shilling, or two shilling points? I think we are going altogether too far, and farther than we can possibly enforce. I shall support the Hon. Mr. Morrison.

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

Committee divided.

AYES—5.	NOES—6.
The Hon. J. G. H. Amherst	The Hon D. K. Congdon
The Hon. G. Glyde	The Hon. E. Hamersley
The Hon. J. W. Hackett	The Hon. J. F. T. Hassell
The Hon. G. Randell	The Hon. E. T. Hooley
The Hon. S. H. Parker (*Teller*).	The Hon. G. W. Leake
	The Hon. J. Morrison (*Teller*).

Majority of one for the Noes.

Question—That the sub-clauses *a*, *b*, and *c* be struck out—put and passed.

Clause, as amended, agreed to.

Clauses 37 to 42 agreed to.

Clause 43.—"Power to destroy documents":

THE HON. J. MORRISON: In this clause I move that the word "two" be struck out, and the word "three" inserted in lieu thereof. It seems to me that two years are not long enough to keep documents.

THE COLONIAL SECRETARY (Hon. S. H. Parker): It is only a discretionary power. The clause does not say he shall destroy them, and of course if the Postmaster General finds that two years are not long enough to keep any document, he will keep it longer. It must be remembered that these documents in the aggregate are very bulky, and if kept too long storage room will have to be found for them.

Amendment negatived, and clause passed.

Clauses 44 to 67 agreed to.

Clause 68.—"Power to make Regulations":

THE HON. J. MORRISON: While on this clause I would draw attention to a notice recently issued by the Postmaster General making what I consider is an unusual charge for code addresses. Hitherto one guinea was paid for registration of the address, but now the charge is to be 10s. a year.

Clause agreed to.

The remaining clauses and schedules were agreed to, and the Bill reported.

CONSTITUTION ACT AMENDMENT BILL.

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

STOCK TAX BILL.

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

ADJOURNMENT.

The Council, at 4·55 o'clock p.m., adjourned until Thursday, 17th August, at 4·30 o'clock p.m.

Legislative Assembly,

Tuesday, 15th August, 1893.

Merchandise brought Overland, by Camel Train, from South Australia—Homestead Selections within Agricultural Areas—Greenough Farmers' Club: Grant in aid for a Show Ground—Amendment of Licensing Law *re* bogus Clubs—Erection of a Lighthouse at Carnarvon—Government Advertisements in Perth Newspapers—Public Depositors Relief Bill: first reading—Chinese Immigration Amendment Bill: first reading—Fremantle Gas and Coke Company's Act Amendment (Private) Bill: first reading; referred to select committee—Post Office Savings Bank Consolidation Bill: Message from Legislative Council—Excess Bill, 1892: Message from Legislative Council—Return showing sums granted by the Government to Roads Boards—Criminal Law Appeal Bill: second reading—Legal Practitioners Bill: second reading—Homesteads Bill: in committee—Adjournment.

THE SPEAKER took the chair at 2·30 p.m.

PRAYERS.

MERCHANDISE BROUGHT OVERLAND, BY CAMEL TRAIN, FROM SOUTH AUSTRALIA.

MR. MONGER: I should like to ask the Premier, with leave of the House, whether he is aware that the proprietor of the camels which recently arrived at Southern Cross brought over a quantity of merchandise from South Australia, and whether any duty was paid on such merchandise?

THE PREMIER (Hon. Sir J. Forrest): I am not aware.

HOMESTEAD SELECTIONS WITHIN AGRICULTURAL AREAS.

MR. MONGER: May I ask the Commissioner of Crown Lands, without notice, whether it is the intention of the Government, in the event of the Homesteads Bill becoming law, to preclude homestead selectors from making selections within Agricultural Areas?

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): As the Bill now stands these selections can be made within any area set apart for that purpose by proclamation in the *Government Gazette.*

GREENOUGH FARMERS' CLUB: SITE FOR SHOW GROUND.

MR. TRAYLEN, in accordance with notice, asked the Premier whether he could place a sum on the Estimates, this session, in aid of the Greenough Farmers' Club, towards the purchase of a site for a Show Ground, and placing necessary buildings thereon; and, if so, what amount?

THE PREMIER (Hon. Sir J. Forrest) said the Government hoped to be able to place a sum of £250 on the Estimates for this purpose.

"BOGUS" CLUBS.

MR. TRAYLEN: In accordance with notice, I wish to ask the Attorney General whether it is the intention of the Government to so amend the Licensing Laws as to meet the growing evil of the so-called "Clubs."

THE ATTORNEY GENERAL (Hon. S. Burt): Yes; a Bill dealing with the subject will be introduced within a few days.

ERECTING A LIGHTHOUSE AT CARNARVON.

MR. R. F. SHOLL: I beg to ask the question standing in my name:—(1) When the Government contemplate proceeding with the erection of a lighthouse at Carnarvon, for which purpose a sum of money was voted last session? (2) What provision has been made for lighting the Port, pending the erection of the proposed lighthouse?

THE PREMIER (Hon. Sir J. Forrest), on behalf of the Director of Public Works, replied as follows:—(1) It will not be possible to provide for this work on the Estimates for 1893-94, and the vote of £500 on the Estimates for the first six months of this year has lapsed. (2) A red light is placed on the end of the jetty, and, whenever a steamer is expected, a light is exhibited from a lighter which is moored to a buoy at the anchorage.

GOVERNMENT ADVERTISEMENTS IN PERTH NEWSPAPERS.

MR. R. F. SHOLL: In accordance with notice, I wish to ask the Premier whether he has noticed the following extract from the July number of the Australian edition of the *Review of Reviews*, and republished in the *West Australian* of Saturday last:—

> The oddest imaginable strike has occurred during the month in Western Australia—a solemn strike of newspapers against the harshness of an unwisely economical Government, reducing them to too thin a diet of Government advertisements. It was argued that one-fourth of the income of the Telegraph Department of Western Australia was derived from telegrams in the two daily papers of the colony; but the Government advertisements had dwindled down to comparatively nothing, mainly in consequence of the demonstrations of a few members of Parliament. Under these circumstances, the journals announced that they would no longer publish any local, intercolonial, or foreign telegrams. For two days this heroic resolve was carried into effect, and Western Australia was practically cut off from the rest of the planet, and enveloped in a worse than Egyptian darkness. Newspapers are to the body social and political what the senses are to the physical body; and what could an unfortunate human being do if his eyes and ears suddenly struck and refused to transmit either sight or sound to him? At the end of two days a *modus vivendi* betwixt the newspapers and the Government was discovered. A nutritious stream of Government advertisements flows once more through the columns of the daily papers, and the journals have resumed the publication of telegrams. The incident is, in one sense, amusing, but the action of the West Australian papers plainly opens up some surprising possibilities.

