MR. S. H. PARKER said one of the institutions he had referred to—the Queen's Plate—was entirely supported out of public funds. Another public institution, supported out of public funds, and, moreover, established by law, was the High School, but he had never yet heard that the Government claimed the right to be represented on the governing board of that institution in the proportion of two to one. Where, then, was the "precedent" and the "usual rule," which His Excellency thought might "with great propriety" be preserved, in the case of the Law and Parliamentary Library?

The motion submitted by the Attorney General was then put, and the Committee divided, with the following result:—

Ayes	9
Noes	4
Majority for ...	5

AYES.	NOES.
Lord Gifford	Mr. Brown
The Hon. M. Fraser	Mr. Burt
Mr. Burges	Mr. S. H. Parker
Mr. Hamersley	Mr. Steere (*Teller.*)
Mr. Higham	
Mr. S. S. Parker	
Mr. Stone	
Mr. Venn	
The Hon. A. C. Onslow (*Teller.*)	

The Bill, as amended, was then reported.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) then moved the following Address in Reply to His Excellency's Message on the subject: "That the "House does adopt the amendment "suggested by Your Excellency to be "made in 'An Act to amend the Law and "'Parliamentary Library Act, 1873.'"

The Address was agreed to.

The House adjourned at nine o'clock, p.m.

LEGISLATIVE COUNCIL,

Wednesday, 14th September, 1881.

Message (No. 30) from His Excellency the Governor—Kimberley Land Regulations—Sunday Trains—Closure of Street in Busselton Bill: first reading—Wines, Beer, and Spirit Sale Act, 1880, Amendment Bill: motion for introduction—Extension of Tenure of Pastoral Lands—Audit Bill: third reading—Adjournment.

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

PRAYERS.

MESSAGE (No. 30): ESTIMATE OF LOAN EXPENDITURE IN CONNECTION WITH SECOND SECTION OF EASTERN RAILWAY.

THE SPEAKER announced the receipt of the following Message from His Excellency the Governor:—

"With reference to previous correspondence, the Governor forwards to "Your Honorable Council a minute from "the Director of Public Works, covering "an approximate estimate of the expenditure of Loan money in connection "with the second section of the Eastern "Railway.

"The Governor concurs with the "Director of Public Works that it is "inexpedient to place before the public "detailed estimates of the cost of Works "proposed to be undertaken by Contract, "and hopes that the Estimate now forwarded will supply the Council with "all necessary information with regard "to the expenditure on the next section "of the line.

"The telegrams which the Governor "received from the other Colonies, in "reply to the inquiries which he caused "to be made on the subject of the "control there exercised by the Legislature over Loan expenditure, have "already been laid before you.

"Government House, Perth, 14th September, 1881."

KIMBERLEY LAND REGULATIONS.

MR. MARMION, in accordance with notice, moved, That the House do now resolve itself into a Committee of the whole, for the purpose of considering the following resolution:—

"That in the opinion of this Council it "would materially hasten the settlement "of the Kimberley District, and promote

"the development of that portion of our "territory, if the rigour of the Regu- "lations at present in force with regard "to the leasing of lands from the Crown "in that district, and the stocking of "the same, were somewhat relaxed; and "this Council therefore agrees that an "Humble Address be presented to His "Excellency the Governor, praying that "he will be pleased to recommend, for "the sanction of Her Majesty's Secre- "tary of State for the Colonies, the "insertion of the following clause in lieu "of clause 12 of the existing Kimberley "Land Regulations:—

"The minimum rental of all pastoral "lands within the Kimberley District "shall be, for the first half of the term "of the lease, five shillings (5s.) per "annum for every one thousand (1,000) "acres and fraction of 1,000 acres, and "for the remaining period of the lease "ten shillings (10s.) per annum for the "like quantity, payable in advance. All "leases shall be subject to the following "conditions, viz.:—That every person, "firm, or company holding any lease or "leases under these provisions, shall, "before the expiration of the third (3rd) "year of the term, place and have upon "the land comprised within such lease, "or within some one or more of such "leases held by him or them, at least "one (1) head of large stock or ten (10) "sheep for every one thousand (1,000) "acres within such lease or leases, such "stock or sheep to be the actual property, "or to be in the possession of the lessee "or lessees as the case may be, and such "proportion of stock and sheep shall "not be diminished during the said "term; and in default of any of the "aforesaid conditions the said lease or "leases shall be thereby absolutely for- "feited to the Crown, and such forfeiture "shall be forthwith notified in the *Gov- "ernment Gazette*, whereupon the land "comprised in such lease or leases shall "be open for selection."

IN COMMITTEE.

MR. MARMION said a very general impression existed outside the House, among many persons more or less already interested in the Kimberley District, and among many others who are desirous of being interested in the district, that the Land Regulations at present in force are somewhat too rigorous in their application, and, for that reason, have a tendency to retard the settlement of the district, which, if worked under a more liberal land system, would rapidly increase in importance, both as regards settlement and the development of its natural resources. Under the regulations at present in force, the existing leases would have currency until the 31st December, 1893, and during their continuance the rent payable for the land was at the rate of 10s. per thousand acres, with a condition attached that the land in respect of which a lease is held shall be stocked, within two years from the date of the issue of the lease, at the rate of 2,000 sheep or 200 head of large stock for every 100,000 acres of land so leased. Upon the first blush, these regulations might seem to many hon. members—who did not perhaps fully understand the question, or who had not given the matter their serious consideration—liberal enough. But he would just ask them to compare these regulations with those under which our now flourishing North-Western territory was originally settled. When they considered the great success that had attended the operation of those regulations, in the settlement and development of that territory, he thought they would agree with him that they could not do wrong if they were to assimilate, as much as possible, the regulations now in force in the Kimberley District—and which admittedly had not been productive of any very satisfactory results as yet—with the regulations which had tended so successfully to the settlement of the Nicol Bay country. His Excellency the Governor, in the speech with which he opened the short Session held in March last, said that about eight millions of acres of land had been allotted in the Kimberley District to the successful applicants, and that it might be anticipated that an extensive settlement of the district for grazing purposes would speedily ensue. These glowing expectations, he regretted to say, had not been realised. Of the eight millions of acres allotted on the 1st February last, he did not think that, up to the present time, more than $2\frac{1}{2}$ millions had been taken up. This, in a great measure, was due to the fact that the

applicants were apprehensive that the district might not turn out so well as was at first expected from the very glowing accounts given of it in Mr. Forrest's report. He believed much of this land had been subsequently applied for and allotted, but never taken up, because of the high rental charged and the stringency of the stocking regulations, which required such a large number of stock to be placed on the land within a comparatively short period of time. He thought he might say that, without fear of contradiction. He had alluded to the liberal Land Regulations under which the North-Western district had been settled. Hon. members were doubtless aware that, under those regulations, any person or company desirous of taking up land in that district received a license from the Commissioner of Crown Lands to go and search for a block of country within the district that was likely to suit his or their requirements. At the end of twelve months from the granting of this license, if the intending settler had selected a block of land suitable for carrying out the pastoral enterprise upon which he proposed to embark, he would receive from the Crown a free grant of 100,000 acres for three years, in respect of each establishment proposed to be formed, upon receiving a certificate from any two respectable persons that a certain number of stock had crossed the boundary and was then within the district—not necessarily upon the man's lease. Two hundred sheep were considered a sufficient number to entitle a lessee to this free grant for three years, at the termination of which he had a right to receive from the Crown a renewal of his lease for a period of four years at a rental of 5s. per thousand acres, and for a subsequent term of four years at a rental of 10s. per thousand acres. When it was borne in mind the great success which had attended the operation of these regulations, and how much more liberal they were than what he now asked for the Kimberley district, he did not think it could be fairly said that there was anything at all unreasonable in the proposals now before the Committee. He did not ask that a free lease should be granted in respect of lands in the Kimberley district, but that, for the first half of the term of the lease, the rental should be reduced from 10s. to 5s. for every thousand acres—which was all that was now paid in the Nicol Bay district—and that for the remaining period of the lease the rent should be fixed at 10s. With regard to the stocking regulations, which were at present so rigorous that they could not fail to militate against the settlement of the district, he proposed that the period within which stock should be placed upon the land occupied within a man's lease shall be three years from the issue of the lease, and that the proportion of stock to the acre of land leased shall be at the rate of one hundred head of large stock, or one thousand sheep, for every 100,000 acres of land leased. He did not think it could be said that, in asking this, he was asking for anything too liberal. There was one regulation at present in force which appeared to him not to have been well considered in the first instance, and that was this: that every leaseholder, holding more than one lease, had to stock each and all of them, no matter how distant apart, and thus to maintain a separate establishment on each of his leases. He thought that was a very stringent regulation, and unnecessarily so, and one that must operate prejudicially against the settlement of any new country. He thought all that was required in order to show the *bona fides* of the person taking up land was that he should be compelled to place the required number of stock upon one or more of his leases, and this was what he proposed in the amended regulation now before the Committee. In order to show how rigorously, and he might say how mischievously, the present regulation operated, and how necessary it was that the evil should be grappled with, even at this late period of the Session, he would, by way of illustration, suppose a case in point. Let them suppose that there are $2\frac{1}{2}$ millions of acres now taken up in this district, or say that three millions will have been taken up by the end of the present year. If hon. members would take the trouble to calculate—a process which, he was afraid, was not very often entered upon in that House—they would see that, under the regulations now in force, in order to stock these three millions of acres, according to the conditions at present in operation, it would be necessary to introduce not less than 60,000 sheep into the

