do with the improvements on his land which the Bill required to be carried out. Those improvements would still be going on, for no one was likely to leave his farm without leaving somebody in charge of it.

MR. A. FORREST said one would think that these blocks of land were full of gold, or silver, or something of great value, that we could not allow a man to leave his homestead upon any consideration whatever for a single day. He looked upon this clause as one of the most important clauses in the Bill. Supposing he were to take up one of these 160-acre blocks, and had to go away to Melbourne upon urgent business for a few months, it would be rather hard that he should forfeit his homestead, although he had left men on his farm to work it, and to carry out the requirements of the Act. If they were to be ruled by some hon. members, people would not be able to live in this colony at all.

Amendment put and negatived.

Clause agreed to.

Progress reported.

ADJOURNMENT.

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

# Legislative Assembly,

*Wednesday, 16th August, 1893.*

Criminal Law Appeal Bill: in committee—Post Office Savings Bank Consolidation Bill: Legislative Council's amendments—Destructive Birds and Animals Bill: in committee—Homesteads Bill: in committee—Yilgarn Railway: Arrangements for opening of first section—Adjournment.

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

PRAYERS.

CRIMINAL LAW APPEAL BILL.

This Bill passed through committee without comment.

POST OFFICE SAVINGS BANK CONSOLIDATION BILL.

LEGISLATIVE COUNCIL'S AMENDMENTS.

The House went into committee to consider the amendments made by the Legislative Council in this Bill. (*Vide p.* 349 *ante.*)

Amendments Nos. 1 to 5:

Agreed to, without comment.

Amendment No. 6:

MR. R. F. SHOLL thought they ought to have some reason given why all these amendments had been made in the Bill, and why they should agree to them, and not be expected to swallow one amendment after another without a word of explanation. He really thought they ought to be informed why these amendments were proposed.

THE ATTORNEY GENERAL (Hon. S. Burt) thought that individual members of the House might surely inform themselves sometimes, without the Government informing them of everything. These amendments were not Government amendments any more than they were the hon. member's amendments, but the Government were satisfied with them. There was no substantial alteration made in the Bill. The only one of any importance was the proposal to strike out the whole of Clause 18, relating to the settlement of disputes between the Postmaster General and depositors. He only knew of one dispute that had ever occurred. The other amendments were merely verbal amendments.

Amendment put and passed.

The remaining amendments were agreed to, without discussion.

DESTRUCTIVE BIRDS AND ANIMALS BILL.

IN COMMITTEE.

Clauses 1 to 6 inclusive:

Agreed to.

Clause 7.—Persons authorised may enter upon lands and destroy destructive birds and animals:

MR. R. F. SHOLL said no doubt this matter had been well considered in the other House, but he noticed that according to the interpretation clause any sparrow came within the definition of a "destructive bird"; and the present clause empowered any policeman to enter anybody's house, whether occupied or

unoccupied, and destroy any "destructive bird" found in the house. He did not know whether members were aware that there were pretty little birds called "sparrows" in this colony already, and many people kept them in cages. He had seen lots of them at the North, and he did not know that they were destructive birds.

THE PREMIER (Hon. Sir J. Forrest): What is their scientific name?

MR. R. F. SHOLL said he did not know. Some people called them Java sparrows, but they were not Java sparrows.

MR. LEFROY presumed that the Order in Council under this Bill would describe what kind of sparrow was to be regarded as a "destructive bird."

MR. HARPER said, with regard to the Java sparrow, he believed there were large numbers of these birds flying about in the bush, in various parts of the colony, and he believed they would become very destructive birds, unless attention was paid to the matter in time.

MR. A. FORREST said another very destructive bird was the shag, and, unless the Government were prepared to offer a bonus for the destruction of these birds, all the fish in Swan River would soon be eaten up by them.

Clause put and passed.

Clauses 8 and 9:

Agreed to.

Preamble and title:

Agreed to.

Bill reported.

## HOMESTEADS BILL.

IN COMMITTEE:

This Bill was further considered in committee.

Clause 8.—"The selector shall, within "two years from the 1st day of January or "the 1st day of July (as the case may be) "next preceding the date of the ap- "proval of his application by the Minis- "ter, erect upon his homestead farm a "habitable house, costing not less than "Thirty pounds, or in lieu thereof shall "expend Thirty pounds in clearing, or "clearing and cropping, or in lieu thereof "shall properly prepare and plant two "acres of orchard or vineyard; and, "within five years from the said date, "shall fence in, clear, and crop at least "one-fourth of the land comprised in such "homestead farm, and within seven years "from the same date shall fence in the "whole of such land with a fence of such "description as may be prescribed:"

THE PREMIER (Hon. Sir J. Forrest) said it was his intention to move an amendment in this clause as regards the improvements required to be done under it. As the clause stood, the selector would have to fence in, clear, and crop at least one-fourth of his land within five years. He was going to move that he should only have to fence in one-fourth of his land within that time, and clear and crop one-eighth of it. The object of the Government was to make the conditions easier for the selector. Instead of having to clear and crop one-fourth of his land, namely, 40 acres, within five years, it was now proposed that he need only clear and crop one-eighth of it, or twenty acres, within that time; and to give him another two years to clear and crop the other twenty acres, and to fence in the whole of his grant. He would have to fence in one-fourth of the land within five years, as provided in the clause as it stood, but only clear and crop one-eighth. It appeared to him that these conditions were easy enough.

MR. MONGER: Too easy.

THE PREMIER (Hon. Sir J. Forrest) did not think they were too easy. If a selector went on the land, and within two years built a house on it, or spent £30 in clearing it, and fenced one-fourth of it, and cleared and cropped one-eighth of it, within five years, he would not do so badly. It had been pointed out to him that the conditions which he now proposed to substitute for the original conditions would make it easier to the selector, in some parts of the colony, especially where the clearing was very heavy.

MR. SIMPSON said he noticed, in another part of the clause, that it was proposed that the selector should, within two years, either spend £30 in building a house or clearing and cropping his land, or, in the alternative, should "properly prepare and plant two acres of orchard or vineyard." He would suggest that the conditions were unequal as regards clearing and cropping the land, or preparing and planting two acres of orchard or vineyard. He did not think that in any part of the colony you could properly prepare

and plant a vineyard for £15 an acre. He knew it had cost him nearer £40 an acre, and that was on land that was not very difficult to grub, land close to Perth. It would certainly cost more than £15 an acre in heavily timbered country. Therefore he thought the alternative conditions were not at all equivalent.

MR. LOTON did not suppose that many of these homestead blocks would be taken up for vineyards or orchards, but for agricultural purposes. These blocks of 160 acres would be of no value to anyone until they were fenced, and he thought fencing should be insisted upon at an early stage, and that the subsequent conditions might be made easier. If a man wanted to live on the land and run a few stock on it, the first thing he must do would be to fence it, and this should be the first improvement insisted upon.

MR. R. F. SHOLL moved, *pro formâ*, to strike out the words "erect upon his homestead farm a habitable house, costing not less than £30." He said he merely moved this so as to put himself in order and to elicit a little discussion. He did not see why they should insist upon these selectors to put up a house worth £30, which a bush fire might reduce to a heap of ashes the first summer after it was put up. He thought that what little money these men might have to spend should be spent in fencing and clearing.

THE PREMIER (Hon. Sir J. Forrest): They can please themselves about that. They can spend the £30 in clearing and cropping if they like.

MR. R. F. SHOLL: Why make it optional? He understood the main object of the Bill was to encourage the cultivation of the soil. There were plenty of good men here who would be quite content to live in a "V" hut, until they could afford to build a house. As for the hon. member for the Swan's idea, he thought it would be a mistake to compel these selectors to fence in the whole area at once; a man would want to clear and crop a portion of his land, and make some use of it, before he fenced the whole of his 160 acres, which would be a big job, and swallow up all the man's capital.

MR. MONGER said it had been his original intention to have moved an amendment to make the conditions more stringent, but, seeing the views which the Premier held, he was afraid it would be no use his attempting to move in that direction. He could not support this amendment of the hon. member for the Gascoyne. A man must have some sort of place to live in, if he is going to settle on the land; and he thought a house should count as one of the improvements required under the clause. "V" huts might have answered some years ago, when our settlers were content with very primitive accommodation; but he was afraid that new settlers coming here now, and putting up with "V" huts, in the Southern portions of the colony, would not find life very pleasant in the winter.

MR. A. FORREST thought no settler coming here in these days, with a wife and family, to take up 160 acres of land, would be content to live in a "V" hut; and the first thing these men would do would be to put up a little house for their families, and he thought the house should count as an improvement. We did not want to make these new-comers disgusted with their lot as soon as they came here. Let them have some little comfort, at any rate.