And whether the Government has entered into an agreement with the proprietors of the local newspapers, on the lines suggested by the above extract; or have they made any contract with the newspaper proprietors in respect of Government advertising, conditionally upon their publishing the local, intercolonial, and foreign telegrams?

THE PREMIER (Hon. Sir J. Forrest): I did notice the extract referred to. I am not aware of any agreement having been entered into by the Government with the newspapers. The Government advertise as far as is considered to be necessary.

PUBLIC DEPOSITORS RELIEF BILL.

Introduced by Sir JOHN FORREST, and read a first time.

CHINESE IMMIGRATION AMENDMENT BILL.

Introduced by Sir JOHN FORREST, and read a first time.

FREMANTLE GAS AND COKE COMPANY'S ACT AMENDMENT (PRIVATE) BILL.

MR. QUINLAN, in accordance with notice, moved for leave to introduce a Private Bill intituled "An Act to amend 'The Fremantle Gas and Coke Company's Act, 1886,' and to extend the powers and privileges of the Company."

Question put and passed.

Bill introduced.

MR. SPEAKER having reported that the Clerk of the House had certified that the Bill was in accordance with the Standing Rules and Orders relating to Private Bills,

Bill read a first time, and ordered to be printed.

MR. QUINLAN moved that the Bill be referred to a select committee.

Question put and passed.

A ballot having been taken, the following members, in addition to the mover, were appointed to serve upon the committee:—Mr. DeHamel, Mr. Darlôt, Mr. Simpson, and Mr. Traylen.

Ordered—That the committee have the power to call for persons and papers, and report on Monday, 21st August.

POST OFFICE SAVINGS BANK CONSOLIDATION BILL.

MESSAGE FROM THE LEGISLATIVE COUNCIL.

The following message was delivered to and read by Mr. Speaker:—

"*Mr. Speaker,*

"The Legislative Council acquaints the "Legislative Assembly that it has agreed "to a Bill intituled 'An Act to amend and "consolidate the Law relating to the De-"posit of Small Savings at Interest with "the Security of the Government for the "Repayment thereof," subject to the "amendments contained in the Schedule "annexed; in which amendments the "Legislative Council desires the concur-"rence of the Legislative Assembly.

"GEO. SHENTON,
"President.

"Legislative Council Chamber, Perth,
"15th August, 1893."

Schedule of Amendments made by the Legislative Council in "The Post Office Savings Bank Consolidation Bill."

No. 1.—On page 2, Clause 2, lines 5 and 6, strike out "he, with the approval of the Governor in Executive," and insert "the Governor in" in lieu thereof.

No. 2.—On page 2, Clause 5, strike out the whole clause, and insert the following New Clause in lieu thereof:—"All moneys so deposited with the Postmaster General shall forthwith be paid by him to the Colonial Treasurer, who shall, subject to the provisions of this Act, hold the same, together with all interest, dividends, and income to become payable on any investments thereof made under the powers of investment hereinafter contained, in trust to repay to depositors the principal and interest moneys to become payable to them respectively."

No. 3.—On page 2, Clause 6, line 6, strike out "or sums of money."

No. 4.—On page 4, Clause 11, line 9, strike out "one month," and insert "two months" in lieu thereof.

No. 5.—On page 5, Clause 11, line 11, strike out "two," and insert "four" in lieu thereof.

No. 6.—On page 5, Clause 11, line 14, strike out "such Postmaster," and insert "the Attorney" in lieu thereof.

No. 7.—On page 5, Clause 14, last line, strike out "him," and insert "himself" in lieu thereof.

No. 8.—On page 6, Clause 15, line 1, strike out "may," and insert "shall" in lieu thereof.

No. 9.—On page 6, Clause 18, strike out the whole clause.

No. 10.—On page 7, Clause 19, lines 6 and 7, strike out "acting with the advice of the Executive," and insert "in" in lieu thereof.

No. 11.—On page 7, Clause 21, lines 1, 2, and 3, strike out "by and with the written authority of the Governor with the advice of the Executive Council may," and insert "with the authority of the Governor in Council may invest the said Post Office Savings Bank funds in the manner following" in lieu thereof.

No. 12.—On page 7, Clause 21, subclause (*a*), lines 1 and 2, strike out "of money out of the funds of the Post Office Savings Bank in any," and insert "in any joint stock" in lieu thereof.

No. 13.—On page 7, Clause 21, subclause (*a*), line 4, between "directors" and "of," insert "or manager."

No. 14.—On page 7, Clause 21, subclause (*b*), line 1, strike out "portion of such funds," and insert "sum or sums" in lieu thereof.

No. 15.—On page 8, Clause 21, subclause (*c*), strike out the whole sub-clause, and insert the following in lieu thereof:—

Lend at interest any sum or sums not in the aggregate exceeding one-third of the said Post Office Savings Bank funds upon first mortgage of any lands in the said colony held for an estate of inheritance in fee simple, and free from encumbrances, but subject to the following conditions, namely:—

1. A valuation of the land proposed to be mortgaged, and of all buildings thereon, shall be made by some person appointed by the Colonial Treasurer, but at the cost of the applicant for the loan.
2. Not more than three-fifths of the amount of such valuation shall be advanced, and no more than three thousand pounds shall be lent on any one security.
3. The rate of interest shall not be less than five pounds per centum per annum.
4. The deed or instrument of mortgage shall be in such form and contain such covenants, powers, and provisions, including a power of sale and covenant for insuring all buildings against loss by fire, as the Attorney General shall from time to time direct.

No. 16.—On page 9, Clause 24, lines 1 and 2, strike out "Postmaster General with the approval of the Governor in Executive," and insert "Governor in" in lieu thereof.

No. 17.—On page 9, Clause 24, line 7, strike out "in his department."

No. 18.—On page 9, Clause 26, line 1, strike out "That."

G. LEE STEERE,
Clerk of the Council.

August 15, 1893.

Ordered—That the consideration of the Legislative Council's Message be made an Order of the Day for the next sitting of the House.

MESSAGE FROM THE LEGISLATIVE COUNCIL—EXCESS BILL, 1892.

The following Message was delivered to and read by Mr. Speaker:—

"*Mr. Speaker,*

"The Legislative Council acquaints the "Legislative Assembly that it has agreed "to the undermentioned Bill, without "amendment:—

"*An Act to confirm certain Expendi-*
"*ture for the year One thousand eight*
"*hundred and ninety-two.*

"GEO. SHENTON,
"President.

