

have behaved liberally to the mining population. Taken altogether it is a very wise Bill, and it is well balanced in respect to all the interests of the colony.

THE HON. F. M. STONE: I move that the debate be adjourned until the next sitting of the House.

Motion put and passed.

Debate adjourned accordingly.

ADJOURNMENT.

The House, at 8:50 o'clock, adjourned until Thursday, August 27th, at 4:30 o'clock, p.m.

Legislative Assembly.

Wednesday, 26th August, 1896.

Question: Bad Alcoholic Liquor on Goldfields—Question: Release of Mr. Davies from Transvaal Prison—Legitimation Bill: first reading—Roads and Streets Closure Bill: second reading—Criminal Evidence Bill: in committee—Judges' Pensions Bill: second reading; debate resumed—Public Works Bill: second reading; debate concluded—Adjournment.

THE SPEAKER took the chair at 4:30 o'clock, p.m.

PRAYERS.

QUESTION—BAD ALCOHOLIC LIQUOR ON GOLDFIELDS.

MR. TRAYLEN, in accordance with notice, asked the Colonial Secretary:—(1.) Whether his attention had been drawn to a statement in the "West Australian" to the effect that on August 23rd, the police had three men in charge, remanded from Kalgoorlie to Coolgardie, on suspicion of being of unsound mind, and that it was thought that their condition was due to excessive consumption of bad alcoholic liquor. (2.) If the statement were found to be correct, what action the Government proposed to take in the matter.

THE PREMIER (Hon. Sir J. Forrest) replied:—(1.) The Government have not had their attention drawn to the statement. (2.) Inquiries will be made.

QUESTION—RELEASE OF MR. DAVIES FROM TRANSVAAL PRISON.

MR. TRAYLEN, in accordance with notice, asked the Premier whether the Government proposed to take any steps with the object of securing the release of Mr. Davies from prison in the Transvaal.

THE PREMIER (Hon. Sir J. Forrest) replied that the Government had already asked the Colonial Office to intercede for Mr. Davies.

LEGITIMATION BILL.

Introduced by **MR. JAMES**, and read a first time.

ROADS AND STREETS CLOSURE BILL.

SECOND READING.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piessé): In moving the second reading of this Bill, I may say it is for the purpose of closing certain roads and streets in the townsites of Mullewa and the townsites of Busselton. In reference to the townsites of Mullewa, the purpose of the Bill is to close a portion of the road abutting on the Mullewa-Murchison railway. This closure, I understand, will not in any way interfere with the convenience of the public in the town of Mullewa, as from the plan of the locality which is here, hon. members will see that the land shown from Davis Road westward is a Government reserve, having been reserved from sale for railway purposes. There is a street leading from Davis Road called Marmion Street, and it will serve the convenience of the public. This closure is required for railway purposes, as the road abuts on the railway line. In reference to the townsites of Busselton, I have a plan here showing the portion of Stanley Street which is proposed to be closed for railway purposes. The municipality of Busselton have not raised any objection to the closure, for the reason that a piece of land, equal in proportion to the land we propose to take, is taken off some

Government land on the opposite side of the road, thereby increasing the road to the same width as before the portion of Stanley Street was taken for the railway. As the Busselton municipality have raised no objection, I suppose there will be no injury to the public convenience caused by the closing of this portion of Stanley Street, and, in fact, it has been closed during some time for railway purposes. The matter in the Bill is of a formal character. Hon. members who may be interested in the lands proposed to be closed in either of these townsites will be able to refer to the plans which I will lay on the table; and, if they have any objections to the proposed closure, these objections can be stated in committee. I beg to move the second reading of the Bill.

MR. COOKWORTHY: I should like to ask the Commissioner whether this portion of Stanley Street which is proposed to be closed is the street running near to the sea coast; because, if so, the municipal council have requested me to see if I can get it filled in where an excavation has been made by the railway contractors. Certainly, I should fancy, from that request, that the municipality of Busselton is not fully in accord with the proposed closure. The excavation is an eyesore to the people in the town, and for that reason I have been asked to see the Engineer for Existing Lines, with the object of getting the excavation filled in.