district by the end of next year. He would ask hon. members to consider whether it was likely, in view of the great difficulty of sending stock to this remote territory, and in view of the present season of drought and bad lambing, that all this number of sheep would be introduced into the district by the end of next year. He did not think it was likely, he did not think it was practicable; yet this was what the existing regulations required to be done. If, therefore, these regulations were impracticable, if the conditions which they imposed were such as deterred people from taking up land in this district, rather than encouraged them to do so, he thought the House would agree with him that, in the interest of the district itself as well as of the Colony at large—for as pastoral settlement extended so would the public revenue be augmented—it was well worthy of consideration whether it would not be wise on their part to modify the existing regulations so as to make them more likely to contribute to the realisation of the object which they all had in view, namely, the settlement, on a successful and satisfactory basis, of a most important portion of our territory. He might point out that, even under the modified conditions which he proposed as regards stocking, with the present area of land taken up, it would necessitate the introduction of 30,000 sheep into the district within three years from the issuing of the leases, in March last; and he thought we might fairly congratulate ourselves and the country if we had that number of sheep, or a proportionate number of large stock, in the district by that time. It would be observed that, if a lessee did not comply with the conditions here proposed, the penalty was a very severe one—an absolute forfeiture of his lease or leases, as the case may be, to the Crown. Nor did the amended clause admit of any arrangement under which a lessee could borrow his neighbor's sheep as a temporary expedient; the clause provided that the stock must be the actual property of the lessee, and shall not be diminished in number throughout the whole of the unexpired term of his lease. Under these circumstances, he hoped hon. members would give their support to the clause, and would not defer taking action in this matter until another Session came round. He would point out that these regulations, if amended, would have to be sent home for the approval of the Secretary of State, and, if they postponed the consideration of the subject for another year, it would be fully eighteen months from now before the amended regulations would come into force, and by that time they would prove of very little use or utility, as the period prescribed for stocking, under the existing regulations, would by that time have well nigh expired. Nothing was to be gained by delay, but, on the contrary, much harm might accrue to the district, and to the Colony at large, if the present regulations remained in force—regulations which it was now evident were much too rigorous to promote the settlement of the district.

MR. BROWN thought the hon. member for Fremantle was quite right in thinking that, unless the proposed alterations were made this Session, we should certainly not, in the course of eighteen months time, see 60,000 sheep in the Kimberley District. Indeed, he doubted very much, even if the regulations were relaxed as here proposed, whether they would within that period see such a number of sheep introduced. He had always considered that it was an exceedingly unfortunate thing that the Legislature of this Colony was given no voice whatever in the framing of the Land Regulations for this district, and he endeavored last year to induce hon. members to assist him in obtaining a modification of those regulations, but he did not receive sufficient support to warrant him in bringing the matter formally before the House. At that time, none of the land in the district had been thrown open for selection, and, the regulations not having been promulgated, might then have been amended without prejudicing the claims or the interests of anyone. Shortly afterwards, when the regulations were published, he felt on seeing them, as he felt now, that the result of their operation would be that, instead of encouraging the settlement and fostering the development of the pastoral resources of the district, they would tend altogether the other way, and detard its progress—that, in fact, they were framed upon wrong lines altogether. Even then he did not think it would have been too late for the

House to have dealt with the subject; but as there appeared no chance whatever of his getting any support, he let the matter drop. But he thought it was a very different question now to deal with these regulations, which had been in force for some months. He thought the best way to get rid of these, or any obnoxious regulations or laws, was to enforce them strictly and rigorously, and the probability was,—they would effect their own cure. For this reason, he was inclined to think that the best thing that could happen for this district would be a rigid enforcement of the regulations as they now stand. In his opinion, nothing short of a radical change in the entire land system, as now applied to this particular district, would meet its requirements; and he thought, if the House adopted the amendments now proposed, it would not be doing full justice to the question as to the terms upon which these lands should be occupied and utilised. The resolution now before the Committee involved no alteration whatever in the principle underlying the present Land Regulations; it was simply a modification of some of the details. He admitted it would be easier to bring about a settlement of the district under these amended regulations than under those at present in force, but he questioned how far they would be fair towards those persons who had not yet seen their way clear to take up land in the Kimberley District, and who, if they were to do so now, would, if these amended regulations came into force, be placed at a serious disadvantage compared with those lessees who had entered upon the land when it was first thrown open. Moreover, it appeared to him it was very late in the Session to attempt to make any alteration in the land laws. He had always noticed, and noticed with regret, that whenever any questions affecting the Land Regulations of the Colony were brought forward for discussion in that House, a great many hon. members —as was the case now—left the Chamber, as if the question was one of no interest, and one which concerned them in no way. If this was the general feeling among members at the best of times, he thought there was no chance, in the present temper of the House, for the resolution now before it, or any other proposal affecting the Land Regulations of the Colony, receiving that degree of attention which the importance of the subject demanded.

MR. STEERE was opposed to the resolution for two reasons. In the first place he thought it was a great deal too late in the Session—almost the day before it closed—to introduce a subject of this importance, and, in the next place, he did not think the existing regulations had been in force long enough for that House to say whether they were suitable or not, or whether, as the hon. member who brought forward these amendments said, they had proved "mischievous" in their operation. The hon. member might perhaps feel that, so far as he is personally concerned, they might prove "mischievous;" but he did not think the hon. member had brought forward any evidence to show that, generally speaking, the regulations had proved mischievous in their operation, or that there was any real ground to suppose that they would eventually prove altogether a failure. They had only been in force about seven or eight months, and yet the hon. member now came forward and said that they had proved a complete failure. He did not agree with the hon. member at all, and certainly there was no evidence to support the hon. member's contention. He (Mr. Steere) was one of the members of the Commission which was asked to report upon these Land Regulations when they were first framed, and the general feeling among the members of the Commission was that, while the regulations should be made as liberal as possible, in order to induce bonâ fide settlement, still that care should be taken that they were not of such a character as to open the door to speculation and land jobbery. That was the feeling which animated the Commission, and he thought the present regulations were calculated to ensure the two objects which they had in view. The hon. member who had brought forward these amendments might possibly not look upon land-jobbing as an unmixed evil; if so, he and the hon. member could never regard this question from the same point of view, or hope to agree upon any Land Regulations framed upon the same lines. From a conversation which he had with the hon. member the

other day, the hon. member acknowledged that sheep could be landed in the Kimberley District at £1 per head; if so, he (Mr. Steere) thought the attractions offered by this district for embarking in pastoral pursuits were superior to the attractions offered in the more Southern portions of the Colony. A capitalist coming here from the other side or elsewhere, with the intention of going in for sheep-farming, if he wanted to purchase a run in the settled districts of the Colony, would have to give at the rate of about £1 a head for his sheep and runs, and he thought it would be a much better outlay for his money if he paid £1 a head to get his sheep into the Kimberley District, where the country was so much richer for pastoral purposes than the more settled districts of the Colony. He did not think it could be fairly said that the existing regulations would prove a bar to the settlement and occupation of the country, or prevent people outside the Colony from taking advantage of them, for it was only yesterday he noticed in the *Government Gazette* that a considerable quantity of land had been taken up there very recently, by a gentleman who he believed intended stocking it as soon as possible, and he was of opinion that they would see a great deal of stock introduced into the district in a few months time. He thought it was too late in the Session to bring forward a subject of this importance for discussion, and too soon in the history of the district to commence tinkering with its Land Regulations.

