joke upon them, and very naturally they would take no notice of it.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt) thought that Her Majesty's revenue cutter, flying the proper pendant and ensign, or the Custom House flag, would present a very imposing appearance, and bring a ship to at once.

MR. VENN said he quite agreed as to the necessity of providing very stringent penalties in cases of a wilful evasion, but what he was afraid of was that magistrates would fancy they had no discretionary power in the matter. Could not the clause be altered by the introduction of the words "shall be liable to forfeit," instead of making it a hard and fast provision?

THE ACTING ATTORNEY GENERAL (Hon. S. Burt) said that would be repugnant to the other provisions of the bill. A penalty, a disqualification, must attach in the face of certain facts proved. But there must be proof to the satisfaction of the justices that the evasion was a wilful evasion. If there should be any doubt in the mind of the magistrate, it was not likely that he would convict, and subject any person to this severe penalty.

The clause was then agreed to.

The remaining clause elicited no discussion, and the bill was reported.

LAND REGULATIONS (MESSAGE No. 3).

On the order of the day for the consideration of His Excellency's message forwarding the draft of the proposed new Land Regulations,

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said he did not feel quite equal to go into the matter that evening, not being very well, and he begged to move that the order of the day be discharged and made the first order for Wednesday, July 7.

Agreed to.

FUNERAL OF THE LATE SIR LUKE LEAKE.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith): Sir,—As the mortal remains of our late lamented Speaker are to be conveyed to their last resting place tomorrow, I move that as a mark of respect to his memory this House do adjourn until Wednesday evening.

Agreed to.

The House adjourned at a quarter past eight o'clock, p.m.

LEGISLATIVE COUNCIL,

Wednesday, 7th July, 1886.

Rabbit Act: Report of Inspectors—Sharks Bay Pearl Shell Fishery Bill: in committee—Designs and Trade Marks Act, 1884, Amendment Bill: third reading—Licensed Surveyors Bill: third reading—Pearl Shell Fishery Special Revenue Bill—New Land Regulations (Message No. 3)—Adjournment.

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

PRAYERS.

REPORTS OF INSPECTORS, UNDER THE RABBIT ACT.

SIR T. COCKBURN-CAMPBELL asked the Acting Colonial Secretary, whether he could inform the House of the names of the inspectors appointed under the Rabbit Act, and whether he was in a position to place upon the table of the House the reports which those inspectors are expected to make yearly before the 30th June.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith) laid the information asked for, together with the reports, upon the table.

SIR T. COCKBURN-CAMPBELL: Is the hon. gentleman able to inform me whether the Government intend to take any vote this session for the destruction of rabbits?

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith): I am unable to say so at present.

SHARKS BAY PEARL SHELL FISHERY BILL.

The House resolved itself into a committee of the whole for the consideration of this bill in detail.

Clause 1.—"It shall be lawful for the "Commissioner of Crown Lands, with "the approval of the Governor, to grant "licenses to any person or persons to "gather, collect, and remove pearls and "pearl shells in and from the waters of "Sharks Bay, within a defined area to be "specified in every license:"