"Legislative Council Chamber,
"Perth, August 15th, 1893."

RETURN SHOWING SUMS PAID TO ROADS BOARDS.

MR. LEFROY, in accordance with notice, moved, "That a return be laid upon the table of the House, showing the different sums granted by the Government to each Roads Board in the colony, from the 1st January, 1892, to 30th June, 1893; and also the date upon which each amount was placed to the credit of the several Boards." It had been stated that many of these Boards had lots of money

locked up in the reconstructed Banks, and this return which he asked for would enable them to judge whether there was any foundation for the statement.

Motion put and passed.

CRIMINAL LAW APPEAL BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. S. Burt): This Bill, which is to amend the law relating to appeals in criminal matters, is necessitated owing to the rules of the Supreme Court only providing for appeals in civil matters alone. In the Supreme Court Act, 1880, there was an omission in regard to appeals in criminal cases, which the present Bill proposes to supply. The Government, with the approval of the Judges, who have seen the Bill, are now endeavouring to put the matter on a better footing. It will be seen that when a right of appeal is given, the appeal is to be heard before a Judge, and not before the Full Court as constituted by the Act of 1880. A question lately arose as to whether an appeal was to be heard before the Full Court or before a Judge, and this Bill will set that question at rest. Things are rather tangled, too, with regard to the practice as to "cases stated," and it is now proposed to put that matter, too, on a definite footing. The Bill only settles these simple matters of practice. It is of very little interest to anybody outside the profession. I move that it be read a second time.

Motion put and passed.

Bill read a second time.

LEGAL PRACTITIONERS BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. S. Burt): This Bill is chiefly a consolidation of existing Acts. Members will notice that five of these Acts are repealed. They all relate to the admission of practitioners, and to striking them off the roll for misconduct. This Bill consolidates the whole of these statutes, and puts the law on a better footing. It will be seen from Part I. of the Bill that it is proposed to continue the present Barristers' Board, which is dealt with in the first eight sections, defining the powers of the Board. This Board is entrusted with nearly all these powers at the present moment; there are very few powers given to the Board in this Bill that it does not now possess. The Board is to consist of the Attorney General for the time being; the Solicitor General or the Crown Solicitor; all Queen's counsel resident in the colony; and three practitioners of at least three years' standing and practice in the colony, to be nominated in the first instance by the other members of the Board, and afterwards to be annually elected by the practitioners on the roll. The Board will be empowered to make rules dealing with the method of election, and also rules for the examination of articled clerks, for the admission of practitioners, for regulating the investigation of charges of misconduct against practitioners, and for generally carrying into effect the objects of the Bill. We have not encumbered the Bill with all these details; rules for these purposes will be prescribed by the Board. It is provided that the funds which the Board may receive by way of fees for admissions or otherwise shall go towards paying the expenses of the Board in carrying out the provisions of the Act. For instance, there will be the fees of the examiners. We have to pay a good fee now for the examination of articled clerks. Any sum remaining in the hands of the Board, beyond the sum of £100, may be applied for the purposes of the Supreme Court Library. Then we come to Part II., which deals with articled clerks. It sets out in the first place who shall be articled; the candidate must satisfy the Board that he is of good fame and character, and that he has passed a satisfactory examination; and he must also pay the Board the sum of £12 12s. upon being articled to a practitioner. Clause 10 places certain restrictions as to the practitioners who shall have articled clerks. It provides that no person shall be articled to any practitioner who has not been admitted for at least two years, and no practitioner will be entitled to retain an articled clerk if he should be struck off the roll, or has ceased to practise. Part III. of the Bill is an important one; it deals with the admission of practitioners. This part of the Bill is virtually the law at present, which we have re-enacted. It sets out who shall be entitled to admission, and it proposes to admit all who are at present qualified to

be admitted. The only exception is in the case of Scottish solicitors. This Bill does not propose to admit any Scottish solicitor, the law of Scotland being altogether different from our law or the English law. As a matter of fact we have never had an application for admission from a Scottish lawyer, and the present Bill leaves him out entirely. I may say that the Bill has been seen by several members of the profession, and it is generally considered that it is not necessary to provide for the admission of Scottish solicitors. We admit English and Irish barristers and solicitors, and also those who have been admitted in any British colony.

MR. R. F. SHOLL: Why do you admit Chinese and exclude Scotchmen?

THE ATTORNEY GENERAL (Hon. S. Burt): This is not a Chinese Bill; we have not come to that yet; we shall come to that presently. We propose to admit practitioners from all parts where they have the same system of jurisprudence as we have. The only place, I think, that would be excluded, under that condition, would be the Isle of Man. I remember we had a practitioner here once, who came from the Isle of Man, and the poor man felt like a fish out of water. He knew nothing whatever about our laws, and eventually he left the colony. We proposed to exact from every person admitted a fee of thirty guineas, except in certain cases. In all other parts the fee of admission is a good round sum. There is also a £10 stamp duty upon admission of a practitioner, so that, virtually, he will have to pay about forty guineas. If anyone went from here to the other colonies to be admitted he would have to pay more. The next part of the Bill deals with the suspension of practitioners for misconduct. Any person feeling aggrieved by the misconduct of his solicitor may make a complaint to the Board, who will inquire into the matter, and report thereon to the Full Court if they think necessary. We seek to keep the profession as pure as possible. Part V. of the Bill relates to solicitors' costs. As a rule, a solicitor is debarred from taking a job for a lump sum. He has to charge certain fees for doing this and doing that, and his bill is generally made up of a lot of little items, which members are so well acquainted with. He has not the option of saying that he will do the whole business for £10, £20, or £30, as the case may be. I do not say that it is not done, but it is not allowed under our present law. We now propose to allow a practitioner to make an agreement with his client to give his services for a lump sum, or any other way. This is based on the English law adopted of late years. If a practitioner makes such an agreement, he will be bound by it, and will not be allowed to put in any further claim in respect of his services. This part of the Bill also provides for the taxation of solicitors' bills of costs where there is no agreement for a lump sum. A bill of costs may be taxed by the party charged; but, if it is not taxed within a certain period, certain privileges accrue to the practitioner. It is much better to provide facilities for clients to have their bills taxed at once, if they wish.

MR. A. FORREST: Who is to tax them?

THE ATTORNEY GENERAL (Hon. S. Burt): The Taxing Master of the Court.

MR. A. FORREST: He is a lawyer, too.

THE ATTORNEY GENERAL (Hon. S. Burt): Of course he is a lawyer. How could he tax a bill of costs unless he was a lawyer? If the hon. member had his way, he would tax all lawyers off the face of the earth.

MR. A. FORREST: I think a layman ought to be associated with him.

