with, so long as it was presided over by the present head of it. But he did think they ought to put it off in order that the country might form its opinion, and hon. members themselves had a further opportunity of studying it. If not, he ventured to submit that the House in four weeks time would be very much where it was now.

MR. RICHARDSON said it appeared a peculiar idea to him, to think it would alter the opinions of members by going to the country—what for? They proposed to go to the country and ask the people whether they would be taxed? He thought

the answer to that would be a very decisive one. It was not much use going to the country for that. But, apart from this taxing business, he thought there were many other matters in the bill which he thought ought to be settled; and he thought it would be better they were settled now, before we got into the turmoil of Responsible Government. This question of the taxation of leaseholds appeared to him to raise a great many difficulties. If the rate was to be calculated upon the rental value, it would be a very trifling matter and hardly worth quarrelling about—except as to the principle of the thing, whether these lands ought to be taxed or not, for the purposes of this bill. Upon that subject, he proposed to withhold any further remarks until they came to the 82nd clause. Of one thing he was certain,—if they went to the country with this bill and the Constitution Bill, the issues before the country would be divided; and, so far as he knew the country people they would plump against this road tax, and Responsible Government would have to take a back seat.

Mr. BURT opposed the motion to report progress. Hon. members must know very well they ought to go through this bill. They should be perfectly ashamed of themselves if they didn't. This was the third or fourth time this bill had been before them, and immediately they got into committee they wanted to throw it out again. In his mind it was sheer laziness, nothing else. It was not because they had any objection to the bill itself, but simply because they did not care to tackle it. He thought they might spend a week over it very profitably and very advantageously. Members talked about governing the country themselves: they would find a great many bigger bills than this, which they would have to face. If they were not prepared to consider a little bill of a hundred clauses or so, he should like to know what they were aiming at.

The COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) did not think the hon. member for Toodyay was quite in earnest in moving to report progress and asking leave to sit again that day six months. The bill had passed its second reading, without opposition, and he could not see what had happened since to cause the hon. member to propose to throw out the bill. If it was the wish of the committee, he was prepared at once to withdraw the words of his amendment, for he felt they were not so important as to justify an attempt being made to burke the bill at this stage.

Mr. HARPER said if the words of the amendment represented the real intention of the clause, he thought they ought to be left in; they certainly made it more explicit, and, without them, some of these boards might not know that these Crown leases came within these exemptions. With regard to the principle involved, he thought it would be utterly impracticable, under this bill, to levy rates upon leaseholds. For instance, a leaseholder might reside in England, but pay rent here; it would be impossible to levy upon his property if the rate was not paid, as he would have no property here but his leasehold, and that belonged to the Crown. It appeared to him to be altogether out of the question to talk about rating leasehold property.

Motion to report progress, negatived.

Amendment proposed by Commissioner of Crown Lands put, and a division called for.

Ayes	15
Noes	9
Majority for ...	6

Ayes.	Noes.
Mr. E. R. Brockman	Mr. H. Brockman
Mr. Congdon	Mr. Burt
Captain Fawcett	Mr. Hensman
Mr. A. Forrest	Mr. Horgan
Hon. Sir M. Fraser, K.C.M.G.	Mr. Keane
Mr. Harper	Mr. Marmion
Mr. Morrison	Mr. Parker
Mr. Pearse	Hon. Sir J. G. Lee Steere, Kt.
Mr. Randell	Mr. Scott (*Teller.*)
Mr. Richardson	
Mr. Shenton	
Mr. Sholl	
Hon. C. N. Warton	
Hon. J. A. Wright	
Hon. J. Forrest (*Teller.*)	

Mr. PARKER said it would be seen that he had the following amendment on the Notice Paper, to add to the sub-section they were now dealing with: "All lands taken or resumed for the purpose of the construction of any railway, together with all lands taken or resumed or used for stations, yards, or other purposes in connection with the said railway, and all stations, workshops, goods and carriage sheds, and other buildings appertaining to or used in connection with the