MR. MARMION said it had been his intention to have moved that this bill be referred to a select committee, but he had consulted with the member for the district, who did not appear to consider it necessary that that course should be taken. He would remind hon. members that the whole principle of the bill was contained in this first clause, and it was upon this clause that their whole consideration should be bestowed. From what he could gather, there seemed to be a desire on the part of the European portion of the Sharks Bay pearlers to prevent what they believed would eventually become a monopoly—and that in the not very remote future—of the pearling industry by the Chinese and other Asiatics, who, by degrees, were increasing in numbers to so great an extent that the Europeans feared they would eventually be swamped and completely driven out of the field. The European pearlers, therefore, in self-protection it appeared, had formed themselves, so far as he could learn, into an association, with the object of leasing from the Government the whole, or such portion of the Sharks Bay pearling grounds as might now be open, or that might hereafter be opened at any time. They were desirous of doing this so as to be able to exclude the Chinese from working the banks, except as servants, within the limits of these fisheries. At first sight it would seem that this was a monopoly which one should object to, inasmuch as it might happen that others than those Europeans now engaged in pearling at Sharks Bay might desire hereafter to embark in that industry; and, in the course of conversation with some of those at present interested in the pearling fishery, he had made that remark to them. But he had ascertained that there was no intention on the part of those now pearling to prevent others from coming in and taking a share in the business. The only thing that was desired by those who were working the banks was that any European who hereafter might wish to join them should pay a fair share of the expenses. He was now speaking, of course, simply upon the information that had been given to him in the course of conversation with some of those who were at present interested in this industry. Their sole desire, as regards any other European pearlers joining them hereafter, was that these new comers should pay a fair proportion of the amount payable annually to the Government in respect of the rental of the pearling grounds. If that was really the case, it would to some extent, and to a great extent, remove the strong objection which there seemed to be to grant these exclusive rights to the European pearlers now engaged in the industry. He might say that he sympathised with these pearlers, and he felt that upon these pearling banks at Sharks Bay, as upon the goldfields, it was necessary that some restriction should be placed to prevent the Chinese from monopolising the whole of the banks. He understood that it was the intention of the Attorney General to introduce a clause into the bill—unless such a provision was already made—empowering the Governor-in-Council to frame regulations for the management of these banks, which shall apply to the licensed areas. He could only say that he hoped great care would be taken when these regulations were drawn up, that, in the first place, the agreement or articles of association that may be entered into between the European pearlers themselves should be closely scrutinised, and that care would be taken that this agreement contained nothing that would exclude any other Europeans hereafter who might desire to embark in the business from joining the association; also that the basis of the agreement between the association and the Government shall rest upon the same foundation, so that there may hereafter be no ground for saying that a monopoly had been created in favor of the Europeans now employed in the industry. He was sorry himself that the bill had not been referred to a select committee, as there were several gentlemen then in Perth who were connected with Sharks Bay, and who could have thrown much light on the subject if examined before a select committee, and shown the House that they were only

seeking to obtain what they conceived to be an act of justice towards themselves.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt) was rather afraid that all the wishes of the hon. member for Fremantle could not be carried out under this bill, as at present drawn. What the hon. member aimed at, it seemed to him, was to exclude Chinamen from working upon these banks at all. If so, that was to be accomplished without going to work in this roundabout way. Nor was there anything in this bill, as at present drawn, to secure what the hon. member seemed to aim at as regards enabling any other Europeans who may hereafter wish to come and work these banks to do so, by joining the so-called association. He was not aware at present that any association existed, except in name only, among the pearlers of Sharks Bay. This first clause of the bill enabled the Governor, or the Commissioner of Crown Lands with the approval of the Governor, to grant licenses to any person or persons to gather, collect, and remove shells. If five or six persons joined together in obtaining a lease they would all be named in the lease; or if a joint stock company or firm obtained a lease the lease would be in the name of the company or firm, and no provision was made in this bill for the admission of other persons from time to time into the lease. That must be a matter between those who held the lease or the license on the one hand and those who wished to come in on the other hand. The Government would have nothing to do in the matter. That would be purely a private arrangement between the parties. The pearlers at present working at the Bay would be able to obtain a license under this bill, individually if they wished; or they could join together and have a license in their joint names covering a large area of ground; but the bill did not provide at present for the admission of any new comers to participate in the advantages of any license which might be held under this bill by A, B, or C. That was not the intention of the bill. The intention of the bill was simply to enable licenses to be granted to those who applied for them, and, if any new comers arrived who (to use a common expression) could not "cut in" with those already licensed, they would have to apply for a license on their own account. If the object of the hon. member was to exclude Chinese altogether from working on the banks, that object would be more easily attained by saying at once that no Chinaman shall be allowed to engage in the pearling industry, license or no license. The present bill did not make any such provision.

MR. WITTENOOM had understood that the object of the bill, to a great extent, was the exclusion of Chinese from the pearling banks at Sharks Bay; but there appeared to be nothing in the bill at all to prevent Chinamen from getting a lease, and working the banks. They would be at liberty to tender as well as the Europeans, and, if the tender of the Chinese should happen to be the highest, it might be accepted by the Commissioner to the exclusion of the European pearlers. The object in view, therefore, would simply be defeated. The only restrictions at all under this bill, as regards the Chinese, was the discretionary power vested in the Commissioner of Crown Lands as to issuing licenses, or granting a lease. Another object of the bill, or at any rate the object of the European pearlers, was to secure the rights of those at present working there, and who had been engaged in the industry for years past. But it appeared that anyone in Perth, or any stranger, might tender for the lease of these grounds, and, if his tender were accepted, there was nothing to prevent his going up to Sharks Bay and saying to the present pearlers that he had secured a lease of all the banks, and that he intended to employ Chinese to work them. If the object in view was to exclude Chinese altogether, then some provision to that effect ought to be introduced into the bill.