THE ATTORNEY GENERAL (Hon. S. Burt): I don't. Part VI. of the Bill deals with miscellaneous matters, and defines what no one but a practitioner shall be allowed to do, in the way of legal business. These acts are described, in detail, in the 49th clause. All this will tend to keep the profession what it ought to be, and, on the other hand, will be a protection to those who have legal business to do. As I said when I rose to address the House on the Bill, there is nothing much in it that is new; it is virtually a consolidation of what already exists. As we go through committee with it, I will endeavour to point out anything that is new or exceptional in the Bill, and to afford every information which members may require. I now move the second reading.

MR. DEHAMEL: The Bill having only been a short time in our hands, it is difficult to deal with it; but from a cur-

sory perusal of it, it seems to me there are some objectionable features about it. I think the proposed constitution of the Board, under the Bill, is not one that will give general satisfaction. Everyone will agree that the Attorney General for the time being should be, *ex officio*, a member of the Board; but why the Crown Solicitor should also be, I cannot see.

THE ATTORNEY GENERAL (Hon. S. Burt): He is now.

MR. DEHAMEL: That may be so; but we are making new provisions as to the constitution of this Board. Nor do I see why everyone of Her Majesty's counsel learned in the law should be entitled to a seat on this Board simply by virtue of their being Queen's counsel, while the three practitioners who are to hold seats have to be elected annually. I think all the members of the Board ought to be elected, except the Attorney General. We all know that the elective principle always acts the best.

MR. RICHARDSON: Who is to elect them?

MR. DEHAMEL: The members of the profession. As it is now proposed to constitute this Board, the elective principle would have little or no weight. There might be five Q.C.'s on the Board, and the Attorney General and Crown Solicitor, being *ex officio* members, there would only be three elected practitioners on the Board. Then, again, I cannot see why we should start in the first instance by having the three practitioners nominated by the members of the present Board, it is not until later on that the elective principle is to come in as regards these practitioners. I should like to see the whole Board elected—except the Attorney General, who is the chairman—whether they are Q.C.'s or members of the bar or not. Then we come to another objectionable feature, in Clause 15, which says: "No person, however qualified in other respects, shall hereafter be admitted as a practitioner, unless and until he has, —(*a*) for six calendar months immediately preceding his application for admission, resided within the colony of Western Australia"—that is all right—"and (*b*) satisfied the Board, and obtained from them a certificate, which may, with or without the Board assigning, or being compelled or required to assign, reasons, be refused or suspended." I cannot imagine how we can consent to a Board having the power to refuse to admit a man, and not assign any reason at all for it. Surely every man has a right to know why he is refused admission. I do not think such an arbitrary power should be put in the hands of any Board. It is contrary to English custom in every way. Then we come to the question of the amount to be paid upon admission. It is very small, no doubt, and, if applied in a wise manner, I should like to see it increased. In New South Wales it is £50; in Victoria and South Australia, £100; and I would not object to its being made fifty guineas here, on condition that thirty guineas out of that sum should go towards the formation of a Law Library, which would do some good. Members are not aware probably that any of the books in the present Law Library belong to the Parliamentary Library, and any member could at one time take out any law book and use it in any Court; but, at present, having handed over these books to the Supreme Court, they cannot be taken away for use in any other Court. Therefore I should like to see a Law Library formed, where practitioners should be able to obtain books and use them as required.

MR. A. FORREST: Let them club together, and form their own library.

MR. DEHAMEL: If a portion of the money received for admission fees were set apart as the nucleus of a fund for the formation of a Law Library, members of the profession might then subscribe towards having a really good library. I now come to one of the strangest provisions I think I have ever seen in any Act. Section 24—dealing with the suspension of practitioners for misconduct—says: "If after hearing the practitioner and the complainant (if any), and such witnesses as the Board shall think fit, the Board shall be of opinion that the practitioner is guilty of any such conduct as aforesaid, it shall make a report thereon to the Full Court." According to that, the only witnesses to be examined are such witnesses as the Board think fit, without reference to the party complained against. Surely the professional man charged should have the fullest opportunity of calling what witnesses he considers necessary in his own defence. Then comes Clause 26, which is really a

novel procedure altogether. I must call special attention to this: "If the Board make a report as aforesaid to the Full Court, such report shall be conclusive as to all facts, findings, and inferences therein mentioned or contained; and the only question for the Court upon such report shall be to determine what punishment shall be inflicted, or other order made on or against such practitioner." That is really turning the Supreme Court Judges, the men we ought to uphold, into mere servants of this almighty Board. The Court is to have nothing to do with the "facts, findings, or inferences," but simply to mete out the punishment.

THE ATTORNEY GENERAL (Hon. S. Burt): That has been the law for the last five years.

MR. DEHAMEL: It is a disgrace to the colony. Why not adopt the law of England, where the Board investigate the charges, and, if they find them sustained, they then call upon the practitioner to show cause why he should not be struck off the roll or suspended. They issue their orders for these proceedings, and counsel appear upon these proceedings; and the Judges, acting as thoroughly impartial and independent men, give their decision as to whether the practitioner should be struck off the roll or not. But here it is the Board that is to do everything, and only such witnesses as they like are to be called before them, and the practitioner is not to be told what reason induced them to come to their decision. He is completely at their mercy, and in the dark. It seems to me derogatory to the Judges of this colony that they are to have nothing whatever to do with investigating these charges, or with finding the practitioners guilty or innocent; they are simply automatic machines, to do what the Board tells them. I hope, when these clauses come to be considered in committee, substantial amendments will be made in them. These are the only two or three things that struck me as objectionable in the Bill, on cursorily looking over it; but they seemed to me of such grave import that I thought it my duty to call attention to them.

MR. RICHARDSON: I must say it also struck me that Clause 24 should provide that the practitioner against whom the charges are made should be allowed to call his own witnesses. As the clause stands, the Board may refuse to hear any witnesses for the defence, which seems to me somewhat contrary to our ordinary ideas of a Court of Justice. Perhaps the clause does not really mean what it appears to a layman to indicate, but it appears to me to evade every principle of justice when it says that a man is not to be heard in self-defence. With regard to the other objection of the hon. member for Albany, I do not see very much in it. The Court, after all, is the tribunal that has to mete out the punishment; the Board simply brings in its verdict upon the evidence brought before it. Unless the Court approves of the findings of the board, I suppose it would not punish the man at all.

MR. TRAYLEN: I should have been pleased if the Attorney General had given some reason for the provision in the Bill which says that no person, however qualified in other respects, is to be admitted to the bar unless he has resided in the colony for six months prior to his application for admission. This seems to me to be an unnecessary hardship to inflict upon those who come here, and who may be qualified in all other respects. It looks like making fish of one and flesh of another. Why should we seek to handicap newcomers in this way? We have heard a great deal said here about the desirability of attracting population to our shores.