MR. MARMION could understand the hon. member for the Swan, who was one of the Commission that recommended the present regulations, opposing the proposed amendments; were he to do otherwise, it would be an acknowledgment on the hon. member's part that the regulations had proved a failure, or at any rate were not suitable for the requirements of the district. And he knew that, as a rule, the hon. member did not like to acknowledge that he had made a mistake. As to "tinkering" with the regulations, he thought it would not be advisable at the present time to make new ones altogether; he thought that a little repair was all that was necessary in order to make them serviceable for some years to come. As to land jobbery, of which the hon. member appeared to be in such a dread, possibly this "jobbery" or speculation might, in some cases, prove injurious to individuals, but he did not think the Colony was likely to suffer much through any speculation in land which these amendments would open the door to. Hon. members seemed to have a great objection to land speculation, while the land was in its natural state, forgetting that speculation did not cease when the land was improved and stocked; and, for his own part, he failed to see any greater harm in speculating in unimproved lands than speculating in lands with sheep and cattle on them. What was the difference between the man who speculated in 100,000 acres of virgin land, even for the mere purpose of speculation, and the man who, for the very same purpose, a few years hence, speculates in the land with a few thousand sheep upon it? The speculator only obtained the market value for it.

MR. BURGES said the hon. member appeared to look upon this question from a speculator's point of view, whereas he regarded it from a settler's point of view. He would give the bonâ fide settler every possible encouragement, as the object of the bonâ fide settler was, while benefiting himself, at the same time to benefit the Colony; whereas the speculator's object was self-interest, and self-interest alone.

MR. S. H. PARKER said, if he had his way, he would do all he could to encourage speculation in land. Was not the hon. member himself (Mr. Burges) a speculator, when he took up land in what was then a new district—the Irwin and the Greenough? He was glad to think that the speculation which the hon. member embarked in had proved such a profitable one. Did the hon. gentleman mean to say that his speculations in the Champion Bay district had not proved beneficial to that district, as well as profitable to himself? He thought, for his own part, that these speculators, who had the pluck and the enterprise to invest in lands in newly-discovered territories, were the very men who ought to be encouraged, and not the man who buttoned up his pockets and who had not the heart to invest a shilling in the acquisition of land, which might, or might not, hereafter turn out a profitable investment. With regard to the resolu-

tion before the Committee, he thought it would be necessary at any rate to alter the wording of it. He presumed that the intention of the hon. member who introduced it was this,—that if a man leased half a dozen blocks of 100,000 acres each, provided he placed sufficient stock on any of these blocks to comply with the requirements of the stocking clause, he would be regarded as having done all that was necessary to entitle him to his lease; but, on the other hand, if he made default, he would forfeit the particular block which he had commenced to stock, but in respect of which he had failed to comply with the conditions as to stocking in their entirety. But he would point out to the hon. member that under the clause, as now worded, the result, in the event of any default, would be that the man would lose the whole of his runs. He did not know whether that was the intention of the hon. member. In order to render the resolution a little more precise and succinct, he would move the following amendment:—"The minimum "rental of all pastoral lands within the "Kimberley District shall be 10s. for "every 1,000 acres and fraction of 1,000 "acres, payable in advance. And all "leases shall be subject to the condition "that every lessee and all lessees of such "pastoral lands shall, before the expir- "ation of the third year of the term or "terms of such lease or leases, place, "have, and depasture, and keep depast- "ured for the remainder of the said "term or terms, upon some portion of "the lands comprised within the lease or "leases held by such lessee or lessees, at "least one head of large stock or ten "sheep for every one thousand acres of "the lands comprised within such lease "or leases; and in default, such lease or "leases shall be absolutely forfeited to "the Crown, and such forfeiture shall "forthwith be notified in the *Government* "*Gazette.*"

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) thought it was premature yet to attempt to alter the existing regulations, which had not yet been in force more than a few months. If they had not proved so successful as was anticipated in bringing about a settlement of the district, it was not in consequence of any inherent defect in the regulations themselves, but because there had been an opinion abroad that an effort would be made to have them amended and liberalised in the direction here indicated, and that would-be lessees would probably be relieved from the conditions now imposed upon them. This was the reason why stocking had not been carried on as it otherwise might have been, and not because the regulations were too stringent. He felt bound to say that he did not at all like the idea—before the regulations had been fairly tested, and before it had been demonstrated whether the country itself was suitable for sheep-carrying—that they should rush from one point of view to another, and seek to-day to undo what they had done yesterday. The resolutions were duly considered by a Committee of practical men, the majority of whom agreed as to the conditions under which lands should be offered for selection, the Government had concurred in those conditions, and the Secretary of State, to a certain extent, gave force to the recommendations of the local Government in the matter. That these regulations had yet proved a failure had not, so far as he was aware, been demonstrated, and, until it was proved that they were ill-adapted for the district, and until they had undergone a further test than they had yet received, he thought it would be impolitic to meddle with them, especially at this late stage of the Session, when hon. members were on the point of separating.

MR. MARMION presumed that the hon. gentleman did not mean to say that, if it were proved that the existing regulations were objectionable and impracticable, it would be inadvisable to deal with them now. (The COMMISSIONER OF CROWN LANDS: But I say it has not been proved.) The hon. gentleman had shown nothing to the contrary. He had not disproved what had been stated about the regulations being inimical to settlement, rather than tending to encourage and foster it. The hon. gentleman had not done this, but contented himself with a simple denial. If he could show how, under the regulations now in force, they were going to get 60,000 sheep introduced into the district within the next two years, the hon. gentleman would have done something towards removing the objection raised to these regulations.

MR. VENN had not intended speaking on the subject at all, thinking that not much good was likely to result from a discussion of such an important question at the close of the Session. As to the existing regulations being the result of the deliberations of practical men acquainted with the subject which they dealt with, all he had to say was, they must test these practical men by the result of their labors; and, although the House might have every confidence in the wisdom and intelligence of these practical men in other matters, it could not be denied that these regulations, which were the outcome of their deliberations, had certainly not proved a success in their operation. He thought he might be allowed to say that he knew something about what pioneers had to encounter, and as to what kind of regulations were likely to prove successful, in opening up a new country. He had had some practical experience of the regulations framed for the settlement of the Nicol Bay country, and although these regulations were even in those days considered liberal, and would in these latter days be regarded as excessively so, still he had no hesitation in saying that, liberal though they were, they must not attribute the success which had attended the settlement of that district to the liberal character of its Land Regulations alone, but also to the stimulus given to it by the pearl shell trade. He had heard it stated that no rebate of rent should be granted, that it was a mistaken policy to allow leases to be taken up free for any term of years, in a new country; but he would impress upon those who held that opinion, that, with many pioneer settlers, and especially young pioneers, money, or in other words rent, was a great consideration, and he had no hesitation in saying that, so far as the party with which he was connected in taking up land in the Nicol Bay District was concerned, had it not been for the rebate of rent, they would never have persevered with their enterprise, and, in fact, would have been hopelessly ruined. He was afraid that the present Kimberley regulations, by reason of their severity, the high rent charged from the outset, and the stringency of the stocking clauses, deterred many a bonâ fide young settler, with limited means, but unlimited pluck and energy, to take up land in that district. These young men could probably not find more money than would enable them to stock their runs, and if they got them rent free for the first few years they might be induced to try their luck as pioneers. But when they also had to make provision for the payment of rent, they were altogether disheartened, and deterred from embarking upon an enterprise which might cost them not only their capital but also their lives. He thought this question of rental was more worthy of consideration than even the stocking clauses. With regard to land jobbery, he himself was altogether opposed to it; and, if these regulations were going to be modified in order to encourage the legitimate occupation of the land by bonâ fide settlers, he hoped that some provision would be made whereby the wholesale taking up of land, simply by means of, and for the purposes of, speculation and jobbery, would be precluded. But he failed himself to see how they were going to do it. While they opened the door for the bonâ fide settler, they also opened the door for the land-shark, and he did not think they should place any unnecessarily severe restrictions upon the bonâ fide settler simply in order to check less legitimate speculation.