MR. SHOLL said as there seemed to be some difference of opinion about the bill, and as there were a lot of people from Sharks Bay now in Perth, from whom very useful information could be obtained, he thought it would be better to refer the bill to a select committee. There was no doubt that, as far as the Sharks Bay pearlers were concerned, people who had been working there for several years were now likely to be shunted out by the Chinese, who really did no good to the country. He thought that the rights of the pioneer pearlers

ought to be protected, and he really had thought that this was the object of the bill; but it now appeared that it would lie with the Governor or the Commissioner of Crown Lands to lease the banks to whom they pleased. He moved that the bill be referred to a select committee.

THE CHAIRMAN OF COMMITTEES: That must be done by the House. The committee cannot refer the bill to a select committee, and I doubt whether it could be done at all at this stage.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt): With regard to referring the bill to a select committee, although there may be several people here from Sharks Bay who would give us information with regard to the fisheries, it is merely a matter of principle we are now discussing. These gentlemen who have been working on the banks at Sharks Bay, if called before a select committee, could really give us no information as to the principle to be adopted. They may tell us how to work the banks, and what protective measures ought to be taken in the interest of the fishery generally, but the question here is the whole principle underlying our future system of dealing with these pearling banks. It seems to me it would be almost impossible to legislate in the direction suggested by the hon. member for Fremantle. If you give a license to certain people to work a certain area, you cannot legislate and say that they shall admit others to participate in their lease. On what terms would you compel them to admit others? What might be fair terms in one case might be grossly unfair in another case. If you say that they must admit any new comers who may wish to join them, you must also say upon what terms? If it is said, "Let them settle their own terms," my answer to that is, "They can do so without legislation." It seems to me impracticable to legislate in the direction indicated. I may remind the committee that there has been placed on the table of the House some despatches between the Governor and the Secretary of State on this subject. In one of these despatches, dated 16th January, 1886, the Governor, speaking of the Sharks Bay fishery, says: "I am of opinion that the Europe-"pean colonists at Sharks Bay are enti-"tled to consideration, and that the "pearling banks should be leased to "them, when the necessary law has been "obtained. Tenders for the lease might "be invited; but I submit it would be "against public policy to accept a tender "made by Chinese." There you have the policy of the Government with regard to the Chinese. The Governor tells the Secretary of State that he considers it would be against public policy to accept a tender from a Chinaman; and the Secretary of State makes no objection. In his reply to His Excellency's despatch he says: "With regard to the proposed "lease of the pearling grounds to an "association of European pearlers, I "agree that such a lease or leases might "be granted in the manner which you "indicate, after the necessary law has "been passed; but I would suggest that "they should be from year to year, or at "least for short terms, so as to allow of "reconsideration if the system does not "work well, or if the rent accepted should "be found inadequate, and so that the "Colonial Government may retain in "their own hands the power of prevent-"ing a long monopoly of the business." The Secretary of State's attention having been drawn to the fact that it would be against public policy, in His Excellency's opinion, to grant a tender made by Chinese, the Secretary of State supports that view and gives his consent to a law having that object in view being passed. Therefore, I think it is not to be expected that these leases would be granted to Chinamen. But, from what I know of this matter, the dispute or the difficulty that has arisen at Sharks Bay, which has called forth the representations upon which this bill is based, and which it is intended to meet, is that the Chinese were interfering with the whites, pearling amongst them, going amongst their boats, and inducing their workmen, who were also Chinese, to leave their European masters and to work for their fellow countrymen the Chinese pearlers, thus crippling the labors of the European pearlers. But, even supposing a lease were to be granted to any of these Chinamen, it would be a lease in respect of a certain defined area, and their operations would have to be confined within that area, so that it would be impossible for them then to interfere with other lessees working within separate areas.

It therefore seems to me—I should not like the committee to think that there is any intention on the part of the Government to issue any leases to Chinamen; we have the Governor's assurance to the Secretary of State that it would be against public policy to do so—but it seems to me that if they were to do so, the Chinese lessee would be restricted to certain portions of the grounds, and would not be in a position to interfere with the surrounding areas.