MR. RICHARDSON remarked that the clause left it optional with the selector either to put up a house or spend £30 in other improvements—clearing and cropping. Surely nothing could be fairer than that. If a man was content to live in a "V" hut, he could spend his money in clearing his land; or, if he preferred to build a house, it would count as an improvement. He did not think much of this £30-house provision himself. The main thing to be kept in view was to make sure of the *bona fides* of the man. A man might put up a shanty which only cost him £10, and persuade the inspector that it had cost £30, and—this was the point—the Government would have no hold upon that man for the next five years. Five years was given him to do his fencing and clearing, and, until that time expired, the Government would have no hold upon him in any way. He might be the greatest idler and the greatest sham in the world, and not a *bonâ fide* settler at all. He thought the Government should insist upon some substantial improvement, in the shape of fencing, long before five years expired. He thought a man ought to be compelled to fence one-fourth of his land within two years,

and clear and crop one-eighth of it at least, within the same period; and clear and crop one-fourth within five years; and complete his fencing within seven years. Simply to put up a house and say it cost £30, and then lie by for five years without any improvement to the land, would defeat the very object which the Bill was intended to serve. Anybody could put up a humpy for £10, in the bush, and hoodwink the inspector into believing that it had cost £30, and the Government could have nothing more to say to that man for the next five years. He need not make any use of his land at all, or he might let somebody else make use of it. He thought it would be much better to insist upon a little fencing and clearing at an earlier stage of the agreement.

THE PREMIER (Hon. Sir J. Forrest) said if we were in the position of having only a few acres of land to dispose of, and were likely to have a great many applicants, he could see some reason in proposing more stringent conditions. But that was not the case, and, in his opinion, we ought not to make this clause too severe. The present Land Regulations provided that, by paying a very trifling rental, a man could have five years to fence his land, and, after that, he had 15 years during which he need not do anything to the land unless he liked.

MR. RICHARDSON: That is just the weakness of the present Regulations.

THE PREMIER (Hon. Sir J. Forrest) did not know about that. He thought if people settled upon the land, you might trust them to do their very best out of it. It seemed to him it would be unwise to put too many restrictions upon these homestead selectors. It was very difficult to please hon. members. Some wanted to surround the selector with all sorts of restrictions; others wanted him to do nothing but build a "V" hut. He thought the clause, as he proposed to amend it, would be reasonable, and quite stringent enough. He hoped members would not attempt to place any more ropes about these men's bodies. We wanted to encourage them to come here; and we did not want to initiate this homestead scheme and get no one to come here to avail themselves of it, because the conditions were too stringent. At any rate, at first, we ought to make the Bill as liberal as we could, and with as few restrictions as possible. Of course there would probably be cases where not so much would be done in the way of improvements as we might wish; still he thought it was not likely that many of these men would go on the land, build a house on it, and do nothing more for the next five years. That was a very remote contingency.

MR. THROSSELL said he looked upon the Bill, shorn of its financial clauses, as a body without a soul; and, under the circumstances, he thought they should make the conditions of improvement as light as possible, at first. The improvements insisted upon were not so easy after all; a man would have to spend about £125 to carry them out during the first five years. The Bill was intended as a poor man's Bill, and for that reason they ought to make the terms as easy as possible at the first go off, especially when, unfortunately, there was to be no financial assistance. The first few years of the beginner's life should be made as fair and easy for him as possible. He thought it was desirable to encourage working men and artisans to take up land under this clause, cultivate their bit of ground, have their orchard or vineyard, and eke out a living at their trade, or in some other way. To that class of men, he thought, they would find that these conditions were quite stiff enough. But if they intended it for men with money, then he should say the conditions were not stringent enough by any means. The object of the Bill, however, was to give comparatively poor men — the labourer and the working classes — a chance of settling on the land; and to that class of men we should make the conditions for the first five years as lenient as possible, but, as regards the last, they might be made more stringent.

MR. COOKWORTHY thought they should make the conditions as easy as possible for these selectors, if we wanted to encourage them to settle on the land. Clearing was a very heavy item down South, and if they compelled a man to take up every tree on his 160 acres it would simply swamp him. All that was necessary at first was to ring the larger trees, and take out the smaller ones; but, according to this clause (as he read it) a man—though he would be able to grow

crops and carry on farming without taking out the big trees—would be compelled to clear everything, whereas ringing would answer every purpose. He hoped the Premier would be able to make it clear that he did not mean that the whole of the heavy timber was to be taken up, within the meaning of the word "clearing," as there was no necessity for it.

THE CHAIRMAN reminded hon. members that the question now before the committee was Mr. Sholl's amendment to strike out the words relating to the erection of a habitable house.

MR. HARPER thought the argument that people in these days could not live in a house that had cost less than £30 was an argument suggestive of a decadence of our race. He was sure that the ancestors of the hon. member for York, and of the hon. member for West Kimberley, had been content to live in houses of less value than that, in the early days. But he was strongly opposed to this proposal to have a house to count as £30 worth of improvements; it would only leave a loophole for evading the legitimate objects of the Bill. It would be easy to put up a cabin that did not actually cost more than £10, and get someone to value it at £30.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) would not like it to be considered outside that House that the views of the majority of members ran in a line which indicated that they had the interests of the squatting element at heart rather than those of the humble farmer. But he was afraid that to insist upon striking out a habitable house as an improvement under this Homestead Bill would give rise to that idea outside, however little ground there might in reality be for it. Where was a man and his family to live for years when he took up land under this Bill? Did hon. members think people were going to live in caves or in the hollow of a tree? Surely every man would want to protect his wife and children from the inclemency of the weather, and have some little degree of comfort; and if a man spent his little capital in this way, why should he not have credit for it, just as much as if he spent it putting up a fence? There could be no better proof possible of a man's *bona fides* than the fact of his putting up a house upon his land, no matter how humble it might be, and taking his family to live there. It was a strong proof that he intended to settle down on the land, and do his level best to get something out of it. This was the only colony, he believed, of the Australasian group where a dwelling house did not count as an improvement.

MR. SOLOMON thought it would be a pity that it should go abroad that the Legislature of the colony had refused to allow the small sum of £30 for building a house on a homestead block to count as an improvement. In the other colonies you always found the humblest farmer with some kind of a house over his head, and why should we expect them, when they come here, to put up with huts, and that if they spent their little capital in building a house it should not count for them as an improvement.

MR. RICHARDSON thought they were all off the rail; one would think from the tenour of hon. members' remarks that it was proposed to put something in the clause to prevent a man building a house. Anyone, under this clause, could build any sort of a house he liked. But was a man going to live on his house, or by clearing and cropping his land? Let him improve his holding, by fencing and clearing it and cultivating it. That was the sort of settler we wanted, and not merely putting up bits of shanties. Those who preferred to see these selectors doing other improvements, did not wish to impose any more restrictions upon them within the first five years than the Premier did, only that they should commence with their improvements a little sooner, and show that they really meant business. Taking the aggregate of a man's labour or expenditure it would not be a shilling more, only that the improvements would be carried out earlier.

MR. A. FORREST said he disagreed altogether with the views of the hon. member who had last spoken. He considered that the first thing any decent settler would want to do would be to put up a dwelling house on his land. How would he go to work at all, unless he had a house for himself and family to live in? If this Bill was going to put so many obstacles in the way of these selectors as some members seemed to wish, he did not think we were likely to find many

men willing to take up land under the Bill at all. It would be better for them to pay their £4 a year under the existing Regulations than to be hampered with all these restrictions which some members wanted to introduce into this homestead system.

MR. R. F. SHOLL said he really had not the slightest idea that so much warmth would have been introduced into this discussion. All he wished, in moving his amendment, was to see the object they had in view—namely, to encourage the cultivation of the soil so as to make it productive—carried out. As this clause now stood, if a man put up any sort of a house and got it valued at £30, he need not do anything to his land for another two years. In the meantime he could go and work for someone else, and leave his homestead unimproved in any way. He must protest against the squatting element being introduced into this discussion, and against the suggestion that some members desired to discourage these small selectors from settling on the land. It was unworthy of any hon. member to impute such motives. Surely members who represented pastoral districts might be credited with a little sense of justice, and not always be liable to be taunted by members of the Government with being actuated by unworthy motives.

MR. HARPER said one would imagine from the remarks of the Commissioner of Crown Lands and other members that the Bill dealt only with the poorest man imaginable, who, if he built any kind of a house on his homestead, would not have a penny left for other improvements. If it was considered necessary to allow a building to count as an improvement, why should they go up as high as £30 before letting it count? Why not make it £5, and let these "poor men" devote themselves to the improvement of their land. It was simply opening the door to fraud, instead of protecting the country against it.

Amendment, by leave, withdrawn.

MR. RICHARDSON said as the hon. member had withdrawn his amendment to strike out the house altogether, he would move to reduce the value from £30 to £15, and leave the other £15 for clearing. He thought that would be a reasonable compromise, and he thought it would be more likely to ensure the *bona fides* of the selector; and he fancied it would meet hon. members' wishes all round. They all wanted to make a good Bill of it. They did not want to encourage men to put up dummy shanties, and having them working for other people, and doing nothing on their own land. They wanted a measure that would do the colony some good.