MR. ILLINGWORTH: If, as I understand from the plan of the townsite of Mullewa, no land has been sold along the reserve referred to by the Commissioner of Railways, as affording an equivalent road for the public convenience, I think there can be no objection to the closing of Davis Road.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse): With regard to the remarks made by the hon. member for Sussex, I shall be glad to give him any information with reference to the portion of Stanley Street which is named in the Bill, if he will call upon me before the Bill goes into committee; and any objection which I may not be able to remove he can afterwards bring forward in committee. Meanwhile, I would ask him to allow the second reading to pass.

Question put and passed.

Bill read a second time.

CRIMINAL EVIDENCE BILL.

The House went into committee for the consideration of this Bill.

IN COMMITTEE.

The Bill passed through committee without amendment, and was reported.

Report adopted.

JUDGES' PENSIONS BILL.

SECOND READING—DEBATE RESUMED.

The adjourned debate on the motion for the second reading, and upon the amendment moved by MR. SIMPSON, that the word "now" in the original motion be struck out, and the words "this day six months" be inserted in lieu thereof, was resumed.

THE ATTORNEY GENERAL (Hon. S. Burt): I moved the adjournment of the debate last evening, and am glad to see now a larger attendance of members than there was on that occasion. The Government are quite sure they are right in asking the House to do, in this colony, what has been done elsewhere, for providing by statute a retiring allowance for Judges on the bench. As has been stated here before, this is no new thing. I have informed the House as to what has been done in the matter in other colonies and in England; and I think it cannot be gainsaid that it is only right and proper and fitting that the Judges of this colony, as well as the Judges elsewhere, should have a retiring allowance secured to them by statute. The argument as to the salaries being increased this session, and that therefore the Bill should be put off to a future period, is no argument at all against the principle of the Bill; because if it is right and proper that retiring allowances should be made to Judges, the fact of the salaries being increased this session does not affect the principle. It is not a question as to whether the Judges are to get £1,200, or £1,300, or £1,400 a year as salaries. It must not be forgotten that, when a man is appointed to the bench, he has to give up many of those sources of income which are available to other members of the profession. In this colony, for instance, we should be sorry to see a Judge speculating in mining. [MR. ILLINGWORTH: They do it elsewhere.] I do not know whether they do it elsewhere, but I think it is very wrong

for Judges to mix themselves up in speculations of any sort. That is not the only point, however, for there are many other sources of income which are taken from a Judge when he ceases to practise at the bar, and which are available to other practitioners, who may be directors of a number of companies, and in that way earn some hundreds a year. If all sources of income of that kind are to be cut off when a Judge is appointed to the bench, the fact should be taken into consideration that he has to rely simply and solely on the salary which he receives as a Judge. Therefore, unless he gets a pension, he will have to eke out his salary by saving sufficient capital to provide an income in lieu of a retiring allowance when he is no longer able to act as a Judge. It would be almost impossible for a Judge, receiving a small income, to be able to set aside sufficient for providing an income to be available when he must retire from the bench. From the tone of the debate last evening, I gathered that hon. members recognise the fact that there should be a Pensions Bill providing a retiring allowance for Judges, payable under statute; and yet it is argued that, because the salaries have been raised this year, the passing of this Bill should be put off to next year, or to some future period. I say again that is no argument, for, if the principal of the Bill is a good one, it should be adopted, and the Bill should not be deferred for six months, or for any other period. The Government feel they are doing their duty in this matter, and they would urge the House to allow this Bill to go into committee. It will then be within the province of hon. members to alter the terms of retirement; but some pension ought to be secured to the Judges, whether after a period of 15 or 20 years' service, or longer; and the amount payable may be cut down in committee, if hon. members so desire. But to say we will not pass a Bill to secure for the Judges a retiring allowance under statute is to fly in the face of all precedent, and will be doing what the Government think this House should not do. I hope the Bill will be read a second time, and we can discuss the details in committee.