MR. BROWN said one would think, from what had fallen from the hon. the Commissioner of Crown Lands with regard to these regulations, that they had been approved (as originally framed), not only by the members of the Commission to whom they were referred, but also by the Governor, and the Secretary of State, whereas in point of fact the very keystone of the regulations had been struck out by the Secretary of State. What the Commission recommended as regards stocking was, that in the event of a lessee making any default as to the stocking conditions, the rent of his lease should be doubled, and not that the lease should be absolutely forfeited. But the Secretary of State struck out that provision, and in doing so struck out what he (Mr. Brown) could not help regarding as the very keystone to the original regulations. And although he should have disapproved even of that condition, he thought it was preferable to the one which the Secretary of State had substituted in lieu thereof, and which is now in force, and that it

would certainly have proved more advantageous as regards the settlement of the district. Many a man who might be unable to stock his land within the first term of his lease might see his way clear to do so during the next term, and would be prepared to pay a double rent, seeing that the land might eventually become his own and that it was worth making an effort to secure his lease. But, as he had already said on more than one occasion, he was opposed to the whole tenor of these regulations, though he concurred with the hon. the Commissioner of Crown Lands that it had not yet been demonstrated that they had proved to be what he had always prophesied they would be—a failure. If at the expiration of two years, when the period allowed for stocking expires, it were found that the regulations had proved a decided failure, and had not realised the expectations of their framers, as regards the development of the pastoral resources of the district, he thought it would then be time enough to make a radical change in the land system, and introduce more suitable regulations altogether than those now in force.

MR. GRANT said he was in favor of the amendment proposed by the hon. member for Fremantle. He had always thought, from the very first, that these Kimberley regulations were not liberal enough, particularly in the early stage of settlement. He begged to differ altogether from the hon. the Commissioner of Crown Lands, and the hon. member for Geraldton, who stated that it had not yet been shown that these regulations had proved a failure. He maintained that they *had* proved a failure. What extent of settlement had they led to? Simply none. Two or three small attempts had been made, and that was all, whereas if the land had been offered at (say) half the present rent, and the stocking clauses had been something similar to those in force in the Nicol Bay district, they should have had ten men for every one man now settled in the Kimberley district. It was no use thinking of developing a new country like this by isolated cases of settlement. It was absolutely necessary, for the purposes of mutual assistance, and of mutual protection against natives and other dangers, that our pioneer settlers should have every encouragement in their early struggles; and, unless the Land Regulations were such as to induce something more in the way of settlement than that an isolated lessee should take up a piece of land here, and another isolated pioneer to take up his lease 100 miles off—and the present Kimberley regulations did nothing more towards the settlement of the country than this—it was not likely that such regulations would ever do much good either for the district itself, or for the Colony at large. Very few people seemed to have any idea of the dangers and vicissitudes of a pioneer's life. Were it otherwise, he had no doubt our pioneer settlers would be treated more liberally. And the sooner the Government and the Legislature took this to heart, the better would it be for the country.

MR. BURT always thought a great deal too much had been made of this Kimberley district, with regard to its capabilities, of which neither the Government nor anybody else knew very much as yet, though very glowing expectations had been entertained by some people, and especially by the Government, with regard to it. He gave the Commission, who had recommended the existing regulations, credit for doing what they conceived to be the best in the interests of the district itself and of the Colony at large, but he must say that, judging by results, the regulations had not brought about what was expected of them—an early and rapid settlement of the country. On the contrary, it appeared to be generally admitted that they had retarded its progress and development. What was it that had induced the rapid settlement and prosperity of the adjoining district, Nicol Bay, but the liberal character of its Land Regulations? He hated a land-jobber as much as his hon. friend Mr. Burges did, but he thought that the primary object which they ought to have in view was to encourage the *bonâ fide* settler, rather than to shut out the mere speculator. After all, he looked upon the Government themselves as the greatest land-jobbers of the whole lot. What did they do with regard to the lands in this very district? On the 1st February last, they put the district up in one vast lottery, for any one who could sport half-a-crown

to have a shy at it, and what was the result? Everybody went in for a block of country, in the expectation that the lot which might turn up for him would be a run which somebody else might want, and for which he might be able to obtain almost what he liked; and a great deal of the country had thus been hawked about, whereas of real *bonâ fide* settlement there had been hardly any at all, nor was there likely to be while the existing regulations remained in force. Was it reasonable to suppose that a man who could get land in a neighboring district at half the rent, and unburdened with any stocking clauses, would, of his own free will and accord, prefer to pay double the rent and bind himself to stock his land within a given time, in a district of which little or nothing was known as to its capabilities as a sheep-rearing or stock-producing country. It was all very well to say that sheep could be introduced there at a cost of £1 per head, but let hon. members consider what this would amount to in the case of a man taking up 100,000 acres,—and no one would dream of taking up less in a country where it was just a chance whether you could find water on your lease or not. To stock this land, according to the existing Land Regulations, would require twenty sheep for every thousand acres, or 2,000 sheep for the whole block. This meant an outlay of £2,000 to start with, exclusive of the cost of station plant, rent, labor, and other expenses, to say nothing of the probability of a very cordial reception at the hands of the natives. Was it likely that any new district was going to be settled under these conditions? An isolated man, here and there, might be found prepared to go out, with his life in his hand, and risk his all in the hope of making something. But rapid or steady settlement could never be expected under such discouraging circumstances; and, if the district was worth making an effort to have it settled at all, their efforts must be directed towards liberalising the conditions under which the land may be acquired and made available for the purposes of settlement. He looked upon the amendments now before the Committee as a step in this direction, and for that reason he was prepared to support them.

On the motion of Mr. BROWN, Progress was then reported, and leave given to sit again next day.

SUNDAY TRAINS.

MR. S. H. PARKER, in accordance with notice, moved, "That in the "opinion of this House it would be in- "advisable to discontinue the running "of Trains on Sunday on the Eastern "Railway; but, on the contrary, the "Council recommends that the Sunday "Trains run on to Guildford." No doubt hon. members had noticed in the newspapers that a petition was in course of circulation, praying for the discontinuance of the trains which ran, morning and evening, between Perth and Fremantle, on Sundays, the memorialists being of opinion that it was inadvisable to continue these trains; and it had struck him that if the House took no notice whatever of this movement it might be taken for granted that the House assented to the prayer of the petition and was in accord with the memorialists' views on the subject of Sunday trains. He thought, himself, it would be most inadvisable to discontinue these trains, for many reasons, which must be obvious to hon. members, and one reason in particular—this railway was yet a new thing here, people had hardly become accustomed to railway travelling, and he thought it was very desirable that every effort should be made to make the railway, as a means of locomotion, as popular as they possibly could. He was afraid, if they were to discontinue these Sunday trains, they would make it most unpopular with many persons, and cause the public to revert to the old coach system of travelling. It had been represented to him that the only passengers who availed themselves of these Sunday trains were "larrikins" and people of that stamp, and, in order to see whether there was any truth in this statement, he made it a point one Sunday recently to go to the railway station to witness the departure of the train, and he never saw the sign of a "larrikin;" on the contrary, the travellers were people belonging to the most respectable classes of society. As to the Sabbatical objections to running trains on Sundays, he should not en-

deavor to review these objections, nor did he think it necessary, for it was a well-known fact that it was the practice, all over the world, to run Sunday trains. He thought, however, the time of running should be so arranged as not to preclude the railway employés from attending religious services on that day. For his own part, so long as this was done, he failed to see why these trains should not run right through to Guildford. He thought if they did, it would afford better means of innocent recreation than their running to Fremantle did. He had brought forward his resolution with no intention whatever to interfere with the functions of the Executive, or the Commissioner of Railways, but simply because he thought it necessary that the Legislature should take some action in view of the memorial which he understood was now before His Excellency the Governor on this subject.