THE PREMIER (Hon. Sir J. Forrest) thought the hon. member's amendment was drawing it rather too fine—this splitting up of £30 into £15 for a house, and £15 for clearing. It would be just as easily evaded as the £30 for a house. After all, a £30 house would not be such a very small shanty; and if a man spent £30 in building a dwelling house on his block of land, he showed his *bona fides* quite as much as anything else he could do. It showed he meant business, and that he was going to settle down on the land. What object could a man have to expend £30 in building a house on his land unless he intended to live there?

MR. HARPER: How would you know that he had expended £30?

THE PREMIER (Hon. Sir J. Forrest) said surely the Government might be trusted to look after matters of that kind. The Bill provided that satisfactory proof of residence and improvements had to be given. The 37th clause provided for that. He thought we might really trust these selectors that their intention was to do what was right, and not commit fraud and imposition. Even if there were a few loafers, it would not do a great deal of harm. There was plenty of land in this colony for everyone who liked to come here. Anybody would think, from the way some members wished to hedge round these men, that we were going to get hundreds and thousands of homestead selectors rushing here for land, and that there would be none left. He should be very glad to see a large number of men taking advantage of this Bill; but he thought we should encourage them, and not hedge them round with restrictions that were unnecessary. A man might be just as good a man, although he only cultivated a few acres, as the man of larger means, and just as honest, and why should we impugn his *bona fides*. This same provision was to be found in the Canadian law; a house was allowed to count as an improvement, and he had not heard that it opened the door to a large amount of

fraud there. Nor did he see why it should do so here.

MR. LOTON did not think there was much real sound objection as to the improvements required during the first two years; he thought these men would have enough to do to carry out what was required of them. He thought if a man did build a house worth £30, or spent that amount in clearing, he would do quite as much as could be expected of him for the first two years, though he confessed he would prefer to see the improvements take another form. He should like to see it insisted upon that a certain proportion of the fencing should be done within, say, three years, and not allow a man to rest on his oars for five years, after he put up his house. What we wanted to do was to encourage production; and what production could we expect unless the land was first fenced?

MR. LEFROY could not see any great hardship in making a man build a house on his land worth £30, so long as they allowed it to count as an improvement. Some men, perhaps, might want to build a better house than a £30 house, and it was rather hard upon those men that their more expensive building should not count to them. Those hon. members who objected to this "habitable house" condition seemed to think that as soon as a man put up his house he was going to run away somewhere else. He did not think that was at all likely. If anything was likely to bind a man down to his land it was a comfortable house on it, and he did not think a man could do more to show his *bona fides*.

MR. R. F. SHOLL said he was sorry now that he had moved his amendment at all, as it had led to so much discussion, and he might say unprofitable discussion, for he did not think that whatever they did to this Bill it would settle half a dozen people on the land; therefore he thought they were wasting a lot of time in discussing it. He thought they ought to let the Bill go, and let the Government do what they could with it. Possibly what appeared now a poor little duckling might eventually turn out to be a fine swan; if it did, let the Government have the honour and glory of it.

Amendment, by leave, withdrawn.

MR. SIMPSON moved, as an amendment, that the words "two acres of" be struck out of the clause, and that the words "of equivalent value" be inserted after the word "vineyard." The clause now provided that, in lieu of spending £30 on a house or in clearing, a man should "properly prepare and plant two acres of orchard or vineyard." His amendment would make the clause read thus: in lieu of spending £30 on a house the settler might properly prepare and plant an orchard or vineyard "of equivalent value." What he meant to say was that to insist upon a man properly preparing and planting two acres of vineyard was insisting upon something that would cost a great deal more than £30; and he wanted to have the two things put on an equal footing.

THE PREMIER (Hon. Sir J. Forrest): It is too indefinite.

MR. SIMPSON: Not more indefinite than the provision about the value of a house. It was just as easy to value £30 of improvements in the shape of an orchard or vineyard as in the shape of a house. He thought the amendment would be a valuable improvement upon the hon. gentleman's pet Bill, if he would allow him to place his hand upon such a sacred object.

MR. RICHARDSON thought there was something reasonable and equitable about the amendment, for certainly it could not be fair to fix a hard and fast line at two acres, for this reason: in some districts the cost of preparing and planting two acres might not be more than £10, while in others it might be £40; and to allow £30 for it in the one case would be too much altogether, while in the other case it would not be enough. Therefore he thought the proposal had a good deal to recommend it, from that point of view.

THE PREMIER (Hon. Sir J. Forrest) said they must not suppose that all these people were going in for vineyards and orchards, in lieu of building a house, or clearing and cropping; and he thought that £15 an acre was not an unfair estimate, taking the average land. If they did not fix some definite area, such as two acres, there would be a great deal of trouble in valuing the improvements. The inspector would have to value every man's vineyard or orchard to see whether the improvements were worth £30 or not; and he hoped members were not going to

put into the Bill too many things that would require visits from an inspector, or they would find the Bill too expensive to work. He thought they might take it that £30 was a fair estimate of the cost of preparing and planting two acres of orchard and vineyard; it was near enough for all practical purposes.

MR. PATERSON did not think there were any 160-acre blocks in the South-Western division of the colony where you could not find two acres that could be cleared for £4. He thought it would open the door to fraud at once if they accepted the suggestion of the hon. member for Geraldton. A man might plant only half an acre, and say it had cost him £30.

MR. PIESSE thought that if they left the clause as it stood it would bring about the object in view. It would be impossible to prepare a provision that would apply with equal fairness to every district in the colony, without going to a great deal of trouble and expense in estimating the value of the improvements in every individual case.

MR. HARPER pointed out that there was nothing in the clause requiring the owner to maintain his vineyard after planting it. The vines might all be allowed to die through neglect, yet the owner could claim that he had done all that was required of him under the clause, by preparing and planting it.

Question put—That the words proposed to be struck out stand part of the clause.

A division being called for, the numbers were—

| | | | |
|---|---|---|---|
| Ayes | ... | ... | 18 |
| Noes | ... | .. | 4 |
| Majority for | | ... | 14 |

| AYES. | NOES. |
|---|---|
| Mr. Burt | Mr. Harper |
| Mr. Cookworthy | Mr. Richardson |
| Sir John Forrest | Mr. R. F. Sholl |
| Mr. A. Forrest | Mr. Simpson (*Teller*). |
| Mr. Hassell | |
| Mr. Loton | |
| Mr. Marmion | |
| Mr. Molloy | |
| Mr. Monger | |
| Mr. Paterson | |
| Mr. Pearse | |
| Mr. Piesse | |
| Mr. Quinlan | |
| Mr. Solomon | |
| Sir J. G. Lee Steere | |
| Mr. Throssell | |
| Mr. Traylen | |
| Mr. Lefroy (*Teller*). | |

The amendment was therefore negatived.

At 6·30 p.m. the Chairman left the chair.

At 7·30 p.m. the Chairman resumed the chair.

Clause 8 (debate continued):

MR. LOTON moved, as an amendment, that all the words after the word "within," in line 7, be struck out, and that the following words be inserted in lieu thereof —"three years from the said date shall fence in at least one-fourth, and within five years shall clear and cultivate at least one-eighth of the land comprised in such homestead farm, and within seven years from the same date shall clear and crop at least one-fourth, and shall fence in the whole of such land with a fence of such description as may be prescribed." The hon. member said that what he wanted to provide was this: that one-fourth of the land shall be fenced within three years, instead of within five years. That was really the whole purport of the amendment. The Premier's amendment was to the effect that one-fourth of the land be fenced within five years, and one-eighth cleared and cropped within that time, and that within seven years at least one-fourth of the land be cleared and cropped, and the whole of it fenced. He was sure that the desire of all of them was to see the land settled and utilised, and the amendment which he now proposed was not imposing anything extra upon the selector, only that he had to do his fencing a little earlier. It must be clear to every practical man that the sooner these men fenced their land the sooner would they derive some benefit from it, and the sooner the country also would benefit. He did not wish it to be understood, either in the House or outside the House, that he wanted to impose any additional conditions upon these selectors; he was not opposed to their being treated with liberality; he would even give them a greater area of land; but he certainly would insist upon a certain amount of fencing being done as soon as possible, for the selector's own sake. He hoped the Government would see the desirability of accepting this amendment in lieu of that which the Premier had expressed his intention of moving. Except that the selector had to do his fencing within three years instead of five, his amendment was on all fours with the Premier's amendment.

THE PREMIER (Hon. Sir J. Forrest) said he regretted that he was unable to agree with the hon. member's amendment, and for this reason: our object was to try and liberalise the present Land Regulations, but the hon. member's amendment imposed conditions which were more severe than were imposed under the existing regulations, under which people paid 6d. an acre for their land for twenty years. Under those regulations five years were allowed in which to do the fencing. The proposition of the hon. member for the Swan amounted to this: that within two years the selector must spend at least £30 in improvements, that within three years he must fence one-fourth of the land, and that within five years he must clear and cultivate at least one-eighth of it. This would really be much more severe upon the occupier than the present land laws. He was aware that the only object which the hon. member had in view was to have the improvements done a little quicker, and thus show the good intentions of the occupier. But, if a man went on the land and spent £30 in putting up a house on it, or in doing other improvements, he showed his *bona fides* equally as well as if he fenced the land. How was this man, of whom some hon. members seemed to be so much afraid,—how was he to support himself in the interval, unless he cultivated his land and got something out of it? Surely these men, after spending £30 on their land, were not going to let it lie idle for five years and do nothing with it; and what was the good of hampering them with more restrictions than were absolutely necessary.