MR. CROWTHER thought it was always better to say exactly what we meant in these cases, without beating about the bush. Everybody knew what was wanted, and why not say so plainly? Everybody knew—hon. members knew and the Government knew—what they were all driving at. Why, then, not go to the root of the matter at once. What the Sharks Bay pearlers wanted was to shut out the Chinese; and, if they were going to have a bill at all, let it be a bill which would have the desired result. With that object in view, and without further talk about the matter, he would move that, after the word "persons," in the 4th line, the words "other than Chinese or Malays" be inserted. That would do away with any possibility of Chinese getting a license, and relieve the Government from the difficulty of having to exercise their discretion in the matter. A short time ago he happened to be at Sharks Bay, and he was told that the Chinamen not only stole the workmen employed by the European pearlers but also stole their pearls in the bargain. He was also told that it was no uncommon thing for guileless Chinamen employed by European pearlers to keep the pearls which they discovered, and, instead of handing them to their own masters, give them to their own countrymen, who were also engaged in the industry. Europeans could not compete with the Chinese, under such circumstances. They paid more for their labor also, and were handicapped in every way, in the same manner as they were on goldfields; and, as we did not want Chinamen on our goldfields, neither did we want them on our pearling grounds.

MR. MARMION said they must not lose sight of the possibility of the question of vested interest coming in. There were a large number of Chinese now engaged in the industry, having embarked in the necessary plant for carrying it on; and the Government might find themselves in an awkward position if they were to act in an arbitrary way towards these people. He noticed a statement the other day that somebody had been employed to value the plant of the Chinese engaged in the fishery, and it struck him at the time that the Government possibly had some intention of paying them some compensation for depriving them of their rights. Possibly this might become an international question.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) did not think it was the intention to lease any large extent, or any at all, of these banks to Chinese hereafter, but it seemed to him that it would be very unfair on our part to tell those already engaged in the industry to clear out, bag and baggage, at once, and compel them to forfeit their plant, their boats, gear, etc. He thought that would be a very un-English proceeding. He could see a great difference between those who may come hereafter and those who were there now, and who had embarked capital and labor in the industry. He thought that if we dispossessed them, the least we could do as an English community would be to recompense them.

The amendment moved by MR. CROWTHER—to insert the words "other than Chinese or Malays," was then put.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt) said if that amendment were passed it would become necessary to define "Chinese and Malays." The Commissioner of Crown Lands, when requested to issue a license, might not be able to detect at a glance whether the applicant was a Chinaman or not.

MR. CROWTHER: They are defined in the Imported Labor Act clear enough.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt): A Chinaman under the Imported Labor Act might not be the same as a Chinaman under the Pearl Shell Fishing Act. The interpretation clause of an Act only applied to that Act.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith) said he rather thought it would not be advisable to introduce these words into the clause. There were Chinese now on the spot, who

had invested in boats and other gear, and it seemed to him it would be rather hard to deprive these people of their present means of living. Doubtless if leases were granted to Europeans solely, the case of these men would have to be considered. All future Mongolians or Chinese coming here might be kept out, by some means; but those here already, and engaged in the industry, ought, he thought, to receive some consideration; and it might be left to the Government to decide whether they would lease any of the banks to them or not. The committee might be perfectly satisfied that the Government would consider the interests of the Europeans who were now working on the banks,—there need be no doubt about that. The Government would not overlook the claims of those who were the pioneers of the industry and who had invested their all in that industry. The rights of these people, the committee might be perfectly certain, would not be lost sight of, in any way whatever. Therefore, he thought it would be desirable to leave the clause as it stood.

MR. CROWTHER said he was not particularly wedded to his amendment; but it was one of two things—either we wanted to exclude the Chinese or we did not. He did not care himself which it was, but he believed that as a rule the country wished to have them kept out. It was just a question of the survival of the fittest.

MR. SHOLL said he quite agreed with the hon. member for the Greenough that we must either be prepared to exclude the Chinese from these banks or let them shunt out the Europeans. At present there were too many Chinese on the pearling grounds, elbowing out the pioneers of the industry; and, if the Government wanted to preserve these banks and have any fisheries left for the future, the time had arrived for them to put their foot down and say to these Chinese that they should not have these banks. He thought there was a great deal in what had fallen from the Commissioner of Crown Lands and the hon. member for Fremantle as to recompensing the Chinese who had embarked money in the industry, if we were going to dispossess them. He thought the best thing that the Government could do was to have these people's plant valued, and pay them a fair price for them.

MR. SHENTON presumed that the compensation money would be paid by the European pearlers to whom it was proposed to give a monopoly of the banks. He did not see why the public revenue should be saddled with such a charge.