THE COLONIAL SECRETARY (Lord Gifford) said it was not his intention to oppose the resolution; on the contrary, he was prepared to second it. The Government arrived at the conclusion to run these Sunday trains, after a great deal of consideration, and he was not aware of any intention at present to discontinue them. As to letting the trains run on to Guildford, that also had received the consideration of the Government, but it had not been deemed advisable, as yet, to go any farther than Perth.

MR. MARMION was entirely in accord with the resolution, and he thought, if the Government could see its way clear, it would be very desirable that the trains should run on to Guildford. As the railway employés had, under the present arrangement, to work on Sunday, he failed to see that any greater hardship would be inflicted upon them if these trains went on a few miles farther. He was sure it would be a great convenience, and a great boon to many people, if railway communication were opened as far as Guildford, on Sundays.

MR. BURT could never understand why it was that these Sunday trains stopped at Perth, instead of going on to Guildford, and he hoped, after this expression of opinion on the part of the House, the Government would stretch a point and give the travelling public a chance of a trip into the country on the only day which to many of them was available for such a trip. At present, the railway was practically closed to many people, except on Sundays, especially the working classes, who probably more than any other class of the community required the means of healthful and innocent recreation brought within their reach.

MR. STEERE entirely approved of the resolution, and would be very sorry indeed to see these Sunday trains discontinued. He only hoped that, instead of discontinuing them, His Excellency the Governor would concur in the recommendation that the trains should run on to Guildford. He should think that would involve little or no extra expense to the Government, inasmuch as the same staff would be able to do the work as was employed already. He certainly hoped His Excellency would not accede to the prayer of the memorialists who wished these trains discontinued, for he was sure the great majority of the public would be found opposed to such a step. The main objection urged by those who objected to Sunday trains was that they kept people out of church, but he thought it was very few indeed of the travellers by rail who would go to church were the trains discontinued; they would probably find some other and less objectionable means of spending their Sundays. Those who were church-goers had the opportunity of doing so now, as these trains did not run during church hours.

MR. BURGES said, if it could be managed without debarring the railway employés from attending Divine services on Sunday, he did not see much objection to these trains running on to Guildford.

MR. RANDELL said that, at the risk of being regarded as somewhat illiberal, he felt bound to express his regret that the hon. member for Perth should have thought fit to bring forward such a resolution at all. He (Mr. Randell) was one of those who had signed the memorial referred to, and, if another memorial were got up to-morrow, having the same object in view, he should feel it his duty to sign it. In doing so, he had acted conscientiously. He was not going to trespass on the time or the patience of the House by entering upon any arguments as to the religious aspect of the question; he took his stand upon this ground,—he believed the Sabbath to be

a Divine institution, and he believed the closer a community adhered to the proper observance of that institution, the better it would be for the country that did so. At the same time, he did not think it possible to make people religious by Act of Parliament. He liked a man to be allowed to follow the bent of his own inclinations, and to be perfectly free as to how he employed his Sunday, so long as he did not violate the laws of his country. As to the argument put forward by the advocates of these Sunday trains,—that they afforded an innocent and healthful means of recreation, he did not think that had much weight with the Government, who simply ran these trains for the sake of gain. It had been said that Governments had no consciences to prick them, and consequently he had no doubt they slept soundly, in the face of the fact that they were violating a Divine law by sanctioning the working of trains on Sunday, and thus depriving their servants of that day of rest which a Divine Providence had set apart for man in all ages. He understood that, in consequence of these Sunday trains, some of the railway officials, occupying a high position, were precluded from attending a place of worship,—the Traffic Manager, for instance. He did not think the Government was justified in doing that. They ought to make some arrangement that would liberate these men during some portion of the day, and enable them to attend Divine worship. If the Government saw no moral wrong in running Sunday trains between Fremantle and Perth, he failed to see—accepting that view of the question—why they should not go on to Guildford; but he presumed the reason they did not do so was, because of the wear and tear of the engines which a longer journey would entail. For his own part, however, he was conscientiously opposed to any Sunday traffic on our railways, and he failed to see any necessity for it. In his opinion, the more loyal a people observed the Sabbath, the more happy and prosperous were they likely to be.

The resolution was then put and carried.

CLOSURE OF STREET IN BUSSELTON BILL.

The COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) moved the first reading of a Bill to make it lawful to close up a certain Street in the township of Busselton.

Motion agreed to, and Bill read a first time.

WINES, BEER, AND SPIRIT SALE ACT, AMENDMENT BILL.

Mr. HIGHAM, in accordance with notice, moved, "For leave to introduce a "Bill to amend 'The Wines, Beer, and "'Spirit Sale Act, 1880.'" The hon. member said the main object of the Bill was simply to enable publicans to keep their houses open until 11 o'clock at night, instead of 10, as at present.

The COLONIAL SECRETARY (Lord Gifford) hoped the hon. member, in view of the approaching end of the Session, would not press his motion for the introduction of a Bill dealing with the licensing system. If he allowed the Bill to be postponed until next Session, very probably the Government would offer no opposition to such a measure as that which the hon. member was anxious to introduce.

Mr. S. H. PARKER said the same objection might, with equal force, be urged against the introduction of the Bill just brought forward by the Commissioner of Crown Lands, to close a certain street in the town of Busselton. Why not go on with the work, and finish it? There was no particular reason that he was aware of why the Session should be immediately closed, if there was any useful legislation requiring their attention.

Mr. VENN said the hon. member's remark as to the duration of the Session might have greater force if a little more attention were paid to the work in the earlier part of the Session, instead of crowding all the work into the latter portion of it, when members were getting wearied, and anxious to return to their homes. The hon. member for Perth seemed to think that country members had nothing to do but to listen to motions for postponing this, and postponing that. He thought it would be a great saving of time if members, before they came down to attend the Session, had some idea of the scope and object of the various Bills which were likely to be submitted for their consideration. Members would

then have an opportunity of giving Bills some attention before they came to discuss them, and the House would thus be spared the infliction of having to listen to an unmitigated amount of bosh.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) said the Bill proposed to be introduced involved a question for grave consideration, and the hon. member in charge of it might surely have brought it forward at an earlier period of the Session.

MR. HIGHAM wished to state, in explanation and in justification, that the Bill had only been placed in his hands a day or two ago, and he had been pressed to bring it forward, otherwise he should not have done so, at this late stage. If the House wished to postpone its consideration until next Session, he was quite willing to bow to that decision.

MR. MARMION said he was in accord with the object of the Bill, but, in view of the feeling of the House in favor of postponing its consideration, he thought it would be better not to press it forward this Session, especially in view of the noble lord's assurance that it will meet with the support of the Government if introduced at the next Session of Council.

Motion, by leave, withdrawn.

EXTENSION OF TENURE OF PASTORAL LANDS: REPORT OF SELECT COMMITTEE.

IN COMMITTEE.