MR. THROSSELL said that under the existing regulations a man had twenty long years in which to perform the conditions imposed upon him, but now it was proposed to impose all sorts of restrictions upon those who took up land under this homestead system. If we were going to give these men the land, let us give it to them upon such conditions as they could avail themselves of. If we did not intend to give them the land on conditions which they could comply with, it would be better to withdraw the offer. This homestead system was intended as an attraction to people to settle on the land; it was not a very great attraction certainly; the gift was only a very small one after all—only £4 a year; and, if we were going to surround it with all kinds of restrictions, the result would be to defeat the very object we had in view. Let us give the Bill a show, and not make our gift a worthless one, because it was surrounded with such conditions that no one would care to accept it.

MR. RICHARDSON said he must take exception to the remarks of the Premier, and also of the hon. member for Northam. It appeared to him they were both clean off the rail. What were the facts? The clause as it stood provided that a man shall within five years fence in, and clear and crop, one-fourth of his land, and within seven years shall fence in the whole of it. The amendment of the hon. member for the Swan provided for exactly the same thing in the end. One would think, from the remarks of the Premier and of the hon. member for Northam, that it was proposed to multiply the restrictions tenfold, when in reality the conditions were precisely the same, only the amendment proposed that some of them should be carried out a little earlier. Why should there be this obstinate resistance to making a man prove his *bona fides*, and showing that he meant business? He could not be doing all his improvements at once; he was not asked to do them; he would have five years to do them in. All the amendment sought was that he should fulfil some of these conditions within three years. It was all in the interests of *bona fide* settlement, and all in favour of the industrious and progressive and really good settler. It was only the loafer upon whom it would impose any hardship.

MR. TRAYLEN was sure they were all prepared to give each other credit for good faith in trying to make this Bill a thoroughly good Bill. Sometimes he did not see with the same eyes as the Government did; but in this case he did. He thought we should defeat the very object of the Bill if we made it a condition that these men must fence their land within three years instead of five. Were we not trying by means of this Bill to induce men who had not much of this world's goods to go on our land, and make it productive? We had already provided that they must spend £30 in putting up a house, and that they must clear and crop a certain portion of their land—

which meant that they must plough it, and sow it, and harvest it, and thresh it, and take what they got out of it to market; and now, on the top of all this, it was proposed that within three years they must also fence in not less than 40 acres of it.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said he did not want to prolong the discussion, but he wished to say a word in answer to the hon. member for the DeGrey who said he only wanted to see these men commence to do their improvements earlier. But surely that also meant that they must complete them earlier. It was all very well to say there was no difference between the amendment and the proposal of the Government. The difference was this: the amendment insisted upon the selector spending as much in fencing within three years as he would have to spend in five years under the proposal of the Government.

MR. LOTON said his contention was that it would be in the interest of the selector himself to do his fencing as early as he could. It would not entail an expenditure of more than £30 in three years, and the land would be of no use to him until he fenced it. Therefore, the sooner he set about it, the better for himself and for the country.

Question put—That the words proposed by Mr. Loton to be struck out stand part of the clause.

A division being called for, there appeared—

| | | |
|---|---|---|
| Ayes | ... | 13 |
| Noes | ... | 9 |
| Majority for | ... | 4 |

| AYES. | NOES. |
|---|---|
| Mr. Burt | Mr. Darlôt |
| Mr. Cookworthy | Mr. Harper |
| Sir John Forrest | Mr. Lefroy |
| Mr. Hassell | Mr. Molloy |
| Mr. Marmion | Mr. Monger |
| Mr. Paterson | Mr. Richardson |
| Mr. Pearse | Mr. R. F. Sholl |
| Mr. Piesse | Mr. Simpson |
| Mr. Quinlan | Mr. Loton (*Teller*). |
| Mr. Solomon | |
| Mr. Throssell | |
| Mr. Traylen | |
| Mr. A. Forrest (*Teller*). | |

The amendment was therefore negatived.

THE PREMIER (Hon. Sir J. Forrest) —without further comment—then moved his amendment, That all the words after the word "in," in line 8, be struck out, and that the following words be inserted in lieu thereof: "at least one-fourth, and shall clear and crop at least one-eighth of the land comprised in such homestead farm, and within seven years from the same date shall clear and crop at least one-fourth, and shall fence in the whole of such land with a fence of such description as may be prescribed."

MR. HARPER moved, as an amendment upon the Premier's amendment, that all the words after "with a fence" (towards the end of the amendment) be struck out, and that the words "in accordance with the provisions of the Trespass Act" be inserted in lieu thereof. He thought it was necessary to state what description of fence they required.

THE PREMIER (Hon. Sir J. Forrest) said the clause provided that the fence must be of such description as would be prescribed by the regulations, which would be framed, under the Bill.

MR. HARPER was afraid that if they left it to the Commissioner of Crown Lands to decide what should be a sufficient fence, and a deputation were to wait upon him, the Commissioner would agree to any kind of fence.

THE PREMIER (Hon. Sir J. Forrest): It will be prescribed by the regulations, framed by the Governor-in-Council.

MR. HARPER said that House was quite as capable as the Governor-in-Council to describe a fence.

THE PREMIER (Hon. Sir J. Forrest) said he had given this matter some consideration when framing the Bill, but it never entered his mind to suppose that we would require such a fence as that contemplated by the hon. member for Beverley, under the Trespass Act. It would simply hamper these selectors with conditions which they could not carry out. Even under our present Land Regulations we did not require people to put up such fencing as was prescribed in the Trespass Act. The fencing required under the Land Regulations as a sufficient fence was simply such a fence as would resist large stock, and in many parts of the colony such a fence would answer every purpose required. But a fence within the meaning of the Trespass Act would be a fence that would keep out sheep and other small stock. Sheep were not found in every part of the colony; and in that part of the colony where this

homestead system was likely to be largely availed of, there were only a few sheep; and a two-rail fence would be quite sufficient. He thought it would be far better to leave this matter to be dealt with by the regulations; we had far more important questions than this left to be dealt with by regulations. [MR. HARPER: Unfortunately.] There were goldfields regulations, mineral land regulations, Customs regulations, and regulations dealing with other matters. It was impossible to provide by statute for every detail; they must leave something to the discretion of the Government of the day. Considering that this was a very large colony, and that the description of fence that suited one part of the colony might not suit another part, he thought it would be far better to leave the clause as it stood.

MR. LOTON thought, possibly, it would be better to leave this to be decided by the Governor in Council, and dealt with by a regulation, because in different parts of the colony different descriptions of fences might be required. At the same time he did not agree with the Premier that a two-rail fence would be of any use at all under this Bill. He presumed that these homestead farms would be pretty close together in one locality, and not scattered all over the country; and if these selectors were going to succeed, or do any good for themselves, they must bring their land into a pretty high state of cultivation, and they would want to prevent their neighbour's stock from trespassing, and the Premier's two-rail fence would not do that. He would suggest to the Government, when they were framing these regulations, that they should insist upon a fence that would keep out both small and large stock.

MR. RICHARDSON said he agreed with what had fallen from the last speaker. Some of these selectors—many of them, he hoped—might be the right sort of settler, and would desire to keep a few sheep on their homesteads, and would properly fence their land. Others, perhaps, might not be so thrifty, or might not believe in sheep, and would be content with a two-rail fence. The question of trespass might arise, and that was a point that would have to be considered. It appeared to him that a great deal of irritation and unneighbourly feeling was likely to crop up unless the Regulations provided that the description of fence required under this Bill should be such a fence as would resist both large and small stock.

MR. A. FORREST asked how they managed to get on now, under the present Regulations? He was not aware that they gave rise to many complications or unneighbourly feeling, although they knew very well that one man might have a very good fence, and his next door neighbour a wretched one. He thought this was a matter that should be left to Regulations, to be framed from time to time. Some of these men might be 30 miles inland, and would only want to keep a horse or two, and why should we compel this man to put up a fence that would keep out sheep?

Amendment (Mr. Harper's) put and negatived, and the Premier's amendment agreed to.

Clause, as amended, put and passed.

Clause 9.—"Forfeiture of homestead farm by non-compliance with conditions as to the erection of a house, and clearing and cropping, and fencing:"

THE PREMIER (Hon. Sir J. Forrest) moved a verbal amendment, to insert the words "further clearing, cropping, and" between the words "required" and "fencing" in the sixth line of the clause.

Amendment put and passed.

MR. HARPER asked what was meant by "clearing and cropping," under this Bill? It seemed to him rather a vague term, and he thought the meaning of it should be made clear for the inspectors who were to certify as to the improvements required under the Bill.

