

for a vote. Some European foreigners came here and proved to be good settlers.

MR. LEFROY said it would be necessary also that the naturalised foreigner must have acquired property in the country, before he could vote for the Upper House.

MR. PATERSON said that the Germans and other European foreigners made good settlers.

MR. R. F. SHOLL asked leave to withdraw the amendment.

Amendment, by leave, withdrawn, and the clause passed.

Clause 13 agreed to.

Progress reported, and leave given to sit again.

#### HARVEY AGRICULTURAL AREA: PURCHASE OF PORTION OF PASTORAL LEASE.

MR. DEHAMEL, in accordance with notice, moved, "That all correspondence relating to the applications for the conditional purchase of portion of the lands comprised within Pastoral Lease  $\frac{a}{6} \frac{a}{2} \frac{a}{6}$ , in the Harvey Agricultural Area, be laid upon the table of the House."

Question put and passed.

#### RETURN SHOWING NUMBER OF ELECTORS ON ROLL.

MR. SOLOMON, in accordance with notice, moved, "That there be laid upon the table of the House a return showing the numbers of electors on the electoral roll for each district of the colony at the last revision."

Question put and passed.

#### ADJOURNMENT.

The House adjourned at 9.40 p.m.

## Legislative Council,

*Thursday, 27th July, 1893.*

Probate and Legacy Duty: imposition of—Erection of Forts at Fremantle—Post Office Savings Bank Consolidation Bill: committee—Adjournment.

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

#### PRAYERS.

#### PROBATE AND LEGACY DUTY—IMPOSITION OF.

THE HON. J. MORRISON asked the Colonial Secretary whether it is the intention of the Government to bring in a Bill, during the present session, having for its object the imposition of a probate and legacy duty.

THE COLONIAL SECRETARY (Hon. S. H. Parker) replied—No. The Government regret that it has been found impossible to prepare a Bill on this subject in time for this session.

#### ERECTION OF FORTS AT FREMANTLE.

THE HON. J. MORRISON asked the Colonial Secretary if it is still the intention of the Government to have a fort or forts erected at Fremantle, and when such works will be commenced.

THE COLONIAL SECRETARY (Hon. S. H. Parker) replied:—The Government propose to erect a fort at Fremantle so soon as the necessary funds are available.

#### POST OFFICE SAVINGS BANK CONSOLIDATION BILL.

##### IN COMMITTEE.

Clauses 1 to 9 agreed to.

Clause 10.—"Depositor dying leaving any sum exceeding £50 the same not to be paid until after administration or probate."

THE HON. G. RANDELL: If this Bill had originated in this House, I should have been inclined to move an amendment to this clause, but inasmuch as it comes from another place, I shall only call attention to what appears to me might have been a more liberal provision. If £100 were substituted for £50 it would be better, for there is a

considerable amount of expense involved in taking out letters of administration, and if the money in the Bank were the only estate, a heavy tax upon it would be involved. As I have said, I do not, however, propose to move an amendment.

Clause agreed to.

Clause 11.—“Where the effects of a person dying intestate shall not exceed £50, the same may be divided according to the Statutes of Distribution.”

THE HON. J. MORRISON: In line 9 I move to strike out “one” and insert “three” in lieu thereof. Although this clause may have been taken from the law in the other colonies, it is not altogether applicable here, for it must be borne in mind that this is a vast colony, and in the case of diggers dying on the Kimberley goldfields, for instance, it would be perfectly impossible to know of the death in the period of one month specified in the clause.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I do not intend to oppose this amendment if hon. members think it desirable. I would remind the committee, however, that in the case of a poor widow whose husband had a few pounds in the Bank, it would be rather hard to make her wait three months, as proposed by the hon. member. We know that where a person dies and has a sum smaller than £50 to his credit, he was not in affluent circumstances, and it might, under the circumstances, be an object to those left behind to get what little money there was as soon as possible. The effect of the amendment would be to make them wait for three months, and in the meantime they might be in penury and want. The hon. member refers to a man dying at Kimberley, but we must bear in mind that the Postmaster General must, in any event, be satisfied as to the death, and besides the clause is only permissive. Under the circumstances the amendment, it seems to me, would work a hardship, while I doubt if it would do any good.

THE HON. J. MORRISON: I might point out in reply that there are many men here whose wives and families are in the other colonies, and any will or probate would, no doubt, have to come from there, and this clause gives a very short time for this. There was, not long ago, a rumour of a man dying on the Mur-

chison, and it took fully a month before it was known really which man it was.

Amendment put and negatived.

Clause passed.

Clauses 12 to 20 agreed to.