AN HON. MEMBER: Not lawyers; we have plenty already.

MR. TRAYLEN: I venture to say we ought to deal out equal justice all round, and not pick upon lawyers and make this invidious distinction. On what good ground, again, should a man be called upon to pay forty guineas before he is allowed to practise his profession? So much with reference to the penalties. There also seems to be a hardship created in Clause 47, which provides that no one but a lawyer shall be allowed to do anything in the way of drawing up any legal document of any kind. I think I know what can be said in favour of it, and, no doubt, that without some such clause hardship might be inflicted in some cases. But may there not be equal hardship in not allowing anyone but a legal practitioner, under any circumstances, to draw up an agreement or a will? Mind, it is made a criminal act by this clause to do so. If I were to accompany the hon.

member for West Kimberley on an exploring expedition into the interior, and the hon. member was taken suddenly ill, hundreds of miles away from any lawyer, and wanted me to make his will, leaving all his property to his wife, I would not dare do it, under this clause. I agree it is necessary to protect surviving families against the possible hardship and injustice of a will improperly drawn up; but I do think there are many instances where this prohibition might work equal hardship, and unnecessary hardship. I think the difficulty might be overcome by providing that no laymen should be entitled to receive fee or reward for preparing any legal instrument.

THE ATTORNEY GENERAL (Hon. S. Burt): Read the next clause.

MR. TRAYLEN: I see that provides exactly what I suggested. I must apologise to the House for not having noticed it before.

MR. A. FORREST: I hardly think the hon. member for the Greenough can have had much experience with lawyers, or he would well understand that it is absolutely necessary, in the interests of the community, that a man who is going to practise the law ought to be in the colony at least six months before he should be allowed to commence to practise, for this reason: people have to trust to their lawyers to protect them and their interests, and, unless a man is acquainted with the laws of the country, he may inflict a serious hardship upon his clients. If a man is allowed to take clients and to practise the law the moment he comes into the colony and puts a brass plate on his door, he may do a lot of harm. I think we ought to know something more about him. As for the admission fee, I should have been glad if it had been made £100, because we have too many lawyers here now. We know very well that any man who is supposed to have any money is liable to be inundated with writs, and to be blackmailed; and unless he pays up, he has to fight the thing out in the Supreme Court, and it may cost him hundreds of pounds, although there may be no foundation at all for the claim. The provisions of Clause 48, which allows anyone to draw up legal documents, so long as they do not make a charge, were introduced some twenty years ago, when there were only two or three legal firms in the country. At that time there was no Land Transfer Act in existence, but, now we have a Land Transfer Act, under which property can be easily transferred without the aid of a lawyer, I don't see why we should prevent other people from making a small charge for preparing these transfers. If you go to a lawyer it will cost you between £2 and £3 for preparing the transfer of a bit of land that may not be worth more than £1. I think that surveyors and land agents might be allowed to do this kind of work, as they do now, at a nominal fee of half-a-crown. But this clause debars them from accepting any fee at all, although as a rule the surveyor or land agent knows more about the boundaries of the land than even the Attorney General himself would.

THE ATTORNEY GENERAL (Hon. S. Burt): The hon. member for Albany says he thinks that Clause 24—referring to the powers of the Barristers' Board in dealing with charges of misconduct—could be improved. That can be dealt with in committee, if the committee should think it right to amend it in the way the hon. member proposes. I do not think, myself, that the clause will work any hardship, because the Board, naturally, would hear all the witnesses they thought necessary. As to Clause 26, the Board would have to report to the Court, and their report would be conclusive as to the facts, which appears to me a very good principle. If we have a Board whose duty it is to make these inquiries, what is the use of putting the Court to the trouble of making the same inquiries over again? The Court is not going to do it, nor the Registrar; they have something else to do besides inquiring into the conduct of practitioners. Therefore we ask the Board to investigate the charges first, and, having heard the evidence, to report their conclusions to the Court, who will then deal with the matter. This practice has been found to work very well. The Court has all the work done by the Board, instead of by the Registrar; that is all. The hon. member also said he should like to see more of the members of the Board elected. The Government have no hard and fast desire to leave the Bill as it is, in this respect, if the House desires to alter it in committee. But that is our proposal: that the Attorney General and the Crown

Solicitor or Solicitor General, the two law officers of the Crown, and all Queen's counsel resident in the colony should be *ex officio* members of the Board. There are not many Queen's counsels in the colony at present; when their number is increased, we can discuss the question of their all having seats on this Board. The hon. member for Greenough seems surprised that we should insist upon six months' residence in the colony before a practitioner can be admitted. In some places they insist upon a longer term of residence. It used to be twelve months in South Australia, but I think they have reduced it to six; but in nearly all the colonies they have some restriction of this sort. In some of them they admit an applicant provisionally for twelve months, just to see what he is like, and, if in the meantime they happen to find anything against him, they have the option of discontinuing his license. I think that is very unfair to the man. If you admit him as soon as he comes to the colony, and he begins to get a little practice, he will bring over his family to join him, and, just as he is beginning to get on, you wipe him out. If anything is urged against a man who has commenced to practise, and got a little connection together, and his family about him, the probability is that there would be a great deal of sympathy for him, and the Board would probably let him alone, rather than interfere with him. This conditional residence of six months before admission works very well in other places, and I see no great hardship in it. Those who come here intending to apply for admission will make some inquiries beforehand as to the conditions upon which practitioners are admitted, and he will know that he will have to reside here for six months before he can practise. It is very necessary that the Board should have some time afforded them to make their inquiries, and it is very desirable that the profession should be kept as respectable as possible. A lawyer who is a rogue is like a dingo amongst sheep—he can do a lot of mischief. There is no man who has so much power for evil in his hands as an unscrupulous lawyer. Good ones are bad enough, and, if you get a really bad one, you won't want to see his like again. Therefore, we propose to give the Board some little time to inquire about the antecedents and former history of those who come here, before we admit them to the Bar. Some of those who come here may do so because it does not suit them to stop elsewhere. No doubt a large majority are perfectly good men, and I do not know that we have actually refused any man admission in this colony ultimately. I do not know of a single case where the Board has absolutely refused the admission of a practitioner.

Mr. R. F. Sholl: They ought to have done so.