THE PREMIER (Hon. Sir J. Forrest) said that what he intended by "clearing and cropping" was that the land should be cleared fit for cropping. No doubt that might be construed in different ways; but this, too, could be easily defined by the regulations. "Clearing and cropping" was a well-known term, and he did not anticipate there would be much difficulty in defining it. You could not call land with a lot of trees left on it, in a state of nature, "cleared" land; and he should say that cropping had the same signification as cultivating. You would not call merely throwing seed indiscriminately about the place, cropping; you would expect to find the ground cleared of all undergrowth, and cultivated and cropped.

MR. LOTON thought the term was clear enough for all practical purposes.

Clause, as amended, put and passed.

Clause 10.—"Every assignment, transfer, or mortgage of, and every agreement to assign, transfer, or mortgage any homestead farm, or any part thereof or any interest therein, made or entered into before the issue of the Crown grant shall be null and void," etc.:

MR. QUINLAN moved that the words "prior to the fifth year of his holding and" be inserted between the words "into" and "before." The object of the amendment, he said, was to empower a selector to mortgage or assign his interest in his farm after he had lived on it five years. He had spoken at some length on this subject on the second reading, and it was unnecessary for him to do so again. It seemed to him that the clause as it stood was somewhat too arbitrary. A man, after living on his homestead for say four years, and carrying out all the conditions of his agreement up to that time, might be, for some reason or other, compelled to leave the district and go to some other part of the colony to reside; but, as the clause stood, he would forfeit his selection if he assigned his interest in it to any other person. He thought that would be a great hardship. His successor would still have to carry on the improvements required under the Act, and the colony would not suffer in any way. He thought the amendment he had moved was only a reasonable thing to ask.

THE PREMIER (Hon. Sir J. Forrest) said the reason why this clause was framed as it stood was that it was generally considered it would not be to the advantage of these selectors to be able to assign or mortgage their holdings. This provision found a place in the law of the United States and also of Canada,—he believed in almost the same words as in this clause. He did not think it was much to the benefit or advantage of the small farmer to be able to mortgage his bit of property. It took all the heart out of him. He remembered the late member for the Greenough (Mr. Crowther) objecting to it on that same ground—"that it took all the steel out of a man." This provision had been found to be a good one in other parts of the world, by keeping the small farmer from encumbering his property, and having a mortgage over his head, which took away all interest in the land out of him. Of course, there was the other side of the question, that it might be in some cases a useful provision to enable a man to raise money on his property, for improving it; and it was for the committee to decide whether this provision should be inserted or not. After the selector obtained his fee simple, of course he could do what he liked with his land; but, until he obtained his Crown grant, he thought it would be well to protect these men in every way we could.

MR. THROSSELL thought if this amendment were carried it would be a great mistake, and that it would militate against the success of the Bill very much. He had an amendment on the notice paper in Clause 11, which he thought would meet the case much better—namely, to give a man his Crown grant as soon as he completed the improvements prescribed by the Act, instead of waiting seven years for it. He thought that would be the greatest possible stimulus to the small man to hurry up his improvements, so that he might get the fee simple of his land. But he considered it would be a serious mistake to depart from the principle of the clause now under consideration.

MR. TRAYLEN said the question of allowing these selectors to raise money on their farms must depend a great deal upon the position and circumstances of individual selectors. The hon. member for Northam seemed to take it for granted that a man would be able to carry out his improvements, by working at them without let or hindrance for seven years; and suggested that by putting on a spurt he might be able to get his fee simple within five years. But what would have been the position of any of these holders of homestead blocks, just lately, if they had found themselves entirely pulled up by the stoppage of a Bank, or something of that kind?

MR. A. FORREST said that at the first blush the amendment looked very well, but he thought they should look below the surface and see what it might result in, if put into practice. It would be a great temptation to men of capital to put ten or twenty selectors upon an area of land which the capitalist wished to get for himself, and, in this

way, it would open the door to fraud and speculation, whereas the object of the Bill was to settle these men on the land, to do some good for themselves and the colony.

MR. MOLLOY said the amendment, that these selectors should be allowed to raise money on their farms, to enable them to carry out improvements, demonstrated very forcibly the necessity of the financial assistance from the Government which the Bill, as introduced last session, contemplated. It had been shown over and over again, in the course of the discussion upon the present Bill, how impossible it would be for a poor man to comply with the conditions of this Bill without financial assistance from some quarter. If their object was to assist these men to improve their land, if they had not the means themselves to do so, what was the good of precluding them from obtaining what help they required in order to enable them to bring their land under cultivation, so as to be able to make some use of it? The more discussion that took place on this Bill, the more it demonstrated the difficulties in the way of poor men carrying out the provisions of the Bill without some financial assistance; and if they were going to debar these men from obtaining this assistance from financial institutions, by denying them the opportunity of offering to such institutions the only security they had, the more necessary was it for the Government themselves to come to their assistance. That seemed to him the only practical solution of the difficulty, if they were going to prevent these men from obtaining financial assistance from any other source.

MR. LEFROY said he could not support the introduction of anything into this Bill that would encourage people to mortgage their property before they had fulfilled all the conditions required of them under the Bill. He thought the very best farmers on the land were those who did not borrow; and it would be much better for these homestead selectors to take away from them the temptation to mortgage their farms, rather than they should have a financial millstone around their neck. Once these people began to raise money on mortgage, their liabilities would increase year by year, and eventually swamp them. Their debt might be only a small one at first, but it would increase in volume like a snowball. As soon as the required improvements were effected, let them do what they liked. If a man was a good man, and he had been on one of these blocks for five years, he was sure his hon. friend the member for Northam would be very happy to advance such a man what money he might require to complete his improvements, without mortgaging his land. After all, it was a man's personal character, his personal security, that people generally looked to, when advancing money.

MR. SOLOMON said it appeared to him that if the amendment were carried, the words "before the issue of the Crown grant" would also have to be struck out; but he would prefer to leave the clause as it stood. He thought it would be better not to leave any temptation in the way of these men to mortgage their property, even for purposes of improvement; it would be better to let them depend upon their own energies to the last.

MR. QUINLAN said, although his amendment had not received much support, he still thought that some such a provision was most desirable. He thought if a man had lived four or five years on the land, and carried out all the conditions imposed upon him, it would be a great hardship if he were to forfeit it, if he wanted to leave the district before the seven years was up; or that he should lose his property, at the last moment, for the want of being able to obtain a little assistance.

Amendment put, and negatived.

Clause 11.—"A Crown grant to issue at the expiration of seven years, if the prescribed improvements have been made:"

MR. THROSSELL moved an amendment providing that the Crown grant should issue "as soon as the prescribed improvements have been completed." Why should they compel a man to wait for seven years for his title, so long as he carried out all the improvements required by him under the Act? Why should they make a show of presenting a man with 160 acres of land, and then sentence him to seven years' hard labour before giving him his Crown grant? It was with a view of reducing that long sentence that he had moved this amendment; and, in that object, he thought, he should have most hon. members with him, and, also,

the Government. [THE PREMIER: No, you won't.] It was quite clear that we wanted to encourage the progressive man; and if a man, by his energy and industry, fulfilled all the conditions of his contract within one year, or eighteen months, or two years, as the case might be, why should they sentence that man to seven years' hard labour before giving him the fee simple of his land? He had opposed the amendment of the hon. member for West Perth (Mr. Quinlan), on the ground that we did not want these men to mortgage and encumber their farms; but, if we got a progressive man, who hurried up his improvements, and, in doing so, perhaps exhausted his little means, and he wanted to go in for further improvements, why should we keep that man waiting for seven years before he could take his Crown grant to his banker, and, on the security of it, obtain assistance to go on improving his homestead? Why should we deprive these men of this stimulus to exertion? If we found among them thoroughly good farmers, full of energy, and progressive men in the best sense of the word, why not encourage these men to hurry up their improvements in the shortest time possible, and, when those improvements were completed, why should we not give them their freedom and their Crown grant instead of keeping them at hard labour for the full term of seven years?

THE PREMIER (Hon. Sir J. Forrest) said he regretted very much that he was unable to approve of the proposition of the hon. member for Northam, and he would try to explain the reason why. It seemed to him, if this amendment were carried, that this Bill, instead of being a Bill to encourage persons to go on the land and make homes for themselves, should be intituled a Bill to enable merchants and the rich to accumulate estates without paying for them; because that was what it would come to. We would have a lot of people going on the land and doing certain improvements, and the capitalist would step in and get hold of the land, and we would have some first-class dummying going on instead of legitimate settlement. He must say he was surprised at the hon. member for Northam—who saw as far as anyone, as a rule—putting forward such a proposition. It would entirely destroy the object they had in view. Their object was not only to settle people on the land, and on their own land, but to settle them permanently on it, and make *bonâ fide* settlers of them. But this amendment would simply convert the Bill into a first-class dummying Bill. Men with capital would be sending their sons or their servants on these homestead blocks to perform the conditions of improvement, and thus acquire twenty or thirty of these blocks without paying for them. As to what the hon. member said about seven years hard labour, he failed to see where the hardship came in. If a man completed his improvements, there was plenty of scope for him under the existing Land Regulations to acquire more land upon very easy terms, so that his energies need not run to waste. This was not a new clause, but a clause that had worked well elsewhere, and it embodied one of the fundamental principles of the Bill, the encouragement of *bonâ fide* settlement—the settlement upon the land of a class who intended to make their living out of the land and become permanent and useful colonists. But if this amendment were introduced into the Bill, instead of having your "bold peasantry" settled on the land, you would have a lot of dummies, and the main object of the Bill would be defeated.