MR. COOKWORTHY: I heard some hon. member say, last evening, that the

increase of the salaries of the Judges during the present session was passed by a servile majority who follow the Government—that it was passed by men who voted against their conscience and belief. I was not here at the time, but had I been here I certainly would have voted for the increase of the salaries of the Judges, because I believe the Judges should be well paid, that they should be beyond temptation, and should be enabled to hold a distinguished and exalted position in the community. I think also the Judges should be placed beyond all political and parliamentary influence of any kind, and I believe this Bill will tend to obviate the necessity for their using any such influence; because every time a Judge had to seek for a pension, and had to look to Parliament for granting it, he would be put to the necessity of using influence that might be derogatory to the position he holds; whereas if, on his retirement, he can get a pension settled by statute, the resort to such influence will cease. With regard to the question of the civil service generally, and the system of State insurance which has been suggested, I think if the Director of Public Works could introduce something of the kind into the great departments which he controls, it would be well for those employed under him, and be good for the colony. The older and larger railway companies in England provide insurance for their servants, and I think such a system would tend to the better carrying on of the works and services of this colony.

MR. ILLINGWORTH: Having already spoken on the main question, I will now refer only to the amendment, and I desire to impress the importance of that amendment upon the House, because it seems to me this question of pensions ought to be discussed from a broader standpoint than is contemplated in this Bill. I do not think a Parliament in its last session is a proper Parliament to deal with a question of such vast importance. I observe the Premier smiles at what I am saying, but although he has already declared that the argument as to referring an important question to the new Parliament is not worth anything, yet he followed that up by using it as a powerful argument to support his case at the moment.

THE PREMIER : I said I did not believe in it.

MR. ILLINGWORTH : Consequently, as two negatives make an affirmative, this affirmative and this negative may perhaps be also considered to have neutralised each other. This question of pensions is a much wider one than the Bill contemplates. We are starting, in this Bill, on an inclined plane, and I think it would be well for this Parliament to let the question stand over for the consideration of the new Parliament. It is certainly a question of no urgency, and it would not affect the position of the Judges in any special way if this Bill were postponed. Hon. members on the Government side of the House have spoken very strongly in favour of the Bill, but I think there is on all sides of the House a feeling in favour of the amendment. I hope the Government will allow the amendment to pass, and that they will place this Bill in a more comprehensive form before the coming Parliament.

THE PREMIER (Hon. Sir J. Forrest): The hon. member for Nannine is very plausible when he is anxious to get his own way, especially if he thinks that by his plausibility he may induce some of my friends on this side of the House to vote with him. I hope my friends will not be caught with chaff. At the same time, I think we have had nearly all the arguments that can be put forward on this matter. I quite agree with what the Hon. the Attorney General has said, and I also was impressed by the clear manner in which the question was dealt with by the member for East Perth. We should remember that we expect a good deal from a Judge, and while I do not know that we always get it, I think, as a rule, we do. We expect him to keep aloof from all business pursuits, and therefore he is not quite in the same position as an ordinary individual. Let us take the case of a leading barrister, whether of this colony or elsewhere, in large practice, with any number of business engagements, holding directorships of banks and in other ways having to do with business pursuits. When such a man gives up his practice at the bar to take the dignified position of a Judge, it is probable that he does so at considerable loss to himself; but still there are other considerations besides that of money-

getting which influence a man's course of action. I think that, after 15 years of service, when he would probably be about 65 years of age, it would not be an unreasonable thing that a Judge should be allowed to retire on a pension amounting to one-half his salary. The exact amount of that pension may be fixed by the House, when we go into committee. I hope hon. members will vote for the second reading, and that they will remember we are not taking a leap in the dark, but are acting in accord with the state of things as regards pensions that exists in the mother country and in the other British colonies. The granting of pensions to Judges has existed in all the British dominions; but in South Australia they have repealed the Act by which pensions were granted. The practice of granting pensions to Judges exists to-day, however, in every other Australian colony, and there is no reason that I can see why we should not place this Bill on the statute book. The member for Nannine often throws at us what is done in Victoria, but he has not done it on this occasion, because the Victorian statute book has this enactment upon it.

MR. ILLINGWORTH : It is bad, and perhaps they will repeal it.

THE PREMIER (Hon. Sir J. Forrest): When they do repeal it, we may be able to quote them as having done an unwise thing. There is nothing unusual about this Bill, and the Government have no particular feeling in regard to it. All we want to do is to make the position of a Judge one that will be attractive, and will induce prominent members of the bar to accept positions on the bench, should necessity arise. Our desire is to place the Judges in a thoroughly independent position, so that they shall be able to carry out their duties without fear or favour. That is the attitude we expect from a Judge. I do not think the increase of salaries that has been made this year has anything whatever to do with the question of a retiring allowance for the Judges as proposed in this Bill.