said railway; and all lands granted by the Crown to any company, as and by way of payment for the construction of any railway, so long as such lands shall remain vested in the company." He proposed in the first instance to move only the first part of this amendment as far as the word "railway," in the 10th line; afterwards he would move the latter portion, as another amendment. He wished to make a distinction between the lands "resumed" for the construction of the line and the lands "granted" in payment for the construction. Hon. members were aware that we had now two land grant railways in course of construction, one of which, the Albany line, was approaching its completion, and they hoped to see the Midland Railway soon going ahead. Certain lands had been resumed for the purpose of the construction of these lines—he referred now more particularly to the Great Southern line, and to the land upon which the railway was laid, and the slip of two or three chains in width on either side, and the land necessary for railway stations, yards, and other accommodation works necessary for the working of the line. Unless, under this clause of the bill, we exempted this land from coming within the meaning of the term "rateable property," the whole of it—railway, stations, yards, and all—would be taxable by the road boards of the districts through which the line passed; and it appeared to him it would be most unfair to allow that. He was not speaking now of the land granted to the syndicate in payment for the construction of the railway; that was referred to in the latter part of the amendment; what he now moved was: "That the following words be added to sub-section (2): 'All lands taken or resumed for the purpose of the construction of any railway, together with all lands taken or resumed or used for stations, yards, or other purposes in connection with the said railway, and all stations, workshops, goods and carriage sheds, and other buildings appertaining to or used in connection with the said railway.'" We all hoped for and anticipated great results from this Great Southern Railway, which in a few months would probably be opened for traffic, from end to end; and as we had never dreamt of having this land taxed when the contract was entered into, he thought it would be most unfair now to turn round and give power to these road boards to tax this land. We all knew this line would be worked at a loss at first; he believed the Commissioner of Railways would tell them there would probably be a loss of £30,000, or £40,000, or perhaps £50,000 a year, for the next few years; therefore he did think this company was entitled to every consideration at our hands.

MR. BURT had much pleasure in supporting the proposition. He thought it would be unfair to allow these boards power to impose a rate on the slip of land on which the railway was built. It never was contemplated that such a rate would be imposed, and it would be unjust to submit the company at this late hour, when they were about to complete their contract, to this tax.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said he should like to point out to the committee that this very point now raised was contained in the amended draft contract, as submitted to the House by Mr. Anthony Hordern, the original concessionaire. Clause 57 of the amended draft contract said: "All land granted to the contractor shall be exempt from all taxes, rents, rates, whether imposed by the Government or any local body, until the contractor shall have alienated the same."

MR. PARKER: The land I am dealing with now is not land "granted," but the land taken and resumed for the purposes of the railway, in constructing it.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): I take my stand upon this clause in the draft contract. But what did this House do when it came to consider the contract? It struck out this very clause exempting the company from taxation, and introduced another clause, inflicting a heavy fine for non-fulfilment of the contract. It is useless therefore to say that it was never intended these lands should be subject to taxation, when this House deliberately struck out that clause, on the recommendation of the select committee. The whole question was thoroughly threshed out at that time, and I cannot understand how the company can come forward now and ask us to reopen it. If the matter had not been con-

sidered before, and the contractors were unaware that this power of rating or taxing had been retained by the Government, it would have been a different thing. But they made the proposal themselves—that they should be exempt—and the House rejected it; and they agreed to the terms of the contract as it now exists. I don't see, myself, that there is anything unfair at all about it. They did it with their eyes open, and after the question had been discussed, and rejected by the House.

Mr. RICHARDSON did not think the Commissioner of Lands' remarks were altogether to the point. There might be some force in them if the proposal now before the committee was to exempt all the land granted to the company, in payment for the work; but this was only the land on which the line was built, and he did not see anything very objectionable in exempting that small slip. After all it would only comprise a very small area of land, two or three chains in width, on either side of the line. Still, if this narrow strip, with the railway on it, and stations and other accommodation works were taxed according to its value, it would be taxed very highly indeed, and taxed for the purpose of making roads in opposition to the railway. [Mr. Scott: Feeders for the railway.] There were such things as coaches. At any rate, it did not appear to him a matter of great importance, so long as the land exempted did not include the millions of acres granted in payment for the line. He was very sorry to hear the hon. member for Vasse saying this line would probably be worked at a loss of from £20,000 to £50,000 a year. [Mr. Parker: For the first year or two.] He hoped that was only a bit of special pleading on the part of the hon. and learned member. He thought it would do great harm, if such a statement were to get abroad; and he sincerely hoped it would not be reported in the public papers. He hardly could conceive anything more damning than such a statement as that to go forth, about this first land grant railway constructed in the colony.