MR. RICHARDSON said although he and those who agreed with him opposed the Government upon this Bill sometimes, he thought the Premier was on the right track this time, and they intended to support him. They did not believe in men being put on these homestead blocks, doing certain improvements, and then quietly transfer their land to enterprising speculators. As for there being seven years hard labour hanging to these grants of land, the only real hard labour would be during the first twelve months or so; these men would then have five years during which they need do absolutely nothing.

MR. MONGER said he must compliment the hon. member for Northam upon having introduced the most sensible amendment of all the amendments that had been introduced into the Bill during the whole of that afternoon. When the Premier got up to oppose the amendment, he really thought the hon. gentleman was going to give them some reasonable argu-

ments for his objections to it; but the only objection he really raised was that merchants and rich men might accumulate a number of these homestead farms, and that it would be the means of establishing a first-class system of dummying. Really, he did not know of any merchants or any rich people in this colony who were particularly anxious to avail themselves of the provisions of this Homesteads Bill. Certainly he did not know a single merchant in the colony who would feel disposed to take from any homestead selector under the Bill one of these selections at the cost of the improvements which were required under this Bill. As regards dummying, it was nonsense to talk about it. The man who would put a dummy to act for him, and to fulfil the necessary conditions, would, when those conditions were fulfilled, be entirely in the hands and at the mercy of that dummy. At the expiration of three or four years, when the prescribed improvements had been completed at the other man's expense, and that man went to the dummy for the land, Mr. Dummy would be in a position to refuse to part with it, and the man who had advanced him the money would have no legal remedy. What merchant or rich man, or any man in his senses, would be foolish enough to place himself in such an absurd position?

MR. LOTON thought the amendment was one that really ought not to meet with any opposition in that House. The Premier told them it would open the door to any amount of dummying. [THE PREMIER: So it would.] If that was the case, then he would submit for the hon. gentleman's consideration that the conditions of improvement that he had introduced into the Bill were of no value whatever—none whatever. The improvements prescribed under the Bill must be dummy improvements, if a dummy could fulfil them.

THE PREMIER (Hon. Sir J. Forrest): He would do them all in one year, and then transfer the land to his backer.

MR. LOTON: In any case, all the improvements prescribed by the Act would have to be carried out. The man would have to build his house, to start with; then he would have to fence, and clear and crop the land, and, having done so, why should he not have the fee simple? If he got it, and made use of it as a security, he would probably only do so in order to obtain funds to make further improvements. He was really surprised that such an amendment should meet with any opposition, and he should have much pleasure in supporting it.

MR. A. FORREST felt that on this occasion he must vote with the hon. member for Northam. The object of the Bill was to get the land improved and cultivated, and to get someone to live on it. What objection was there to these improvements being made as soon as possible, and let the man have his Crown grant?

THE PREMIER (Hon. Sir J. Forrest): Why not give the land away to anybody?

MR. A. FORREST: Why not? He would give the whole colony away, on the same conditions as to improvements. That was his idea. So long as we got all the prescribed improvements made and the land cultivated, what more did we want? Surely the sooner this was done the better.

MR. SIMPSON was glad to have an opportunity on this occasion of offering his heartiest support to the Government in their opposition to this amendment. So far as he understood this clause, and the whole of the Bill, the desire of the Government, and of the Premier especially, had been to give an opportunity to poor, honest men to settle on the soil, and win a living out of it. You could call them honest selectors or a bold peasantry, the object in view was to settle this class on the soil, to become a fixture there. It had not been the desire of the Government in this Bill to give an opportunity to capitalists, merchants, storekeepers, bankers, and money lenders to settle a number of dummies on the land, and then claim the title deeds. The Premier's idea was to settle a number of bold peasants on the land, each on his 160 acres, and that these men in time might, with care, with industry and frugality, accumulate a little wealth, and become settlers on a larger scale—that the bold peasantry should develop into a flourishing yeomanry. But if this amendment were adopted—without any such intention on the part of the hon. member who introduced it, or of those who supported him—the clause would simply become a sort of conduit or funnel for the money

lender. It had been suggested by the hon. member for West Kimberley that, so long as the land was fenced and improved, it did not matter who lived on it. He (Mr. Simpson) thought it made a great deal of difference. He believed that the more *bonâ fide* settlers and smiling farms there were scattered over this colony the better would it be for the colony. If all that was necessary was that the whole of our farms should be fenced, and cropped for a few months in the year, and these selectors were to be free to knock about town during the rest of the year, without going near their homesteads—if that was the sort of settlement which hon. members had in view, he was afraid it would not do much permanent benefit to the colony.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said that at the first blush there seemed to be a great deal in the amendment, but it must be admitted that it was somewhat at variance with the main principle of the Bill. The main principle of this particular clause was that the selector must reside five years on his land before he could carry out one of the primary conditions of the Bill. If there was any hardship about that, it was equally a hardship under the existing Land Regulations. A man could not get his Crown grant under those Regulations in less than five years; so that if that was a bad principle in the present Bill it was an equally bad principle in the regulations already in force. Personally he would not object to give a man his Crown grant under this Bill, after that period of residence had expired, but certainly not before. Five years residence on the land was one of the fundamental principles of the Bill, and, if they were going to let these men go away where they liked in twelve months, what became of the principle of permanent settlement, the *raison d'être* of the whole Bill?

MR. LEFROY said he had much pleasure in supporting the hon. member for Northam on this occasion; he always thought that some provision of this sort was very desirable. The Commissioner of Crown Lands told them that the main principle of the Bill was the residence principle. If that was so, did the hon. gentleman think that after a man had built a house on his land and carried out these other improvements—whether he did it in one year or five years—that land was likely to be abandoned? Surely when all these improvements had been made,—a dwelling house erected, the land fenced, cleared and cropped, and under cultivation—that homestead would be a very attractive place of residence, and not likely to be deserted. We always said that what we wanted in this colony was capital, men with a little capital,—that was what we were crying out for every day; and, that being the case, if a man with a little money came here, attracted by this offer of a free grant of land, and that man carried out all the improvements required by this Bill, in two or three years, instead of in seven, why should not that man have the title deeds to that land. Every man liked to consider the property he lived on his own, his very own. The moment a man gets his title deeds he feels himself a free man; he knows that if he should require to borrow a little money to further improve his land he has a tangible security to offer for it. Whether he should want to borrow money or not, it was a satisfaction to know that the land was his own, and that no one else had any claim to it. He thought the amendment would operate very beneficially, and it had his cordial support.

MR. PATERSON said if this amendment were carried, they would have to alter the title of the Bill from a Bill to encourage permanent settlement to a Bill to enable capitalists and speculators to obtain possession of free grants of land by dummyism. One enterprising speculator could work twenty or thirty of these homestead farms, and in a year or two he would have a free title to the whole lot of them. He could not support the amendment for a moment.

MR. A. FORREST said he had just made a calculation of what the improvements required would cost, before a man could get his Crown grant. The cost of clearing 40 acres might be put down at £120; two miles of fencing, another £80; and a house costing £30,—or £230 altogether. Was it not better, if we could, to have this spent and these improvements made in one year, rather than have them extending over seven years.

MR. LOTON pointed out that no dummying could be carried on at any

rate within less than two years after the land was entered upon, because there was a certain amount of clearing and cropping to be done. As for these men leaving their farms once they got their title deeds, it appeared to him it was not likely they would leave after all the improvements had been made; the probability was quite the other way, and that they become attached to the place.

THE ATTORNEY GENERAL (Hon. S. Burt) said he gave his opinion to the House on this Bill with some diffidence, but it seemed to him that if they were going to accept the views of some hon. members they would turn the Bill into something absolutely different from what the Government intended it. The object of the Government was not only to improve the land, but to keep these men on the land. After all, the improvements amounted to very little; what they wanted was to get these selectors to settle down as permanent colonists. They had already provided in the 6th clause for five years residence, which was one of the distinctive principles of the Bill; but now it was sought to throw that over, and provide only for twelve months residence, and then a free title. That was not going to fix people permanently on the soil. At any rate, it would open the door to the dummy, and, if they did that, they would spoil the whole Bill. The next clause enabled anyone who took up land under this Bill to contract himself out of the Bill altogether, by paying 5s. an acre down. If he liked to do that, he could get his Crown grant when he liked, and do what he liked with it. But the intention of the Bill was not to issue these Crown grants too easily, until the men became attached to the soil, and permanent settlers. Personally he should like to see no Crown grants issue at all, because we wanted to keep these people tied to the soil.