MR. A. FORREST : It makes the pension all the more.

THE PREMIER (Hon. Sir J. Forrest): A Judge cannot get his pension in a moment. The proportion of pension to salary can be settled by the House when we get into committee, and so also can

the number of years of service requisite to qualify a Judge for a pension. We wish to place it on the statute book that a Judge, after having served a certain time, may retire on a fixed pension, and I think that is not an unreasonable thing. When a young man enters the civil service, he knows that when he arrives at the age of 60 years he will be able to retire on certain terms, fixed in the Superannuation Act; and it seems to me there should be something on the statute book showing the exact terms upon which a Judge can retire, should he break down in health or be incapacitated, or have served a stated number of years. I hope the House will follow the advice of the Attorney General, and pass the second reading. We need not go into committee at once. We can take time to consider the Bill, particularly as to the points dealing with the amount of the pension and the number of years' service necessary to qualify a Judge for a pension.

Mr. A. FORREST: I think the Government should really fall in with the general wish of the members of the House, and withdraw this Bill. The members on this side of the House do not care to be placed in the position of supporting a Bill, when the majority are not in favour of it. The salaries of the Judges have been raised during the last 12 months to the extent of £600 to each of them, and that means that the pension will be £300 per year more than it would have been 12 months ago. I do not see that there is any need for hurry in this matter, and I do not suppose the Judges of the Supreme Court are very anxious that this Bill should pass into law at the present moment. This country is growing very quickly, and in the course of a year or two we may have two or three more Judges, and then we will require a Bill dealing with the subject in a larger way than there is any necessity for now. I think the amount of pension asked for is altogether out of proportion to the services rendered. If the second reading passes, we will, I am sure, when we get into committee, extend the term of service qualifying for pension from 15 to 20 years. I hope the Government will withdraw this Bill, because I think the people of the country are not willing to be taxed simply because we are in a flourishing state. It is quite possible

these heavy pensions will prove a drag on the taxpayers in the future. I have no feeling whatever against the Judges who will benefit by this Bill, but my opposition goes altogether beyond any personal consideration. I hope the Bill will not be carried, because I am certain, speaking as a simple member of this House, that there is hardly a single member who is really in favour of it.

Mr. LEFROY: The hon. member who has just sat down has said the majority of members in this House are not in favour of this Bill. I am in favour of the principle that the pensions of the Judges should be fixed by statute, and for that reason I shall vote for the second reading, and against the amendment proposed from the other side of the House. I think all the available arguments in favour of the Bill have been advanced by the Premier and the Attorney General, and I agree with the reasons stated as being proper and right. The Judges should be placed in a position different from that of the ordinary civil servant, on the grounds that have been mentioned by the speakers supporting the Bill; and it is not necessary for me to go over those grounds again. Shortly, the reasons why the second reading should pass are that the Judges should be placed above suspicion and out of the reach of Parliamentary influence; also that it is necessary to provide pensions for Judges because they are precluded from entering into business, or increasing their income in the ways open to other members of the bar.

Amendment (Mr. Simpson's) put and negatived on the voices. Division called for, and taken on the question that the word "now," proposed to be left out, stand part of the question, with the following result:—

Ayes	15
Noes	3

Majority for ... 12

AYES.	NOES.
Mr. Burt	Mr. A. Forrest
Mr. Cookworthy	Mr. Simpson
Sir John Forrest	Mr. Illingworth (Teller).
Mr. Higham	
Mr. James	
Mr. Lefroy	
Mr. Loton	
Mr. Moss	
Mr. Piessé	
Mr. Randell	
Mr. Richardson	
Mr. Throssell	
Mr. Traylen	
Mr. Venn	
Mr. Clarkson (Teller).	

Amendment negatived.

Motion for the second reading passed.

Bill read a second time.

PUBLIC WORKS BILL.

SECOND READING—DEBATE CONCLUDED.