The COLONIAL SECRETARY (Hon. Sir M. Fraser) said he must oppose the amendment. We must be just before we are generous. He had been a strong advocate for the making of this contract, and many of the concessions asked for by the original contractor were not agreed to; among them being this very point—exemption from public or local taxation; and the contract was accepted as it now stood. Therefore, while on the one hand, we should be just and fair towards the contractors and give them all they were entitled to under their contract, he should look upon it as a breach of contract to give them anything more. Once a breach was committed, it might lead to further breaches, and litigation, which he should be sorry for. This was simply an attempt to get the thin end of the wedge into this contract. The hon. member had very skilfully divided his amendment into two parts, and this was the thin end of the wedge. If he succeeded in getting this in, he would then be prepared to strike it further. The principle was the same in both cases: it meant that certain public bodies in the colony were to be deprived of a legitimate source of local taxation. He maintained they had a duty towards the colony as well as towards this company. It would be an injury to the colony, and unfair to other owners of land, if this company or any other were to be allowed concessions in this way which the general public did not have; and, for his own part, he would not allow them one single jot beyond what they were entitled to under their contract. The contract ought to be respected, and it would be respected, but, on the other hand, they must resist any importunity on the part of these companies, for concessions which could only be granted to them by robbing the people of this colony. These lands were granted to these companies just the same as other land grants were made, only instead of paying for them in cash, or deferred payments, they did a certain amount of work to entitle them to the land.

Mr. PARKER said the hon. gentleman evidently did not understand the question. This was not the land granted by the Crown, but land resumed for the railway. [The Colonial Secretary: Virtually the same.] Not at all. This was land taken in the same sense as the Commissioner of Railways took land under the Railways Act. In this respect the company had virtually stepped into the position of the Crown, and might naturally expect to enjoy the same im-

munities as the Crown. Neither the Colonial Secretary nor the Commissioner of Lands understood the question.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): I am perfectly right in the opinion I hold, that no exception should be made in favor of these companies, to the injury of the people of the colony. If we give these companies exemption from local taxation, we do so at the expense of others who may be subjected to it.

MR. PARKER: Really it is astonishing to hear such arguments. The hon. gentleman seems to forget that the only exemption that is here claimed is in respect of land taken under the Railways Act. Is the land which has been taken for that purpose between here and York to be subject to local taxation? This is not the land granted to the company in payment for building the railway. The section from the old contract read by the Commissioner does not apply to this land, but to the lands assigned to them for constructing the line. That was the land which Mr. Hordern referred to in the clause where he asked to have it exempted from all taxes and rates; and all he asked for was that it should be exempted "until the contractor shall have alienated the same." The contractors could not alienate this land, on which the railway itself is built.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): It was granted to them in fee simple, three chains in width. It is vested in them.

MR. PARKER: Under the Railways Act.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): It was a grant in fee simple, without the usual deed of conveyance. That's what it was. And Mr. Hordern's proposal was that "all land granted to the contractor" should be exempted from rates or taxes, and this House rejected it.

MR. PARKER: The company had all the powers of the Commissioner of Railways for the purpose of taking land to be used for the purpose of the railway; and I am sorry to hear an hon. gentleman on the Government bench betraying such ignorance of the meaning of the word "grant." The intention of the section referred to in the draft contract was that all land granted in payment for the construction of the line should be free from taxation, until the contractor disposed of it; and the Council very properly rejected it at the time. What is asked for now is that the railway itself, with its stations, yards, and other accommodation works be exempted from taxation under this bill. Is it likely that these people will go and build expensive and decent-looking stations and other structures on this line if they are going to be taxed in proportion to the value of the property? They will simply put up sheds. The same with the Midland Railway. These people never thought for a moment they would be taxed in this way. It was never dreamt that they should be taxed for their stations, workshops, and such necessary adjuncts to the working of the line. But, as this rating question has now been specially brought before the House, and this bill is intended to show these road boards that they have power to tax the lands in their districts, I think it is only fair that the boards should know that it was intended these railway properties should be exempt.

MR. E. R. BROCKMAN said the hon. member for the Vasse—in order, he supposed, to get them to sympathise with these people—told them that the company would probably be losers to the extent of £50,000 a year. The hon. member must have known better. It was only a night or two ago that the hon. member for Kimberley assured them there would be a profit on this railway at once. There was a discrepancy somewhere. It appeared to him that this railway company would be largely interested in the upkeep of roads in the districts through which the line passed, and that they ought to be called upon to contribute towards the maintenance of those roads. A great deal of the traffic on them would be in connection with this very railway, and the greater the traffic the better would it be for the company. Why should they not pay something towards the wear and tear of these roads as well as other people?

MR. RICHARDSON said he had just made a little calculation, showing how this tax would work as regards this railway company. Even taking this strip of land at 2 chains in width—he now understood it was 3 chains—and the length of

the line at 250 miles, this would be equal in all to 4,000 acres. He presumed the value of the line when completed would not be less than £4,000 a mile, or a million sterling; so that, according to this bill, if this line was to become "rateable property" the company would be liable to be rated on the basis of £1,000,000 for 4,000 acres of land. That appeared to him very hard lines for this company, and a ridiculous thing to do. It would make the fortune of any road board.