MR. BROWN said it was not his intention to ask hon. members to come to any decision that evening with regard to the various matters dealt with in the report of the Select Committee to whom this question had been referred, and whose report was now before the House (*vide* Sessional Paper A 12), his present object being merely to elicit from hon. members an expression of opinion as to the recommendations embodied in the report, with a view to some further action being taken in the matter at the next Session of Council. At the same time, with a view to place himself in order, he would formally submit the following resolution,—not with the object of having it affirmed, but in order to evoke discussion:—"That the recommendations "contained in the report of the Select "Committee (appointed to consider cer- "tain propositions submitted by Mr. "Burges, regarding the extension of "tenure of pastoral lands upon certain "conditions as to improvements) be "adopted, and that this House considers "it desirable, that in all cases where "lands brought under the provision "named in the report are contiguous, "they should be granted in one lease to "the applicant becoming entitled to lease "them." The Committee, of course, came to the conclusion that any alteration in the Land Regulations which would lock up, for pastoral purposes, our agricultural lands, or any appreciable portion of them, would be detrimental to the interests of the Colony; and they saw it would be very difficult to arrive at any regulations which would on the one hand afford increased tenure to the *bonâ fide* pastoralist, and, on the other hand, secure the just rights of the agriculturist. But after due consideration, the Committee arrived at the conclusions set forth in their report, and, if the recommendations therein put forward were adopted, there would be no fear that, in granting this lengthened tenure to the pastoral leaseholder—a concession which they considered advisable to make in the interests of the Colony generally—any appreciable amount of agricultural land would be locked up. The Committee considered—indeed it appeared to them a truism—that any provision whereby all the pastoral lands of the Colony unsuited for agriculture (except those in the Kimberley District, of which very little, if any, was adapted for agriculture) might be acquired under a more secure tenure would, in the words of the resolution submitted for their consideration, "largely promote the pastoral interests of the Colony," by reason of the incentive which that security of tenure would give leaseholders to fence and otherwise improve their lands. That the general revenue would be increased, and the material progress of the Colony stimulated, in proportion to the extent to which pastoral leaseholders might avail themselves of this provision for improving their lands, must be obvious to the House, as it had been to the Select Committee. It must be self-evident that, should this security of tenure be afforded to our pastoralists, the lands of the Colony would, by means of fencing and other improvements which the lessees

would then be encouraged to make, be rendered capable of carrying a much larger number of stock than they do at present, and that very fact alone must increase the general prosperity of the Colony. The Committee were very much inclined to believe that it would have been in the interests of the Colony if this provision in the Land Regulations were even extended to the Kimberley district, but it was felt that so little was yet known of the capabilities of that district, and of the quality of the land, that it would be better to exclude that portion of the Colony from the operation of the proposed regulations, at present. With this exception, the Committee thought that provision might be made in the Land Regulations, whereby all lands in the Colony unsuited for agriculture might be acquired for pastoral purposes, upon conditions which he would presently refer to. The Committee were of opinion that, in addition to the Kimberley district, the only other in which lands suited for agricultural purposes were to be found was the Central District, where there were patches of good agricultural land—which it was assumed were generally known to the Survey Department—scattered throughout the so-called "first class" lands. In the other districts of the Colony the land went under the name of "second class," which in his opinion was a misnomer, for, as a rule, these second class lands were the most valuable lands in the Colony for pastoral purposes. That, however, was a subject which the Committee had nothing to do with, and they came to the conclusion that, for all practical purposes, for the next quarter of a century at any rate, the lands in all the districts of the Colony, other than portions of the Central District, might be regarded as unsuitable for agriculture, and that therefore there could be no valid objection to granting the leaseholders a lengthened tenure, upon condition that certain improvements shall be effected and the stock-carrying powers of the land increased. As he had already said, the proportion of agricultural land to pastoral land, even in the Central District, was very small, and such patches as were suited for agriculture were generally known to the Survey Department, and, that being the case, there was no fear of the department being hoodwinked as regards these lands. It would, however, be absurd to lock up millions of acres of land adapted for pastoral purposes for the sake of these small patches, which would be valueless for corn-growing,—for it was a truism, as regards land in this Colony, that agricultural selections should not be less than from 200 to 300 acres in extent, to be of any practical use to any farmer, so as to enable him and his family to make a living out of his land. That, however, was a question which the Committee did not deal with, deeming it better to leave it in the hands of the department, to whom, as already stated, these patches of agricultural lands in the Central District were pretty well known. The Committee discussed the question as to whether, before applying the principle recommended as regards increase of tenure, it would not be possible to have the lands of the Colony classified, but it was felt that this was beyond the present means of the Colony to undertake, and that there was no prospect of its being accomplished within the present generation. Therefore, the Committee had recommended that each case should be dealt with on its own merits, and that it should be left entirely optional with all leaseholders whether they should hold their lands under the existing Land Regulations, or whether they would desire to come under the provisions recommended for adoption in this report. Before proceeding any further, it might be as well that he should state what those provisions were. What the Committee recommended was, that, from and after a certain date—say the first of January, 1882—all lands in the Central District of the Colony may be leased on the following terms: (1) From the date of the lease until the first day of January, 1889, at the rate of £1 per thousand acres, per annum; with a condition that by the expiration of such lease not less than *one-fourth* of the land comprised within it shall be enclosed by a fence—(2) From or after the first day of January, 1889, until the 1st day of January, 1896, at the rate of £1 10s. per thousand acres, per annum; with a condition that by the expiration of such lease *one-half* of the land comprised within it shall be enclosed by a fence—(3) From or after the 1st day of

January, 1896, until the 1st day of January, 1903, at the rate of £1 15s. per thousand acres, per annum; with a condition that by the expiration of such lease *three-fourths* of the lands comprised within it shall be enclosed by a fence.—(4) From or after the 1st day of January, 1903, until the 1st day of January, 1910, at the rate of £2 per thousand acres, per annum. With regard to second class pastoral lands, the Committee recommended that precisely the same conditions as to fencing should apply as in the case of first class lands, in the Central District, but there was a difference as to the rent payable in respect of such land. What the Committee proposed, as regards second class pastoral lands,—exclusive, of course, of those in the Kimberley District—was that they should hereafter, say from the 1st day of January next, be leased on the following terms:—(1) From the date of the lease until the first day of January, 1889, at the rate of 10s. per thousand acres, per annum; with a condition that by the expiration of such lease not less than *one-fourth* of the land comprised within it shall be enclosed by a fence.—(2) From or after the 1st day of January, 1889, until the 1st day of January, 1896, at the rate of 15s. per thousand acres, per annum; with a condition that by the expiration of such lease *one-half* of the land comprised within it shall be enclosed by a fence.—(3) From or after the first day of January, 1896, until the 1st day of January, 1903, at the rate of 17s. 6d. per thousand acres, per annum; with a condition that by the expiration of such lease *three-fourths* of the land within it shall be enclosed by a fence.—(4) From or after the 1st day of January, 1903, until the 1st day of January, 1910, at the rate of £1 per thousand acres, per annum. The Committee recommended that all applications for leases under these provisions shall be made to the Commissioner of Crown Lands, accompanied by a deposit of money sufficient in the opinion of the Commissioner to cover the cost of examining the land applied for—should such examination be considered necessary—and that the Commissioner shall then, not immediately and at a sacrifice of other necessary work, but at his convenience, cause an examination of the land to be made, at the expense of the applicant. When this was done, the Commissioner would inform the person applying to lease the land, as nearly as practicable, the extent, if any, to which he (the Commissioner) would be prepared to accede to such application. A survey of the land would have to follow, and it was recommended that no lease should be granted under the amended provisions unless the boundaries of it shall have been surveyed to the satisfaction of the Commissioner of Crown Lands. The cost of this survey would be borne by the applicant. He would direct the attention of the Committee to the privileges which it was proposed to grant lessees in respect of a renewal of their leases, and for the purpose of encouraging fencing. The Committee recommended that if, at the expiration of any lease granted under the provisions already mentioned, the whole of the land comprised within it shall be enclosed by a fence—that was to say, a good and sufficient fence, as defined in the Land Regulations now in force—the lessee shall, in case the regulations then in operation provided for the further leasing, or occupation of such land, for pastoral purposes, have a pre-emptive claim to such further lease or occupation, upon the terms provided by the Land Regulations which may then be in force—a privilege which appeared to the Committee to be perfectly fair towards the lessee as well as all other parties. With regard to non-compliance with the conditions imposed as to fencing or other improvements, the Committee recommended that, in the event of any default, the land, with all improvements thereon, should be forfeited absolutely to the Crown, and that the right to lease the same for seven years from the date at which it became liable to forfeiture should be sold by public auction to the highest bidder. Doubtless a great deal of discussion would hereafter arise on this subject. Some people might probably think that it would not be fair and right that such a rigorous penalty should be enforced, and that cases might arise in which it would work great and undeserved hardship, if not injustice. Personally, however, he might say he was in favor of it, regard being had to the privileges which it was proposed to offer to the leaseholders under these regulations. It would