The ATTORNEY GENERAL (Hon. S. Burt): Some people may think so; but it shows the Board will not do so without some very good cause for it; and to strike out this condition as to six months residence would, I think, be a mistake. The hon. member for West Kimberley spoke about the Land Transfer Act, and said we ought to allow surveyors and land agents to prepare the transfers, and charge for it. I know that in Queensland now they allow no one but a lawyer to prepare a transfer, fee or no fee, for the reason that it occasioned so much trouble in the Land Transfer Office. A surveyor cannot work under the Act unless he has a license, which can be revoked, and we propose that the public shall be protected in every way under this Transfer of Land Act. I know that the hon. member and many others who have transactions such as he has, have desired to be allowed to charge fees for preparing transfers, but I think it would be a mistake myself to allow every Tom, Dick, and Harry, land jobbers and others, to go stalking about with transfers in their pockets, selling £5 blocks, and charging half a crown for filling in the transfers. However, these are matters of detail for the committee to deal with. Probably, when we get into committee, members will understand more about the Bill. I only ask now that it be read a second time.

Mr. COOKWORTHY: There is one question which I should like to ask the Attorney General, and that is, whether in this 26th clause, which provides that the report of the Board with reference to a practitioner shall be final as to the facts and findings, there is any appeal from the decision of the Board,—whether any member of the profession struck off the

roll or suspended by the Board has a right of appeal to the Supreme Court? It seems to me that this clause gives no such right.

THE ATTORNEY GENERAL (Hon. S. Burt): The Board has no power to strike a man off the roll or to suspend him. It is the Court that does that. All the Board does is to inquire into the conduct of the practitioner, and report their findings to the Court.

Motion put and passed.

Bill read a second time.

HOMESTEADS BILL.

IN COMMITTEE.

The House went into committee on this Bill.

Clause 1.—Short title:

Put and passed.

Clause 2.—Interpretation:

MR. PIESSE remarked that the word "clearing" occurred in many parts of the Bill, as one of the conditions upon which the selector should hold his land, but he was not aware that the word had ever been properly or authoritatively defined. The selector had to spend so much in "clearing" his land before he could get his certificate; and he thought it was very desirable that this interpretation clause should define what was meant by "clearing."

THE PREMIER (Hon. Sir J. Forrest) thought that was a matter that could be dealt with by the Regulations that would have to be framed under the Act. Clearing was a term that was pretty well understood, and he was not aware of any difficulty having occurred in the past with regard to its interpretation.

MR. RICHARDSON said that in some parts of the Bill the words "clearing and cropping" were used. In thickly timbered country, a man might not require to clear the land of all the trees upon it, nor would there be any necessity for it for many years; yet the inspector might not be disposed to give his certificate unless the land was wholly cleared. For this reason it might be desirable to frame some regulation on the subject.

MR. CLARKSON thought the addition of the words "fit for the plough" would settle the question of what was meant by clearing.

Clause put and passed.

Clause 3.—"Governor may define and set apart lands for homestead farms, in certain divisions of the colony, 'if situated within forty miles of a railway:'"

MR. RICHARDSON asked whether it would not be necessary to define what came within the definition of a railway. Would a wooden tramway, or any sort of tramway, constitute a railway, for the purposes of this Act? It might be a bit of bush tramway, laid down for the purpose of timber cutting; would a line like that bring the land in that neighbourhood within the scope of the Bill?

THE ATTORNEY GENERAL (Hon. S. Burt) said that a railway, under the Railways Act, included a tramway; but the idea here was that the land to be set apart should be within 40 miles of the regular railways of the colony.

Clause 4.—"Subject to the provisions of this Act, and to the approval of the Minister, every person who is the sole head of a family, and every male who has attained the age of eighteen years, who makes application in the form prescribed, shall be entitled to obtain a homestead farm of not more than one hundred and sixty acres. Provided that no person who is the owner of land within the colony in fee simple (except town or suburban land), or is the holder of land under special occupation or conditional purchase from the Crown, shall be eligible to apply for or obtain a homestead farm under this Act:"

MR. RICHARDSON pointed out that the hon. member for York had an amendment on the Notice Paper upon this clause, but the hon. member was absent. The amendment was to strike out the proviso, and to substitute another, excluding the present owners of 500 acres of land in fee simple, or holders of 500 acres under special occupation, from participating in the privileges conferred by this clause. He thought 500 acres was rather too large a limit, though he admitted there ought to be some limit. As the clause stood, no man, if he only had an acre of land, would be eligible to apply for a homestead farm under this Bill. He thought this would be rather hard upon the present holders of small blocks of five or ten acres.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said the whole object of the Bill was to extend settlement, and to increase the number of

people who settled on the land; it was therefore not intended that those who already had a homestead of their own should be entitled to have another homestead under this Bill. That being so, he hoped members would not attempt to extend the scope of the Bill in that direction.

MR. RICHARDSON said that they had been told before that the object of the Bill was to increase the cultivation of the soil, and he maintained we could not attain that object better than by allowing the small men now on the land to come under the Bill. The man already on the land, and accustomed to it, would make infinitely better use of it than the new chum.

THE PREMIER (Hon. Sir J. Forrest) said he was well aware that there was a considerable amount of feeling throughout the colony, amongst those who already had a little land of their own, because they were not allowed to participate in the privileges conferred by this Bill, in the same way as new-comers; and if the Government could meet the wishes of that worthy class of people it would give him much pleasure. But there was a difficulty about it. It could only apply to those who happened to be inside one of these homestead areas; it could not apply to those who were outside the area. He thought if the committee would pass the clause as it stood, for the present, they might think the matter over before the third reading. They might be able to meet the wishes of these people in some way; he should be very glad indeed if they could. But he did not think they could go beyond the holders of 100 acres. He knew, if they made this concession, it would help to popularise the Bill, and he hoped something might yet be done in the matter.

MR. TRAYLEN was delighted to hear the Premier say so. He thought the hon. gentleman would do a grand stroke of business if he would only find some way of allowing the present holders of not more than 100 acres to participate in the privileges of the Bill.

MR. CLARKSON said it did seem rather hard that because a man happened to be the holder of 50 or 100 acres of land he should be deprived of the advantages of this homestead system. He thought it might fairly be left to the discretion of the Minister to decide such matters.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said there was nothing to prevent any settler who had 100 acres of land under the existing Regulations — which were very liberal indeed — from taking up more land, if he wanted to increase his present holding. But he believed, himself, it would be a very grave mistake indeed to allow those who at present had holdings of their own to extend their holdings under this Bill. The object of the Bill was to increase the number of persons who settled on the land, rather than to increase the area of present holdings.