MR. TRAYLEN thought the speech he had just listened to from the Attorney General was about the least cogent he had delivered, in his hearing. He understood him to say that our object was not so much to have the land improved and cultivated as to have these people dotted about, living on the land; yet the hon. gentleman, in the same breath, told them they must not open the door to the dummy. Supposing we did have some of these dreadful people called dummies, it was not likely that the land was going to be afterwards left unproductive and unimproved, merely because a man completed his prescribed improvements in two or three years, instead of in seven years. Even if the land did pass into the hands of the richer man, who was likely to be the better farmer? Such a man as, say, the hon. member for York, or some poor fellow who had neither the means nor the appliances to carry on farming with the same degree of perfection as the man with ample means would have?

THE PREMIER (Hon. Sir J. Forrest) pointed out that certain main principles ran through the Land Regulations of the colony, and he thought this Bill was consistent with those principles. These Regulations, whatever might be said to the contrary, were founded on the best principles of land settlement—principles that existed throughout these Australian colonies, and principles that had stood the test of time. The one fundamental principle was that alienation shall not take place, except upon conditions of improvement and residence. That principle had been imported into this Bill. Now it was proposed to depart from it. It was proposed to enable those who took up land under this homestead system to obtain the title to their land within a few months after entering upon it. The men who could afford to do that were not the class whose interests the present Bill was intended to serve. For his own part, he thought that seven years was too short a time to enable the class of men he had in view to comply with the provisions of the Bill. Under the existing law, we allowed him much longer time. This Bill was not intended for the capitalist; that was not the man we wanted to attract under this Bill. The Government would always be glad to welcome the capitalist, but this particular Bill was intended for the man of small means but strong arms and stout heart, and that class of man was not likely to be able to fulfil the prescribed improvements within less time than was here given to him. As he had already said, the desire of the Government was to encourage permanent settlement of the soil, and not to have these homestead areas converted into sheep walks. If they were going to divide at

all on this clause, he hoped that members would rally around and support the Government.

MR. R. F. SHOLL thought if the amendment would be taken advantage of at all, it would be by the very class of men we wanted,—men who would set about to complete their improvements, and who would not be satisfied until they got their title deeds. But for his own part he did not think much of the Bill any way. It was brought forward with a great flourish of trumpets as a liberal measure, but he thought very little of it. It was a silly Bill, a most illiberal Bill.

THE PREMIER (Hon. Sir J. Forrest): Why don't you liberalise it?

MR. R. F. SHOLL: Because it is your Bill. He did not think it would lead to any increase of settlement. Still, if we imposed certain conditions of improvement, and a man carried out those conditions early by plodding industry, he ought to be encouraged.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said hon. members seemed to think that all these new-comers were coming here with their pockets full of money, and would carry out all these improvements in twelve months, and rush to the Lands Office for their title deeds. The experience of the past did not lead him to take such a sanguine view. In ninety-nine cases out of a hundred, those who took up land under the conditional purchase clause did not complete their improvements before their allotted time. The difficulty was to get them to do their improvements within the prescribed period. There were very few of those who had taken up land years ago under the present regulations who had up to this day been able to fulfil the conditions entitling them to the Crown grant; and members need not run away with the idea that we were going to get a very different class of men under this Bill, and that there would be a great rush of people eager to complete their improvements in a few months in order to get their title deeds.

MR. THROSSELL said the amendment had brought into great prominence the bogie of the "dummy" on the one hand, and the "poor man" on the other side. The land-grabber also had played a prominent part in the objection urged by some members against the amendment. If we were dealing with large 500,000-acre estates, there might be some ground for these apprehensions, but where was the temptation for dummying, where was the temptation for the land-grabber, when we were dealing with 160-acre blocks, under such conditions of improvement as this Bill imposed? Then they heard from the Premier and the Commissioner of Crown Lands that the man they wanted to encourage was the poor man. What kind of poor man? The drone and the idler, or the man who went heart and soul into his improvements, and within two or three years performed all the conditions imposed upon him? To this latter class the Government in effect said:—"You may by your industry, and your energy, and your thrift, be able to carry out the conditions we impose upon you, in two or three years, but we do not offer you any encouragement to do so, and do not intend to give you your reward until you complete the whole term of your sentence of seven years hard labour. You may be as industrious as you like, and as energetic as you like, we will not give you liberty to do what you like with your land, or to obtain £50 or £100 to further improve it, until you serve your full term of seven years." That was the encouragement which the Government offered to those who took up land under this clause. The Premier said the Government did not want to see these homestead blocks converted into sheepwalks. It would take a great many 160 acres to make a decent sheepwalk. The only object of the amendment was to encourage thrift on the part of the selector, and to offer the progressive man some stimulus to hurry up with his improvements, so that he might be able to enlarge his holding, if he desired it, and further improve it by obtaining financial assistance for that purpose. He did not know exactly what to do with regard to his amendment. He was in the position of a man convinced against his will, for he was of the same opinion still as to the merits of this proposition, notwithstanding the opposition of some members. But the unkindest cut of all was the knowledge that the Government, who professed liberal ideas as to the Bill, were against him in this instance, and, though he believed he should win if he pressed it to a division, he would, with the permission

of the committee, withdraw his amendment.

Question—That leave be given to withdraw the amendment—put and negatived.

MR. HARPER remarked that, if the amendment were carried, the title of the Bill should be a Bill for the unsettlement of the land, and not for the settlement of it, because any man who had one of these homestead blocks and got a little dissatisfied with his lot, would be able to go to a friend and say, "You come and finish the improvements, and you can have the land." Or it might lead to syndicates securing a number of these areas, and picking out the eyes of the land.

MR. RICHARDSON said that the man who was financially strong enough to be able to comply with all these conditions in one or two years was not the sort of man we wanted to encourage by this Bill.

MR. SIMPSON said if the amendment were carried it would entirely alter the complexion of the Bill, defeat its object, and its possibilities in the way of encouraging the settlement of the soil by *bonâ fide* selectors; and he hoped the Government would withdraw the Bill rather than have incorporated with it an amendment so entirely foreign to its object.

MR. LOTON said if the amendment were agreed to, and this concession or privilege were allowed, the probability was that it would not be taken advantage of by one in fifty.

THE PREMIER (Hon. Sir J. Forrest): Then why do you want it?

MR. LOTON said he wanted it as an encouragement to have the required improvements carried out at the earliest possible date, instead of waiting seven years.

THE PREMIER (Hon. Sir J. Forrest) said the hon. member who had moved the amendment had asked leave to withdraw it, and he hoped the committee would not force the hon. member into a false position.

MR. THROSSELL said his reason for asking to withdraw the amendment was not because he did not think he was right, but he had to remember that this Bill after all was but an experiment, and it might be that the Government, with their experience of the working of the existing Land Regulations, might be right, and that he and those who thought with him might be wrong. He believed, himself, that the Government in opposing this amendment were utterly wrong; but time alone would prove it. In asking leave to withdraw it, he wished to thank those who supported it for their honest support, and, he could not help saying it, their wise and intelligent support. If, however, there was any strong desire on the part of his supporters to put it to a division, he should be glad to do so.

MR. MONGER said that after the very flowery introductory remarks of the hon. member who moved the amendment, he was very much surprised at his asking the House to consent to its withdrawal. If this was the way the hon. member intended to act with regard to other amendments he introduced in that House, it would be better for the hon. member in future to entrust his amendments to someone else somewhat firmer and more consistent in his ideas than the hon. member.

MR. HASSELL said he only wished to say that he regarded the amendment as simply a pawnbroking amendment, and he would therefore oppose it.

The amendment was then put, in the usual form, and a division being then called for, the numbers were—

| | |
|---|---|
| Ayes ... ... ... | 9 |
| Noes ... ... ... | 13 |
| Majority against ... | 4 |

| AYES. | NOES. |
|---|---|
| Mr. Darlôt | Mr. Burt |
| Mr. A. Forrest | Sir John Forrest |
| Mr. Lefroy | Mr. Hassell |
| Mr. Loton | Mr. Marmion |
| Mr. Piesse | Mr. Molloy |
| Mr. R. F. Sholl | Mr. Paterson |
| Mr. Throssell | Mr. Pearse |
| Mr. Traylen | Mr. Quinlan |
| Mr. Monger (*Teller*). | Mr. Richardson |
| | Mr. Simpson |
| | Mr. Solomon |
| | Sir J. G. Lee Steere |
| | Mr. Harper (*Teller*). |

Clause put and passed.

Clause 12.—"Crown grant may be obtained after twelve months' residence, if all the required improvements have been made, on payment of 5s. an acre for the land, together with the survey and other fees":

MR. MONGER moved an amendment to strike out the payment of 5s. an acre as a condition of the Crown grant issuing after twelve months residence. He said that his amendment was to a certain ex-

tent somewhat similar to the amendment which had just been negatived, but he hoped it would not meet with a similar fate. As the old saying had it, half a loaf was better than no bread at all; and, if he could not get the Government to agree to strike out the payment of 5s. an acre he hoped they would at all events consent to reduce the price. After a man had completed all the improvements required by him, it seemed very hard that he should have to pay 5s. an acre for his land in order to get his Crown grant, if he wanted it before the seven years expired, in addition to the survey and registration fees. To him this seemed the greatest bar they could possibly put against the progressive man,—to compel him to pay 5s. an acre for his land, after doing the required improvements on it.