be observed that the resolution which he had formally submitted for the consideration of the House embodied a recommendation which was not contained in the Select Committee's report, namely, that, in all cases where land brought under the provisions mentioned in the report were contiguous, they should be granted in one lease to the applicant becoming entitled to lease them. At present, persons were precluded from taking up blocks of land, in one lease, of greater length than (say) three times their breadth. They could take up four or five leases covering this extent of ground, but he really failed to see why the whole should not be included in one lease. It would save the Survey Department a great deal of bother, and he was not aware of any valid objections to it, upon any ground. With regard to compensation for improvements, the Committee recommended that, in the event of any lessee not obtaining a further lease of any lands held by him on the 31st December, 1909, he should be entitled to the same compensation for improvements as is now provided for lessees under the 60th clause of the present Land Regulations. These were the main features of the Committee's report. As he had already said, he had no wish or intention to press the House to arrive at any decision on the subject this Session, but he trusted the report would form a good basis for discussion, and that some beneficial results would accrue from the labors of the Committee.

MR. VENN said no more important subject probably could be brought under the consideration of the House than an extension of tenure for pastoral leases throughout the Colony. After the very able and exhaustive speech which the Committee had just listened to, he thought it would be inadvisable on his part, at that late hour, to trespass on the patience of the House at any great length. He would therefore not attempt for the present to traverse the whole of the arguments brought forward by the hon. member for Geraldton, but would content himself by modestly protesting against the report of the Committee as it now stood. With all due deference to the care and trouble which the Committee had exercised in the preparation of the report, he felt bound to say he should very much regret indeed—he thought it would be injurious to the best interests of the Colony—were these recommendations to become law, in their present shape. He was pretty well acquainted, he might say, with the character of the lands in both portions of the Colony—the far North and the remote South, and, he certainly considered it was altogether a misnomer to designate the lands as they were now designated,—"first class" and "second class" lands. So far as regards the pastoral value of the lands, the so-called "first class" lands were not to be compared with the "second class," being, as a rule, much inferior to the latter; and he thought if the rate of rental now charged in respect of these lands were reversed it would be more equitable towards the lessees than the present rates. Looking at the recommendations of the Committee in one light, he felt bound to say he regarded them with favor, and for this reason he looked upon this report as another Fencing Bill, and he viewed with satisfaction the fact that those hon. members who were opposed to the Fencing Bill itself should now come forward and acknowledge the value of the provisions of that Bill when presented to them in another form. To this extent at any rate, so far as it encouraged fencing, the report of the Select Committee was worthy of every consideration. But he deprecated anything savouring of class legislation, and he did not believe in improving the condition of the pastoral leaseholder at the expense of the agriculturist. He had always been in favor of putting the latter on the very best footing possible, consistent with the claims of other people, and he thought there were lands now monopolised by pastoral tenants of the Crown which might be utilised for the benefit of that now sorry subject, the "cockatoo" farmer. He said now sorry subject, for he hoped and trusted there were yet better days in store for this deserving class of the community, and he felt it to be his duty to do all he could to see that the interests of this class were not overlooked, in any modification made in the Land Regulations. No doubt, as regards pastoral leaseholders, nothing would tend more than increased security of tenure to induce them to fence and otherwise improve their lands, but it appeared to him

a somewhat strange proceeding that, the more they expended in improvements, the higher the rent they would have to pay. Yet this was just what the Committee recommended. They compelled a man to make improvements, which would be a great strain upon his pecuniary resources, and, then, they would make him pay a higher rent, in proportion to the extent of those improvements. Say a man took out a pastoral lease of so-called "first-class land," the amount of rent which, under these proposed regulations, he would have to pay during the first term of seven years would be £1 per thousand acres. In the meantime he would be called upon to expend perhaps £800 upon some twenty miles of fencing, and when he did that, and with a view to encourage him to expend as much more during the ensuing term, a paternal Government stepped in and increased his rent fifty per cent. He considered that the rent already charged for what was called "first class" pastoral land was too high, and instead of increasing the scale he thought it ought to be decreased. The question was altogether too important to be disposed of at the tail end of a Session, and in a thin House, and he hoped that when it came on for consideration again, as he presumed it would, next Session, a question of this vital importance to the Colony at large would not be discussed in the presence of empty benches.

MR. BROWN said he had been twitted by the hon. member for Wellington with having brought in another Fencing Bill, and the hon. member accepted the recommendations contained in the report of the Select Committee as a proof of the value which they really attached to the principle of compulsory fencing, although they refused to acknowledge that principle when the Fencing Bill was under consideration. Personally, he might say that he had every faith in fencing—*good land*. He had fenced more good land than any man in the Colony, and spent more money than any man in Western Australia in fencing his lands. At any rate he had expended £10,000 upon his fences, and yet he was told by the advocates of the Fencing Bill recently before the House that he was non-progressive in fencing matters. Well, perhaps, he was, compared with the amount of fencing done on many stations in some of the other colonies, where he had seen as much as £60,000 expended on one station. But, so far as this Colony was concerned, he thought he had shown himself as "progressive," as regards fencing, as the most enthusiastic supporters of the Bill lately before the House were. But what money he had expended in this connection had been spent upon land unsurpassed in Western Australia, and it was a question with him yet whether it had been a wise or prudent expenditure, viewed merely as an investment. But what was the difference between the hon. member's Fencing Bill and the present report? It was just this—and he would again point out that this was the one great and insuperable objection he had to the Fencing Bill—whereas the Select Committee in this report impose upon no person any conditions as to fencing, against his will, the Bill referred to by the hon. member compelled a man to fence whether he wished it or not, and whether it would be of any benefit to him, or not. What this report said was this—"If you choose, with your eyes open, to take up land, with a condition attached to it that you shall fence so much of it within a given time,—not for the benefit of your neighbor, but for the purpose of improving its stock-carrying powers,—then you may have it under a secure and lengthened tenure." But the hon. member's Fencing Bill went on very different lines to that. That Bill said, "Although you purchased or leased your land without any condition attached as to paying one-half the cost of your neighbor's fence, still, from this time forth, we are going, by virtue of an arbitrary enactment, to impose a condition upon you, which you never dreamt of when you took up the land, namely, that you shall pay to another person a sum of money equivalent to one-half the value of a good substantial fence, simply because that other person happens to be your neighbor, and has found out that it would be a very desirable thing, so far as he is concerned, that his land should be fenced in, no matter whether the fence may be of any use to you or not." The hon. member's Fencing Bill and the present "Fencing Bill" went upon entirely diff-

erent principles, and, in opposing the one and supporting the other, he (Mr. Brown) defied the hon. member to show that he was acting inconsistently in any way.

MR. BURGES said his original resolution, upon which the present report was based, had certainly been put forward by him with a view to encourage fencing, as well as other improvements; but he considered it would be inadvisable to press the subject this Session, in view of the very poor season which, he was afraid, was in store for our farmers and pastoralists.