MR. ILLINGWORTH: It seems to me this Bill is not required at all. I do not know what the purpose of it is, or what the intention of the Government is in reference to what they propose to accomplish by its means, unless it is the consolidation of the existing Acts. I want to call attention, while this Bill is before the House, to certain conditions which exist in reference to the resumption of land by the Government. I have not had an opportunity of comparing the clauses which are in this Bill with the clauses that are in the varied Acts of which this Bill is a consolidation. On page 12 and in Clause 25 are the points to which I wish to make reference. Speaking generally, as soon as the Government are pleased to make proclamation that they intend to resume certain pieces of land, they call upon the owner or holder of the title of that land to produce the title under a penalty of £50. Now, in the first place, no notice is given to the owner, except by notice in the *Government Gazette*. The owner of the land may be in England, or taking a holiday on the Continent, or may be on his station in the North, and may not therefore have an opportunity of seeing the *Gazette*. In some cases present to my mind, the owner of land in Perth could not be reached in less than ten weeks; yet his land is to be resumed and taken possession of by the Government, and he is to be fined £50 for not producing his title, although no notice has been sent to him of these proceedings, the only notice given being in the *Gazette*. As to the title having to be produced, the owner may have mortgaged his property, and in that case I suppose the mortgagee will be called upon to produce the title. So far as I can see, the Government have no right to treat for land on any other basis than that which a private individual would have to adopt. If a private individual sells land, he produces his title, signs his transfer, and then is supposed to get his money. I will give one case that has come to my own knowledge, in

which the Government some months ago resumed certain land at the price of £4,000, and have not yet paid over the money. The value of that land to-day is not less than £6,000, and yet the owner is precluded from increasing his price, and also from using the money he ought long ago to have received from the Government, and which he required for the purpose of investing in other land, out of which he could make a profit. This is no isolated case. Claims have been put in for immediate settlement for lands resumed by the Government, and yet no settlement is made, though the Government have taken absolute possession of the property. The Government, for months together, have refused to pay for land they have resumed, and they compel the owner to go to arbitration or sell at the Government price. This is a palpable injustice. There have been times in the history of the colony when it would not matter so much if these delays occurred, but in times like the present, especially when the Government are resuming large quantities of city property, they ought to pay up immediately. I know of a case in which months have elapsed since a claim was put in without payment being made, and within the last few days instructions have been given to the Government Architect to prepare plans for the erection of buildings on that land. I take it that we want to be just to those individuals whose land we resume, and that we do not wish to place them in a false position. If property owned by private individuals has to be taken for the public good, the Government should act justly towards them. [THE PREMIER: Hear, hear.] I contend that they are not being justly treated at the present time. There are cases in which the land resumed and not paid for has increased 30 per cent. in value, and in some cases it has increased 50 per cent., although the owners have been bound to the fixed date of the value shown in the *Gazette* notice. The owners of this resumed property are prevented, by the delay in settlement, from investing their money in other properties; and I think it is necessary there should be some expression of opinion in this House upon the whole matter. Then again, looking at this Bill, there seems to me to be some injustice in

Sub-section (3) of Clause 25, which reads as follows: — "No person having in his possession such Crown grant, certificate of title, or other instrument, shall be entitled to claim any compensation under this Act until such instrument is delivered up to the registrar." Hon. members must know it is not always possible for an owner of property to hand his deeds over to the registrar, because sometimes they are required to be given as security to a bank or to a mortgagee. I think that, at any rate, an owner of property should not be called upon to deliver over his deeds until the purchaser is ready to hand over the cash, yet this Bill perpetuates this state of things. The seller of a property would not have to hand over his deeds until a settlement was effected, if the purchaser were a private individual; and why should he do so in the case of the Government being the purchaser. If we have to pass this Bill, I think there are several amendments we ought to make as to the resumption of land. Supposing the owner of property required by the Government is in the United States or elsewhere, and gets no notice of the Government intentions with regard to his land, he may come back five years hence and find his land in the possession of the Government, and be unable to obtain any compensation. If that is the intention of the Government, it looks to me like a palpable injustice. Then Clause 70, which deals with the value of land taken, reads as follows: — "The value of land taken or injuriously affected shall be assessed for the purpose of ascertaining the amount of compensation, if any, at its value at the time when it was first entered upon for the purpose of constructing or carrying out a public work thereon." This means that, after the publication of the *Gazette* notice, the owner of the property resumed may be kept out of his money for months, and yet the price is fixed at the date when the *Gazette* notice is issued. I have brought forward these points in order that the Government may have an opportunity of making some explanation in regard to them. This is a large Bill, dealing with a great many items, and one clause may affect another in a way that we cannot see on a cursory examination. I confess I have not given to the Bill that close attention it should receive; but, to