MR. MONGER said he was sorry that he was absent when this clause first came on. He would now move the amendment standing in his name, that all the words after the word "acres," in line 9, be struck out, and that the following words be inserted in lieu thereof:—"Provided that no person who is the owner of 500 acres of land within the colony in fee simple, or is the holder of 500 acres of land under special occupation or conditional purchase from the Crown, shall be eligible to apply for or obtain a homestead block under this Act." He failed to see why they should keep all the good things for new-comers. Why should we debar men who had been in the colony for years, and proved themselves good colonists, from participating in the advantages of this homestead system, simply because they were already holders of small blocks of land, which they were making good use of. Surely, these men deserved as much consideration at the hands of the Government of the colony as the new-comer, who had done nothing for the colony, and perhaps never would. He proposed to limit this right of selection to holders of 500 acres and under, because he thought that a man who already held 500 acres held about as much as he required; and he had inserted this proviso because he thought it was necessary to fix some maximum limit. As he had already said, he failed to see why those who had done their best for years past to advance the interests of the colony in promoting agriculture should not have the same advantages as those which this Bill proposed to confer upon those who came into the colony after the Bill became law. He

was quite certain of this: that if the Government wished to make this portion of their Bill meet with the approval of the people of the country and those most interested in agriculture, they must be prepared to make this concession. Unless they saw their way clear to give their assistance equally to the man who had striven hard and acquired a little property, and worked hard to improve it, as to the man who had never done anything for the colony, they would find that the Bill would meet with very little approval among the people of the country. He felt certain that if he went to a division upon this amendment he would have the support of the whole of the members who represented agricultural interests. They might be defeated by the representatives of the towns and centres of population, on the ground that they objected to a man acquiring too large an area of land. But he failed to see that the holder of 650 acres of land (which would be the utmost he could hold under this amendment) would be the holder of too much land, in the greater portion of this colony. In the district which he belonged to, 600 acres was about the least quantity of land that a man could make a comfortable living upon; and why the holder of 500 acres or less should be debarred from taking up a homestead area of 160 acres under this Bill, adjoining his present holding, he certainly failed to see. He should very much like to hear some further explanation from the Commissioner of Crown Lands before he consented to alter or modify his amendment in any form.

MR. A. FORREST was sure that most members would agree to a certain extent with the amendment, except that the proposed area was too large. They all knew that 500 acres was quite enough land for most men to farm, and they would not require to take up any more under this Bill. He would suggest to the hon. member that he should modify his amendment. He believed it would meet with almost unanimous support if he made it 100 acres instead of 500 acres.

MR. CLARKSON said he agreed with the hon. member for West Kimberley that if the amendment were altered so that any man possessed of 100 acres, but not more, might come under the operation of this Bill, it would meet with general approval. It must not be forgotten that the land is still open to any man under the existing Regulations, if he wishes to enlarge his holding.

MR. LEFROY asked whether the hon. member intended his amendment to apply only to land adjoining that already held by present holders?

MR. MONGER: That only.

MR. A. FORREST moved, as an amendment, that all the words after the word "acres," in line 9, be struck out, and that the following words be inserted in lieu thereof:—"Provided that no person who is the owner of land within the colony of an area exceeding 100 acres, either in fee simple or under special occupation or conditional purchase from the Crown, shall be eligible to apply for or obtain a homestead farm under this Act." He thought that by limiting this privilege to holders of not more than 100 acres they would be doing as much as they could fairly be expected to do. He thought it was only fair that those who had worked hard in assisting to develop the country should have the same privileges as new-comers, and were more likely to make good use of those privileges than the new chum, who knew nothing about the country.

THE PREMIER (Hon. Sir J. Forrest) said he had always intended, himself, when he first considered this question, not to have made any difference between those who had land, and those who had not; but it had been pointed out to him that it might have the effect of inducing persons who already had holdings, to leave them and go on these homestead blocks. He did not think, however, there was much in that argument after all. He did not think that any man who had made a home on his present holding, and settled his family on it, was likely to leave it, in order to take up one of these homestead blocks; if he did so, he would probably leave his son or someone there, and no harm would be done after all. He did not anticipate that this privilege, if granted, would be availed of to a very great extent by present holders, but at the same time it would remove an objection which he knew was entertained against the Bill in its present form; and, if this little concession would contribute to that end, the Government

would have no objection to give their support to the amendment of the hon. member for West Kimberley. But he thought the maximum should not be more than 100 acres.

MR. COOKWORTHY said he had much pleasure in supporting the amendment,—not that he thought it would make much difference, but he believed that in individual cases the concession would be greatly appreciated.

MR. MOLLOY thought the proposal of the hon. member for York should commend itself to everyone who desired to see justice done to a worthy class of colonists, who were doing their best to advance the interests of the country. The object of the Bill was to have the lands of the colony settled, and cultivation of the soil extended; and he failed to see why the present holder of 400 or 500 acres, who had been doing what this Bill sought to do, should not have the same privileges that we were offering to strangers. If this man would still cultivate what he now held, and this 160 acres of homestead land as well, then he would be doubly fulfilling the object they had in view. We certainly had a greater security that the man who was already on the land, and had improved it, would fulfil the conditions imposed by this Bill than a new-comer, an utter stranger to the colony and its capabilities, would.

MR. RICHARDSON said he intended to support the amendment of the hon. member for Kimberley, but he thought the other went too far. It could not be said that the man possessed of 500 acres of land was a very small man, and he could see no obligation on the part of the Government to give that man another 160 acres. But to the man with only 50 or 100 acres, the gift of this 160 acres for a homestead would be a fresh inducement to a good man to carve out a fresh home for his sons.

MR. PEARSE said he should support the amendment of the hon. member for West Kimberley. He knew several persons in his district who now held 100 acres, and to whom this concession would be very acceptable, and make a nice addition to their property; and he had no doubt they would make very good use of it.

Question—That the words proposed to be struck out be struck out—put and passed.

Question—That the words proposed by Mr. Monger to be inserted be inserted.

A division being called for, the numbers were—

Ayes	...	...	5
Noes	...	...	17
Majority against	...		12

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

Question—That the words proposed by Mr. A. Forrest to be inserted be inserted—put and passed.

Clause, as amended, agreed to.

Clause 5.—"Statutory declaration to be made by applicant, and office fee of £1 to be paid:"

MR. SIMPSON said if the object of the Bill was to encourage settlement, and to induce people with small means to take up these homestead blocks, they should make the terms as easy as possible; and, for that reason, he would move that the fee to be paid by an applicant be 1s., instead of £1, which he thought was too much, under the circumstances.

THE PREMIER (Hon. Sir J. Forrest): It is not so considered in Canada.

MR. SIMPSON said we were not in Canada, nor dealing with Canadian land. He thought this further concession would be a slight additional encouragement to poor men who wished to take up land under the Bill.