Mr. MARMION said his objection to the proposal was this: when this contract was made the law was as it still is, as regards the power of road boards to levy a rate, and it was not thought necessary at the time to exempt these lands from being rated, if any board chose to do so. The company had no right to ask for any concession now which was open to them when the contract was entered into, and which was refused to them. He thought they had no right to pick out these people and exempt them from a tax which every other landowner in the colony was liable to.

Mr. A. FORREST said all he should like to say was this: he entirely agreed with the amendment of the hon. member for Sussex. He thought they would be doing great injustice to this company if they did not accept so much of the amendment as was now before the committee. This railway was expected to prove of great benefit to the colony, and considering the millions of acres of other land which the company owned and which this amendment did not touch, he thought it would be very hard indeed to go and tax their stations, workshops, and other buildings. He was surprised at the Government not supporting this amendment. We had another large land-grant railway on the board; and if it went forth that the first thing this colony intended to do was to tax all improvements, the very first chance they got, he was afraid it would do a great deal of harm to the colony. Last year, the Government were prepared to deal very liberally with this company, when it was proposed to hasten the opening of the line sooner than contract time; and he hoped they would give way in this instance, and not oppose this amendment. It would be a great injury to the colony if this amendment did not pass.

The COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) would be sorry to think that anything he had said, or anything that had been said from that bench, should injure anyone. They simply wished to leave the law as it stood when this contract was made. This land was the absolute property of the contractors; they could sell it to-morrow if they liked. It was as much their property as any of the land given to them in payment for building the line. According to clause 9 of the contract "the whole of the railway and works shall be the absolute property of the contractor." He thought too much had been made of this matter altogether. After all, he did not suppose this company would make any great objection to contribute towards the making and upkeep of roads in the districts through which the line passed, seeing that without these roads they were not likely to get much traffic on their railway. Moreover, this company would exercise a very powerful influence in these districts, and would be well able to look after their own interests in this matter. He really must ask hon. members not to make inflammatory speeches, leading people outside the colony to imagine that we propose to subject those with whom we had entered into a contract to some harassing and unjust imposition that was never contemplated when the contract was made. This very power to levy a rate was the law of the land at the time this contract was entered into.

The ATTORNEY GENERAL (Hon. C. N. Warton) wanted to know exactly where they were. The hon. and learned member for Sussex had given notice of a certain amendment which he proposed to move in this clause: the hon. and learned member had now split that amendment into two, and in this way had got two arrows to his bow, instead of one. He should like to know whether, if this first arrow hit the mark, the hon. member would be content, or whether he intended discharging his other shaft? He presumed the hon. and learned member was acting in this matter for the company which he represents, and—

Mr. PARKER: Sir, I rise to order. I object to the Attorney General casting any imputations upon my actions.

The ATTORNEY GENERAL (Hon. C. N. Warton): I assure my hon. and

learned friend I did not intend it as an imputation at all.

THE CHAIRMAN: The hon. gentleman must not impute motives.

THE ATTORNEY GENERAL (Hon. C. N. Warton): I imputed no motives. I merely mentioned the fact that I believed the hon. and learned member was the solicitor for the company, as I understand the hon. member for Kimberley to be the agent of the company.

MR. A. FORREST: I deny it.

THE ATTORNEY GENERAL (Hon. C. N. Warton): Then I accept that denial. As to whether this land was "granted" to the company—although not in the legal sense a grant, still when it is said that this line is the absolute property of the contractors, what impression would be created upon the minds of the unlearned but that it was granted to them? The question is—are the owners of property, the absolute owners, to be liable to this taxation or not? By a legal principle we know that railways are liable to rates, and we know that in England these rates are the subject of endless contentions between the various parishes through which lines of railway cross and re-cross. No doubt railways as a rule are valuable property, and the true principle is that property should bear taxation. We have made some exceptions in this clause, with regard to certain public places, but there are exemptions which already exist; but we are asked now to make other exemptions, which do not exist so far, and we are asked to exempt persons who are the absolute owners of property from being taxed. I am not going into those alarming figures of the hon. member for the North, or into the question of whether this railway will be a loss or a profit to the company. Loss or no loss, they are liable to this rate. As to the threat that we are going to have miserable sheds or shanties, instead of decent-looking stations, if we reject this amendment, I don't think any company would be so absurd as to allow the contingency of a road board exercising the privilege—it is not a duty; we do not propose to make it a duty upon them—of bringing in a local rate, not exceeding a shilling in the pound, to influence them as between a wretched shanty and a respectable-looking station. I think we should look at these things without fear or favor, without any interest in view except the interest of the country. I feel strongly on this matter, myself. I think it is absurd to say that a company like this, prepared to expend a million of money, would be debarred from coming here because they were likely to be subjected to a local rate for roads—a rate that would assist in bringing grist to their own mill. I can hardly conceive such an argument as that having any weight with this House.