my mind, there is a palpable injustice in the matters to which I have drawn attention, and at the same time it is evident this Bill proposes to perpetuate this state of things. I hope that, if it is necessary this Bill should pass, the Government will give us some explanation with regard to these points, and some assurance that no injustice similar to that inflicted in the cases I have referred to shall be done under this Bill.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse): The hon. member for Nannine has mentioned that distinct injury is being done to many persons whose land has been resumed lately by the Government for railway purposes. I would like to say that the resumptions which have been made for railway purposes have been made in accordance with the Act, and the notices have been given in accordance with the Act. In many cases, the claims for compensation made by owners whose land has been taken have been considerably higher than what the Government consider to be the proper value of the property, and higher than the valuations which we have had made. In some instances, the valuations of the Government have been accepted by the owners, and we have been prepared to pay over the purchase money, and if there has been a delay in doing so, it was because the owners were not prepared to release mortgages at once. In fact, I have an instance in my mind now in which a claim was supposed to be settled a fortnight ago; we have been prepared to pay over the purchase money, and want to make an appointment; but we have since heard from the owner that the mortgage had not been released.

MR. ILLINGWORTH: How can he release it without the money?

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse): An arrangement could be made, in the ordinary way, by which the deed could be taken in one hand and the purchase money handed over with the other, or we would pay upon receiving the assurance of the owner's solicitor that the mortgage would be paid off. In settling these claims, time would be saved if people did not often ask about twice as much for their land as it is worth. If they would only come to some reasonable arrangement at

first, there is no doubt we would be able to complete the matter very quickly. Whenever there has been no difficulty in regard to excessive claims or mortgages, the money has been promptly paid; but in other instances owners are holding off for a very much higher price than they will get. Some owners are complaining that there has been delay, because the Government are not prepared to pay double the value of their land. The hon. member for Perth complained, the other evening, that there were cases of hardship because, owing to the Government resuming property, people were not able to get their rent; but this is not the case. We instructed the officer who has charge of these resumptions to inquire into cases of alleged hardship; and, with the exception of one instance, in which the wife of the owner of four cottages was said to be dependent upon the rent, I know of no case of hardship of this kind. In this case an arrangement was made by which the wife was allowed to collect the rent; so that there are really no cases of hardship of the kind complained of. As regards the tenants of the resumed properties, they think that the purchase by the Government is a very good opportunity to make money, by putting in large claims for compensation, amounting in one case to £19,000. The Government have no wish to delay settling with owners. As soon as we can get hold of the deeds, we are ready to pay the money.

MR. ILLINGWORTH: This Bill gives you the deeds without the money.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piessé): The Government do not inflict hardship on any one, as a satisfactory arrangement can always be made to pay the money when we get the deeds; but, as hon. members well know, people, when claiming compensation from the Government, often ask one or two hundred per cent. more than they expect to get; consequently, there is delay in carrying out the transaction. Many of the owners are not anxious to go to arbitration, but only wish to make a little more than the amount named in our valuation. I think, on the whole, these land resumptions are very satisfactorily carried out, and I deny that there are any cases of great hardship. We are prepared to deal to-morrow with owners of the property which we want to

resume, provided that they will accept a reasonable amount for their land, upon the valuations given by our valuers. There is another thing I would like to say. Some owners hold over the sending in of their claims until almost the last of the sixty days allowed for the making of a claim.

THE COMMISSIONER OF CROWN LANDS: They are waiting for the market to rise.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piessé): They are probably waiting for an advance in the price of the land, but we are protected under the Act, which only requires us to pay the value of the property at the time we entered upon it.