MR. MONGER said he agreed with the proposed reduction. If we were going to give the people their land, we ought not to encumber the gift with heavy fees.

THE PREMIER (Hon. Sir J. Forrest) hoped the committee would not agree to the amendment. As he had already said, in Canada they made the applicant pay 10 dollars, and he thought a fee of £1 was little enough. If they reduced it to a shilling, every man in the country would be making an application for one of the blocks.

MR. SIMPSON: That would do no harm, would it?

THE PREMIER (Hon. Sir J. Forrest): Yes, it would. Every applicant whose application was approved had six months within which to take possession of the land, and, if the whole of the available land were applied for by men who had no real intention of settling upon it, the *bonâ fide* applicant would be kept waiting six months, and the other fellow would not take up the land after all. They knew what the result was under the old regulations, when the application fee was only half-a-crown. Any number of applications were sent in; but many of the applicants, after thinking over it for six months, never took up the land at all, and, in the meantime, other men might have been kept off it. The Government had made the present fee as low as they could, consistent with the applicant showing his *bona fides*.

MR. CLARKSON thought if a man could not afford to pay £1 when applying for his land, there was a very poor chance of that man being able to make a living on 160 acres.

Amendment put and negatived.

Clause agreed to.

Clause 6.—"Six months allowed for taking possession:"

MR. MOLLOY moved, as an amendment, that the time be reduced from six months to three, and said he did so after hearing what had fallen from the Premier a few minutes ago, as to the evils likely to arise from persons making indiscriminate applications for these homestead blocks, and, after taking six months to consider the matter, having nothing more to do with it. He thought if they gave them three months within which to take possession, they would be giving them long enough.

MR. MONGER said he would support the amendment, and instead of making it three months he should have liked to see it reduced to one month. If a man really intended to settle on his selection, after he got the Minister's consent to do so, he would take possession at once, or within a month. If he didn't, the chances were that he would not do so within three months, or six.

MR. PIESSE said he also would support the amendment. He thought the sooner these selectors entered upon their land the better. There was another point to be considered in connection with this clause. It provided that the selector shall reside on the land, and make it his usual home during at least six months in each year. He should like to ask whether this was to be continuous residence for six months, without a break, or whether it would enable a man to come and go when he liked, so long as he spent six months in the year on his land. He hoped that when the Regulations were framed, it would be defined whether this meant continuous residence or not.

MR. A. FORREST said he entirely disagreed with the proposal to reduce the time within which a man must take possession from six months to three months. He presumed that a great proportion of these selectors would come here from the other colonies. These men, after coming here and selecting their land, would probably have to return to the place where they came from, and break up their homes, and bring their families here with them, which would take a lot of time. Supposing a man took up a selection say at Yilgarn. By the time that man returned from Yilgarn, and went back to the colony he came from, and sold off his things, and brought out his family, several months would elapse. He thought six months was the lowest limit they should fix.

MR. THROSSELL said there was another objection to reducing the term. The land might be selected during the dry season, say in November, and it would be impossible for a man to do anything with his land for several months after that. He thought it would be impossible in some cases for these selectors to conclude their arrangements for entering into possession in a shorter time than six months.

THE PREMIER (Hon. Sir J. Forrest) said six months was the time allowed under the present Regulations, where residence was required. Of course, if all the people who were likely to apply for land under this Bill were already in the the colony, it would be a different thing; but they hoped to attract a large number of settlers from other places, and these men could not be expected to be in a position to enter into possession at once. He did not want to see them dawdling over it, still we must give them reasonable

time to make their arrangements. The fee of £1, which every applicant had to pay, would have the effect of preventing indiscriminate applications being made by persons who had no serious intention of settling on the land.

MR. PATERSON thought that three months would be too short a time, especially if the selections were made in the early part of the summer, as some months must elapse before the selector could commence operations, in many parts of the colony where there was not much water.

MR. RICHARDSON said there was a practice growing up of parties of intending selectors from the other colonies sending an agent or representative over here, in the first place, to inspect and select the land; and this agent, if he made a selection, would probably have to go back and report progress; and it would necessarily take some months for a dozen families to sell out, wind up their businesses, and all that.

MR. SOLOMON said he could endorse what had been said by the hon. member for the North, about parties sending a representative over here to inspect the country most suitable for selection; and he thought the least we could give these people before compelling them to enter into actual possession would be the time fixed in the Bill, six months.

MR. HASSELL said he should support the clause as it stood, as he considered that three months was too short a time.

MR. COOKWORTHY said that no one who had any practical knowledge of the difficulties attending the first taking up of land, and the breaking up of the old home, would think that six months was too long a time to give these men before they entered into possession of their new homesteads. Even with men already in the colony there might be many obstacles in the way of their taking possession in less time. They might be engaged on a contract and could not leave the district until they finished it. A man who took up a homestead block with the intention of settling upon it, would not want to go there until he was prepared to settle down for good, and six months was not at all too long to give him to complete his preparations.

Amendment put and negatived.

Clause agreed to.

Clause 7.—"In cases of illness, vouched "for by sufficient evidence to the satis- "faction of the Minister, or in other "special cases, the Minister may in his "discretion, by writing under his hand, "grant permission to the selector to be "absent from his homestead farm with- "out prejudice to his right therein, for "such period as the Minister shall specify "in such written permission:"

MR. MOLLOY moved that the words "or in other special cases" be struck out. He said he objected to the Minister having power to grant these permissions in his discretion, except in cases of illness, Anything could be construed into a "special case," according to the representations of the applicant, and the result might be that a lot of these selectors would be absent from their homesteads.

THE PREMIER (Hon. Sir J. Forrest) was of opinion that it would be unwise to make this clause too stringent. There might be cases occur where some of these selectors would have to leave the colony on urgent business for a time; and it would be very hard if these men had to forfeit their holdings through circumstances over which they had no control. It might happen that a man, after residing on his farm up to within a few months of the period required to entitle him to the fee simple, might, owing through some distressing circumstances, or some case of urgent necessity, have to go to England perhaps; and it would be very hard if there should be no power in the land to give that man permission to leave his homestead, without forfeiting it. All such cases would have to be dealt with on their merits, and the Government of the day might be trusted to do what was right; and, behind the Government of the day, there was Parliament, and, if there was any abuse of this power, it would soon be brought to light. The power was given to a Minister who was responsible to Parliament and to the country, and it was not very likely to be abused. Cases of urgent necessity must occasionally arise, when a man must leave his homestead at all hazards, and, if he could not obtain permission to do so legally, it would be done illegally.

MR. RICHARDSON pointed out that the clause only referred to the personal absence of the selector; it had nothing to

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