THE PREMIER (Hon. Sir J. Forrest): It is not compulsory.

MR. MONGER: No, but surely it was in the interests of the country that these improvements should be effected as soon as possible; and he thought that once a man did all that was required of him under the Act he should be permitted to receive his Crown grant by paying a nominal fee, instead of compelling him to pay 5s. an acre, or £40, for his land, or making him wait seven years for it.

THE PREMIER (Hon. Sir J. Forrest) regretted that he was unable to agree to the amendment. This clause was an exceptional one in the Bill. It was inserted in order to provide for a contingency that might arise—he did not think it was likely it would arise very often, but it might arise—in the event of a person requiring his Crown grant before the expiration of his term; and it provided that he could do so after a year—if he had performed his agreement as to improvements—by paying 5s. an acre for his land. The hon. member said this was a high price, but, under the ordinary Land Regulations a man would have to pay 10s. an acre—[MR. MONGER: Extending over a period of 20 years]—and would have to reside for five years on the land, and do almost as many improvements as were required under this Bill. He did not think that 5s. an acre was a high price, when a man was let off by performing one-fifth of the term of residence required by the Act. It was simply a concession to meet exceptional cases, and, in his opinion, it ought not to be in the Bill at all; but it was put in, to meet some exceptional cases that might possibly arise.

MR. THROSSELL said he should heartily support the amendment. We wanted the land improved, and settled, and cultivated—they all said that. Did we want this done speedily or in a dilatory way? Did we want the dawdler, or did we want the progressive man? If ours was a colony where land was very scarce, and which did not already possess most liberal land regulations, it would be a different thing. But he thought it was a blot upon this measure, this 5s. an acre fine—he could call it by no other name—upon the progressive man.

MR. A. FORREST suggested that the amendment be withdrawn. As the Premier had told them, this clause was only inserted to meet exceptional cases, and was no part of the general policy of the Bill. There might be a case where, the owner of the land having died, it might be necessary to obtain the Crown grant for the purpose of paying off other liabilities. But such cases were not likely to occur often.

MR. LEFROY could not understand why there should be so much opposition to every effort to liberalise the Bill in the way of encouraging the industrious and progressive man. Some members seemed to consider that these amendments were put forward in order to play into the hands of the capitalist; but it was not so at all. His idea was that the man who showed himself a good settler, and who had been industrious and frugal, and performed all the improvements required by the Bill, ought to have his Crown grant, without having to wait for it for years.

Amendment negatived.

Clause agreed to.

Clause 13.—"The applicant for a homestead farm may at the time of making his application, or at any time thereafter, apply under the Land Regulations, or any regulations or law for the time being in force relating to Crown lands, for such land as he may require, in addition to his homestead farm, not being land set apart for homestead farms, except with the special approval of the Minister, and in the event of his applying for land under any regulation or law requiring residence as a condition, then in that case residence upon a

"homestead farm or upon a village allot-
"ment, as hereinafter provided, if within
"three miles of the land applied for, shall
"be a sufficient compliance with the resi-
"dence condition for all purposes:"

MR. THROSSELL moved, as an amendment, that all the words after the word "require," in line 7, be struck out, and that the following words be inserted in lieu thereof: "not exceeding 320 acres adjoining his homestead farm, but in the event of his applying for land under any regulation or law requiring residence as a condition, then, in that case, residence upon a homestead farm, or upon a village allotment as hereinafter provided, if within three miles of the land applied for, shall be a sufficient compliance with the residence condition for all purposes." The hon. member said his object was to secure, if possible, the right class of men on the land; and when he proposed to fix the maximum area for selection at 320 acres, in addition to the homestead area of 160 acres, he had in his mind the minimum quantity of land required to enable a man to make a comfortable living and to become a permanent settler. Speaking from his experience in the Eastern districts of the colony, he should say that at least 400 or 500 acres was required for successful farming. The Premier reminded him that under the existing Regulations a man can take up 1,000 acres; but the class of men who would be likely to come under this Bill were not likely to acquire two homesteads. What he proposed was that these men, if they wanted it, should be allowed to take up an additional 320 acres, — double the area their homestead, and adjoining it. This would give a man 480 acres in a compact block, and give him a nice little farm. He thought if members would think the matter out, they would come to the conclusion that his suggestion was a very valuable one, and likely to secure the permanent settlement of the right class of men on the soil. They must not forget that this Homesteads Bill was an experiment, and they did not know how it was going to answer; but they did know that men with 500 acres in this colony had succeeded, and that the probability was that they would succeed under this Bill also, if this concession were acceded to. He expected to see many young colonials, sons of the soil, coming under this Act, who could get assistance from their fathers, and he wanted to put them near each other, so that they could help one another to get along, instead of the Toodyay boy having to go to York, and the York boy having to go to Toodyay, or somewhere else.

THE PREMIER (Hon. Sir J. Forrest) said he believed the hon. member's intention was most excellent, but he did not think that what the hon. member asked for was necessary, because what he required would be attainable under the clause as it stood. It was proposed to set apart these homesteads blocks as near as possible in alternate blocks, and therefore there would be as much land available under the Regulations as there would be for every homestead block; and he did not suppose that everyone who had a homestead block would be able to take up an alternate block. Therefore he did not anticipate there would be any difficulty in the way which the hon. member suggested. Or the selector could take up a portion under the homesteads system and the balance he required under the ordinary regulations. Therefore he did not think the amendment was at all necessary, or even, if adopted, would have any effect, or at any rate would be conducive to the success of the Bill. On the other hand it might tie the hands of the Government.

Amendment, by leave, withdrawn.

Clause 14.—"In connection with any
"land set apart, either exclusively or
"partly, for selection as homestead farms,
"the Governor may declare a village site
"or sites, and such village site or sites
"may be subdivided into allotments not
"exceeding in area one acre each:"

MR. RICHARDSON thought it would be a great advantage if provision were made for subdividing these village allotments into larger areas than one acre. He thoroughly approved of the principle of the clause, but he believed if the Government could see their way to extend the principle a little further it would be very valuable.

THE PREMIER (Hon. Sir J. Forrest) said there would be ample power under Clause 40 of the Bill to do what the hon. member suggested. That clause dealt especially with village lands in connection with this homestead system.

Clause put and passed.

Clause 15.—"Provision in cases of owners of homestead farms residing in a village:"

Agreed to.

Clause 16.—"Any selector may, with "the approval of the Minister, but not "otherwise, select one of the allotments "in such village without payment, and "the provisions of this Act with respect "to residence and erection of house shall "then apply to such allotment instead of "the homestead farm, and at the expira- "tion of the term of seven years aforesaid "shall pay a sum of Five pounds for the "Crown grant of such allotment, together "with the survey, Crown grant, and re- "gistration fees—failing which it shall "be forfeited, together with any improve- "ments made upon it:"

MR. LOTON: It seems to me we should say who is to pay this £5. I presume it is intended to be the selector, but it is not very clear.

THE PREMIER (Hon. Sir J. Forrest): I think it's all right.

MR. QUINLAN moved, as an amendment, that the words "Five pounds" be struck out, and the words "One pound" be inserted in lieu thereof. It was not much of a concession, and for his own part he thought we might give the man his Crown grant free.

Amendment agreed to.

Clause, as amended, put and passed.

Clause 17.—"Limitation of operation of Section 4, dealing with applications for homestead farms under the Bill:"

Agreed to.

THE PREMIER (Hon. Sir J. Forrest) said they had now gone through that part of the Bill dealing with homestead farms, and he thought they might now report progress before proceeding with the next part dealing with homestead leases. He moved accordingly.

Motion agreed to.

Progress reported.

### OPENING OF FIRST SECTION OF YILGARN RAILWAY.

MR. THROSSELL asked the Commissioner of Railways if the Government had come to any arrangement with the contractor for the Yilgarn Railway for the opening of the first 70 miles for general traffic.

THE PREMIER (Hon. Sir J. Forrest), on behalf of Mr. Venn, replied as follows:—No arrangement has yet been come to. The Government find it difficult to fix upon a basis for arrangement that would provide for present requirements, while sufficiently protecting the interests of the colony in the future. It is very difficult to interfere with an existing contract in the way desired. The Government is, however, willing to make an arrangement, if it can be done without too much cost and risk.

### ADJOURNMENT.

The House adjourned at 20 minutes past 10 o'clock p.m.

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# Legislative Council,

*Thursday, 17th August, 1893.*

Stock Tax Bill: second reading; committee—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at half-past four o'clock p.m.

PRAYERS.

### STOCK TAX BILL.

#### SECOND READING.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I beg to move that this Bill, which is to provide for the payment of Customs duty on certain live stock imported into the colony, be read a second time. It will be observed that by the schedule provision is made for the payment of duty as follows:—Horses, 20s. per head; cattle (including bullocks, steers, cows, and calves, but excepting bulls for stud purposes), 30s. per head; sheep (including all wethers, ewes, and lambs, but excepting rams for stud pur-