Clause 21.—“Securities for investments.”

THE HON. J. MORRISON: On the second reading of this Bill I asked how this clause affected the recent transaction of the Government in taking up City debentures. Under this clause this could not be done, and I presume this Act will not be retrospective.

THE COLONIAL SECRETARY (Hon. S. H. Parker): The investment was made under the present Act, which gives the Government the necessary authority. The authority, however, has not been imported into this Bill.

Clause agreed to.

Clauses 22 to 25 agreed to.

Clause 26.—“Accounts to be submitted monthly for audit.”

THE HON. J. W. HACKETT: I would ask the Hon. the Colonial Secretary if it would not be as well to insert a definition as to who is the Postmaster General. Under this Bill this officer is given functions which coincide with those of a member of the Executive rather than those of a subordinate. I believe the Imperial Postmaster General is a member of the Cabinet, and so also in all the other colonies except our own and one other—South Australia. In that colony, I believe, it is intended that the gentleman who now fills the office shall be the last Postmaster General who is not a member of the Cabinet, and in this colony, where the title is given more by courtesy than anything else, the same thing, I think, is understood. Under this Bill the permanent head of the Department is given powers which certainly would conflict with those of the Executive and his responsible Minister, unless we have a definition as to who the Postmaster General is.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Postmaster General is a term well known, and I do not know that there is any reason to define it.

THE HON. J. W. HACKETT: Is he a member of the Executive or is he the chief clerk—the permanent head?

THE COLONIAL SECRETARY (Hon. S. H. Parker): No member of the Execu-

tive is Postmaster General. The Treasurer is the Executive head of the Department, and the Postmaster General is the permanent head. He has been well recognised in this colony for many years, and I do not think there will be any doubt as to who he is.

THE HON. J. W. HACKETT: Is it not well understood that we have now the last Postmaster General who is not a member of the Executive? I think some definition necessary, but I leave the matter in the hands of the Colonial Secretary who, after further consideration, can make an alteration if he thinks it necessary.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I will bring this matter under the notice of the learned gentleman who drew this Bill—the Attorney General—and I will commend to him the remarks of my hon. friend, and, perhaps, he may deem it advisable to make the alteration.

Clause agreed to.

The remaining clauses were agreed to and the Bill reported.

#### ADJOURNMENT.

The Council, at 5 o'clock p.m., adjourned until Tuesday, 1st August, at 2.30 o'clock p.m.

## Legislative Assembly,

Thursday, 27th July, 1893.

Return of Rails at certain Stations—Fencing Legislation—Legislation re Width of Tires, and Yoking Horses Abreast—Message from the Legislative Council: Concurrence in Bills—Excess Bill, 1892: first reading—Constitution Act Amendment Bill: further considered in committee—Adjournment.

THE SPEAKER took the chair at 4.30 p.m.

PRAYERS.

#### RETURN OF RAILS AT CERTAIN STATIONS.

MR. R. F. SHOLL, in accordance with notice, asked the Commissioner of Railways,—

1. What quantity of 46½lb. rails was now stacked in the Northam Station yard.

2. What quantity of 46½lb. rails, removed from the Eastern Railway line, was delivered weekly at the Northam Station yard.

3. What quantity of rails, already removed from Eastern Railway line, was now ready for delivery at Northam.

4. What quantity of 46½lb. rails remained to be removed from the permanent way on the Eastern Railway for use on the Yilgarn Railway, and what quantity could the Contractor depend upon having delivered per day, per week, or per month.

5. What quantity of 45lb. rails was now stacked at the East Northam Station yard, at the disposal of the Contractor.

6. What quantity of 45lb. rails was now stacked at Fremantle, and what quantity was being delivered daily or weekly at Northam.

7. What quantity of 45lb. rails was now afloat, and probable date of arrival at Fremantle.

8. About what date was the balance of the rails for the completion of the Yilgarn contract expected at Fremantle.

9. Had the rails required for the Boyanup-Busselton Railway been delivered in the colony; if so, at or about what date.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) replied as follows:—

1. 4½ miles.

2. 4 miles per week.

3. 1½ miles.

4. (1) 62 miles of rails remain to be removed; (2) 10 miles per month for 4½ months.

5. 1½ miles.

6. (1) 14¾ miles are stacked at Fremantle; (2) 1½ miles have been sent off to Northam to date.

7. About 17½ miles to arrive about 5th August, and 12 miles to arrive about 7th October.

8. The Government are not yet aware when the balance of 16 miles will be shipped.

9. Yes, all received, viz., in November last.

#### FENCING LEGISLATION.

MR. THROSSELL: I rise to move the resolution standing in my name, "That