MR. A. FORREST: The hon. member for Nannine complains about the hardship suffered by people on account of their land being resumed by the Government. Well, I speak for another class, who complain bitterly because the Government won't resume their land, for it is a well-known fact that the Government have to pay at least 50 per cent., perhaps 100 per cent., more than anybody else. It always has been so, and always will be so; and I think that if any people in Perth have cause to congratulate themselves, it is those people whose land has been resumed by the Government for railway or any other purposes. We have only to take, as an instance of this, the case which occurred last year, when the Government had to pay some £1,300 or £1,400 for land between Bunbury and the Vasse—thirteen or fourteen acres of country land that was worth £13 or £14 an acre. I have no doubt that, for the land which is now being resumed, the Government will have to pay about 100 per cent. more than it is worth—land that is useless for any other purpose than that of sidings. So that, instead of complaining in this House, the owners of the land are to be congratulated. If they are out of their money for a few months, what of that? I only wish I owned the land lying along the railway line that the Government have determined to resume, and I should not mind waiting six months for my money while the Government were making up their minds what they would pay for the land, for I am sure it would be on the most liberal scale. These land resumptions are a very grave question, for in and around Perth alone I believe

the total purchase money will be about £150,000, while the whole vote for other portions of the colony under this head will be nearly a quarter of a million—merely for small pieces of land, which were worth nothing at all until the railway ran to them. I do not think the hon. member for Nannine has made out a very good case. I am sure the hon. member for Nannine would, like me, be very glad to give the Government terms for any land taken from him for railway purposes, as I am sure the Government will have to pay at least 100 per cent. more for the property they are resuming than a private individual would do. I shall certainly support the second reading of this Bill.

MR. RANDELL: While there are many technicalities in this Bill which I do not pretend to understand, I think the measure contains some details which require to be amended in committee. If I am not under a misapprehension, I have discovered a mistake in a section of the Bill; and I think some provisions of the Bill require very careful consideration. The procedure for taking land is set out in several sub-sections of Clause 19, but I think that persons whose land is taken are entitled to have their claims adjusted within a reasonable time. I am therefore of opinion that the sixty days which, under Clauses 45 and 46, are given to the Minister to consider claims for compensation, is an unduly long time, and it will be very reasonable for hon. members to ask that this time shall be reduced, when the Bill gets into committee. I can see no necessity for so long a time being allowed to the Minister. I think 14 or 21 days should be long enough; but these are only details, with which we need not find fault at this stage, although I like to draw attention to them. I believe a considerable part of this Bill has been taken literally from the Act in force in New Zealand; and, if that is so, it is possible those clauses may not be found applicable, without some amendment, to suit local circumstances.

MR. SIMPSON: With regard to the question as to claims for compensation not being promptly paid, I have distinct information that a man, whose property was resumed by the Crown, lost a deposit which he paid upon a cottage, because he could not get a settlement from the

Government. In another instance an owner had to borrow money because he could not get a settlement from the Railway Department. I find these cases stated by the strongest supporter the Government have in the country—the *West Australian* newspaper.

THE PREMIER: Stated by a correspondent.

Question put and passed.

Bill read a second time.

ADJOURNMENT.

The House adjourned at 5.50 o'clock, p.m., until next day.

Legislative Council.

Thursday, 27th August, 1896.

Technical Education: establishment of—Water Supply to Eastern townships—Stock Tax: abolition of—Disease in Cattle: reports on—Telegrams and Cablegrams: statistics re—Agricultural Lands Purchase Bill: committee's report—Federal Council Reference Bill: third reading—Constitution Act Amendment Bill: second reading; adjourned debate; committee—Post Office Savings Bank Bill: second reading; committee—Statutory Declarations Bill: second reading; referred to Select Committee—Excess Bill 1894-5: second reading—Companies Act Amendment Bill: Legislative Assembly's amendments—Criminal Evidence Bill: first reading—Coolgardie Goldfields Water Supply Bill: postponement of Order of Day—Adjournment.

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

TECHNICAL EDUCATION—ESTABLISHMENT OF.

THE HON. S. H. PARKER asked the Minister of Mines if any steps had been taken to establish a system of Technical Education at Perth; and, if so, would he kindly inform the House what had been done, and what he proposed to do in the matter?