MR. STEERE had listened with great attention to what had fallen from hon. members on this subject, and especially to the remarks of the hon. member for Geraldton, who, he thought, had made a good, practical, and sensible speech on the occasion. The report of the Select Committee bore every evidence of having been prepared with great care, and the result of the Committee's deliberations had been ably and concisely embodied therein. At the same time, without detaining the House at any great length, he wished to point out how far he agreed with the conclusions arrived at by the Committee, and how far he did not agree with them. In the first place, he might say the hon. member for Wellington had hit upon a blot in the report which he also had noticed, with regard to our so-called "second-class" lands; and he was glad to hear the hon. member for Geraldton himself admit that it was a misnomer to designate these lands as lands of second class, for, in reality, they contained by far the most valuable pastoral land in the Colony. In the face of that admission, he had been rather surprised that the Committee should have made such a difference between the rents to be paid for second-class land and what was called, but very much miscalled, "first-class" land, in the Central District of the Colony. He was, of course, aware we could not interfere with the rents of the present leaseholders, but he thought it would be very unwise on the part of the Government if, at the termination of the present leases, the rents charged for these so-termed second-class lands were not increased, and rendered more proportionate with the actual value of the lands for pastoral purposes. (MR. BROWN: The Committee propose to increase them.) But not one-half what they would probably be increased, if the House did not agree to the recommendations of the Committee. What the Committee proposed was, that, whereas the rent to be hereafter charged for what is erroneously styled "first class" lands should gradually rise from £1 per thousand acres to £2, during the last term of the lease,—second class lands (so-called) should commence with a rental of 10s., gradually increasing to a maximum of £1 per thousand acres, or just one-half the rent paid for what in reality was, to a great extent, inferior land. He did not think the House was likely to agree to such a proposition as that, for he thought it would inflict the gravest injustice upon the holders of land in the Central District of the Colony. That was one of the objections which he had to the report of the Select Committee. Another objection was the proposal that during the currency of a lease the rental should be gradually increased to double what it is at present, whilst concurrently compelling the lessee to fence in the whole of his run and thus entailing an expenditure which in some cases would press very heavily, while at the same time the lessee's rent was being gradually raised. Another objection which appeared to him to operate against the adoption of these proposals was the recommendation that pastoral leases should not embrace any lands suited for agriculture—a provision which, if carried out, would entail a heavy expenditure, necessitating, as it would, a survey being made on every application for a lease, in order to ascertain whether any agricultural land was contained within the boundaries of the run applied for. There was yet another objection, and one which he thought would press very heavily indeed, viz., the proposal that all improvements carried out by a lessee during his occupation of the land should, in the event of the conditions not having been strictly performed, be absolutely forfeited to the Crown. There might be many cases arise, where a man had, owing to circumstances perhaps over which he had no control, been unable to complete his fencing within the stipulated time, and it would be a very hard thing indeed that he should forfeit all the improvements which he had carried

out during his tenure of twenty-eight years. He thought some other means might be provided to meet such cases, without absolutely ruining a man, and making a beggar of him, for, possibly, no fault of his own. He hoped, when the House came to deal with this portion of the report, it would take care that the present proposal was modified in this respect. Then, again, he should like to know why the poorly grassed lands in the Central district should pay double the rental of the richer pasture lands of the North district. He was afraid, if these regulations had been framed with a view to induce as many leaseholders as possible to take advantage of them, that the object they had in view would be defeated—it certainly would as regards the Central district of the Colony—if they were adopted in the present shape.

MR. MARMION—alluding to the rents now charged in respect of first and second class land—said, probably, what had guided the Government in fixing the amount of rent was not altogether the quality of the land, but the locality where it was situated, and its proximity or otherwise to the centres of population, and to a market for its surplus stock.

MR. GRANT thought he might fairly consider himself as entitled to speak with some little authority with regard to the lands in the North district, and he would point out to hon. members that settlement in these outlying districts was surrounded with a great many drawbacks. First of all the climate was not favorable to Europeans settling upon these lands; then again there was the scarcity and dearness of labor, and of every other commodity, compared with the more central districts. Again, there was no sale for surplus stock, which in the more centrally-situated portions of the Colony commanded a ready sale, whereas, at the North, sheep were allowed to die out, according to the laws of nature, simply because there was no market for them. If the settlers wanted to build a house or to erect a fence they had to import the material, and also the skilled labor necessary to put them up. All these drawbacks should be borne in mind, when hon. members talked about the fine pastoral lands in the North. Taking all things into consideration, he thought the balance of advantages was certainly in favor of the central districts of the Colony, which according to some hon. members were deserving of so much consideration.

MR. STEERE was certainly not prepared to subscribe to the statement that labor at the North was scarcer and dearer than in the Southern districts of the Colony, bearing in mind how largely the settlers at the North were able to avail themselves of native labor. As to the lands occupied by pastoral leaseholders in the Southern districts being contiguous to a market, a great many of these lands were not more advantageously situated in this respect than lands in the North. In a few years hence—before the present leases expired—the Nicol Bay district would, he hoped, have as fine an outlet for its surplus stock as any district in the Colony.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said, as the consideration of the questions dealt with in the report of the Select Committee were going to be deferred until another Session, he did not intend at present entering upon the merits or demerits of the propositions put forward by the Committee, which, he thought, were well worthy of consideration during the recess, and he hoped that, when they came on for discussion next Session, they would receive that careful attention which the importance of the subject merited. At the same time, he hoped that, in connection with these recommendations, a certain proposition which he himself had put forward, some ten years ago, in what he then conceived to be the best interests of the Colony—a proposition which he believed would eventually be adopted, as an equitable source of land revenue—would be taken into consideration, namely, that the owners of pastoral lands should contribute in proportion to the number of stock they have on their runs, rather than in respect of the quantity of land which they lease, or hold. He hoped, if in the House when the recommendations now before the Committee came to be discussed next year, he should have a majority of hon. members prepared to support the proposition he had just referred to—namely, that our pastoral leaseholders should contribute to the revenue according to the

number of sheep and other stock which they own, and not in accordance with the number of acres which they held on lease from the Crown.

MR. RANDELL said, if the hon. gentleman had proposed that the land should be made to contribute to the revenue according to its carrying powers, he would probably have the House with him, but he thought he would not when he proposed that a man should pay according to the number of sheep which he might have on his runs.

MR. BROWN then moved, That Progress be reported.

Agreed to.

AUDIT BILL, 1881.

This Bill was read a third time and passed.

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

LEGISLATIVE COUNCIL,

Thursday, 15th September, 1881.

Grants to Agricultural Societies—Hawkers and Pedlars Act—Appropriation Bill, 1882: third reading—Kimberley Land Regulations: adjourned debate—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

GRANTS TO AGRICULTURAL SOCIETIES.

MR. S. H. PARKER, with leave, without notice, drew the attention of the Colonial Secretary to a paragraph which he had seen in a local newspaper, to the effect that the Beverley Agricultural Society had abandoned the idea of holding its annual show this year. This being the case, he presumed the Government would withhold from the society the amount of the annual grant voted for the encouragement of these shows. He also believed the Swan Agricultural Society did not intend to hold a show this year, and he therefore assumed that the grant would likewise be withheld in the case of that society. It was absurd voting grants of money for these associations for the purpose of enabling them to hold agricultural shows with the object of improving the breed of cattle and stock, when they ignored the very purpose for which the money was voted. He hoped, unless the grants for this year had already been paid to those two societies, that the Government would withhold it from each of them.

HAWKERS AND PEDLARS ACT.

MR. STONE, in accordance with notice, asked the Colonial Secretary, "Whether it is the intention of the Gov- "ernment to bring in a Bill to revive the "Ordinance 16th Victoria, No. 2, in- "tituled 'An Ordinance for licensing "Hawkers and Pedlars,' which Ordi- "nance was repealed by the 25th Vict., "No. 4, of 1861." There may have existed good reasons at that time for prohibiting hawking and peddling, but those reasons no longer existed, and he thought it was desirable that the Ordinance should be revived.

THE COLONIAL SECRETARY (Lord Gifford) replied as follows:—"The "matter was under the consideration of "the Government before the meeting of "Council, and it is intended at the next "Session to bring in a Bill for this pur- "pose."

APPROPRIATION BILL.

This Bill was read a third time and passed.

KIMBERLEY LAND REGULATIONS.

ADJOURNED DEBATE.

MR. BROWN said he understood a proposition was going to be put forward containing very different provisions for dealing with the Kimberley Land Regulations from those submitted for the consideration of the House yesterday, and that there was a desire on the part of hon. members that something should be done in the matter this Session. For his own part, he had seen no proposition