MR. HENSMAN thought it was unnecessary to consider whether the company became possessed of their property by grant or by resumption. It was now theirs. The Commissioner of Crown Lands proposed to leave the law as it stands, and the amendment proposed to exempt these railway companies from local taxation. He had not heard the slightest valid reason to convince him that they ought to be exempted. As to the meaning of "rateable value," he thought it meant that which was fair value to those who used it—not simply what anyone chose to set down in the rate-book. He noticed in the clause showing how the rate-book was to be made up, that the rateable value of all property for the purpose of this rate was to be the "estimated net annual value of the same, clear of all outgoings." If this company's line brought them no profit, he could not see what there would be to rate. But if they did make a profit, and their profits began to increase, and increase largely, why should they not be made to pay? Looked at from another point of view—who, primarily, would derive profit from good roads in these districts through which this railway passed? The railway company itself. These roads would be largely cut up by the traffic to and from this railway, and why should the railway company not help to mend these roads? If they were to be exempted, we should have a most valuable and probably a paying property, access to which would be by district roads made out of district rates, and the owners of this property exempted from contributing anything. It appeared to him that of all people in the world, railway people, if they made good profits, should pay taxes for road maintenance. Those of them who were acquainted with English railways knew that the rates

derived from railways were enormous; but they were only on the net annual value of the line, as it passed through each parish.

The COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) thought that, after the clear exposition just given by the hon. and learned member for the Greenough as to what "rateable value" meant, the committee would see that there was really no hardship, nor cause for alarm, in the clause as it stood.

Mr. PARKER said if the Commissioner of Lands had left the law as it stood there might have been some force in his argument; but the hon. gentleman himself had made one very important alteration in the law by exempting Crown tenants from the operation of this rate, although in some districts of the colony, and especially in the North, these postoral leases would have yielded ten times as much revenue as freehold lands will. The hon. member said this has been the law since 1871—this power to levy a local rate. They knew that; but it had been a dead letter; and no one had any idea then of land-grant railways in this colony. Nor did any member of that House, or the Government, or any road board ever dream, when this contract was made, that this railway would be subject to local taxation for the maintenance of roads. Therefore it would be doing no injustice to these boards, nor to the country, if this railway were now exempted. The Commissioner of Crown Lands had quoted clause 9 of the contract to show that the line virtually belonged to the company, and that if they liked they could sell it: but the hon. gentleman omitted to quote a very important portion of the clause, which made the selling of it a very difficult matter. The clause went on to say that the railway was the absolute property of the contractor, subject to the right of entry, user, and possession mentioned in clause 58. That clause provided that, in the event of any default on the part of the contractor in working the line, the Government was empowered to seize the railway and work it, and appropriate the receipts and profits, and the contractor was called upon to pay a daily fine of £100 so long as the Government continued in possession, besides other penalties. He should like to know who would purchase this railway with that clause over their head. The hon. member for Greenough said the railway would benefit more than anybody else by having good roads. That might be as regards roads within a reasonable distance of the line; but the roads in some of these districts extended hundreds of miles, and many of them would be of no use or benefit whatever to this railway. [The Commissioner of Crown Lands: The same argument applies to other owners of land.] He thought it would be most unfair, and most unjust towards this company, having made one important alteration in the law, if we did not exempt this railway property from the operation of this bill.

The committee then divided upon the amendment submitted by Mr. Parker; the numbers being—

Ayes	..	...	6
Noes	...	...	17
Majority against		...	11

Ayes.	Noes.
Mr. Burt	Mr. H. Brockman
Mr. A. Forrest	Mr. E. R. Brockman
Mr. Keane	Mr. Congdon
Mr. Richardson	Captain Fawcett
Mr. Sholl	Hon. Sir M. Fraser, K.C.M.G.
Mr. Parker *(Teller.)*	Mr. Harper
	Mr. Hensman
	Mr. Horgan
	Mr. Marmion
	Mr. Morrison
	Mr. Pearse
	Mr. Randell
	Mr. Scott
	Hon. Sir J. G. Lee Steere, Kt.
	Hon. C. N. Warton
	Hon. J. A. Wright
	Hon. J. Forrest *(Teller.)*

Amendment negatived.

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

The House adjourned at twenty minutes to eleven o'clock, p.m.