MR. MARMION: I think we are beginning to find out now that it would have been a wise thing to have referred this bill to a select committee. It is very evident that very few of us know anything about it, and I feel certain that the more we discuss this clause the more we shall be of opinion that it would be well to refer it to a select committee. I believe that the pearlers themselves thought the Government were prepared to compensate those Chinese now employed a fair value for their plant. Of course the Chinamen themselves may not think it sufficient—they may consider the business a very valuable one. In conversation with some of the pearlers who know something about these things, they told me they thought the Government would have to pay something about £1,000 for the plant of these Chinamen, and that if the plant were to be sold by public auction, on the spot, it would probably realise £600 or £700, so that the Government would be a loser only to the extent of £300 or £400. Then comes the remark just made by the hon. member for Toodyay, as to whether, if the loss is to be such a light one, the pearlers themselves, rather than the public revenue, should undertake to reimburse the Treasury whatever amount it cost to compensate these Chinese. There are a number of details connected with the measure which I think it would have been well if hon. members had understood before undertaking to deal with it. I am afraid if they pass this clause tonight they will feel uncertain whether they have done an act of justice or injustice, whereas, if they were in possession of more information, they would have been satisfied that they were performing an act of justice.

MR. BURGES was certainly opposed to refer the bill to a select committee. He thought it was a bill that might very well be dealt with in committee of the whole House. It appeared to him that

they ought to take one course or the other—exclude the Chinese altogether or let them alone. The whole principle of the bill was involved in this clause. From what he could gather from those engaged in the industry their wish was simply to debar the Chinese from working the banks, otherwise the European pearlers would soon be driven out of the field. He had understood that the object of the bill was to provide for the exclusion of these Chinese.

MR. SCOTT said that as to compensation, the Chinese were quite capable of looking after their own interests. They might consider that they were not treated altogether fairly, but the Chinese were not the only class who had occasion to complain of the law pressing rather harshly upon them. European immigrants coming here under the impression that they were entitled to free grants of land, as they used to be at one time, might consider themselves, like these Chinamen, hardly done by. In the same way these Chinese who came here to better themselves, would have to put up with any laws which the colony might choose to pass to protect its own people. He did not see why the House should concern itself about consulting the convenience of the "Heathen Chinee."

MR. SHOLL said that up to now the Government had been receiving no direct revenue in the shape of licenses from these grounds, and he knew that if the banks were offered on a lease the Government would receive a considerable sum of money from the lessees,—more than would be sufficient to pay compensation to these Chinamen. In that way they would be doing justice, not only to the European population, who contributed to the revenue, but also preserving the banks from being ruined, whereas if the Chinese were allowed to continue their present practice of picking up immature shells—for all was fish that came to their nets—the banks would be quite worked out in the course of a few years. He thought it would be very wise policy if the Government were to exclude the Chinese from the banks altogether, from this out.

CAPTAIN FAWCETT thought that an easy way to settle the matter, without doing any injustice to the Chinese, would be to refuse them licenses to work the banks on their own account, but to allow them to work in the employ of the European pearlers.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt): It seems to me that the proper way to deal with the bill at present is to allow it to pass through committee down to the last clause, and have a fresh clause inserted empowering the Governor to make by-laws for the regulation of the industry. I have not had time yet to consider such a clause, but if the committee will consent to pass the bill as it stands, down to the last clause, I will then move that progress be reported. We may then consider whether a clause should not be added excluding Chinese altogether from participating in the benefits of the bill.

MR. CROWTHER: If the hon. and learned gentleman will himself introduce such a clause, or one to that effect, I have no objection to withdrawing my amendment.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt): I shall be happy to oblige the hon. member by drawing up a clause to that effect, which the hon. member may think fit to move; but I am not prepared to say now that I shall support it myself.

MR. CROWTHER: I don't care a straw for that.

The amendment was then, with leave, withdrawn.

Clause 3.—Licenses to be for any period not exceeding three years:

Agreed to, without comment.

Clause 4.—Applications for licenses to be made on prescribed form, and tenders to be invited:

Agreed to, without discussion.

Clause 5.—"No license shall be transferred, sub-let, or assigned, except with "the written permission of the Commissioner of Crown Lands, countersigned "by the Governor, and on payment of a "fee of 10s. on application for such "permission:"

MR. MARMION asked how this clause would affect persons joining any association after a lease had been granted to the association. Could the association give the new comers the same rights as themselves, without reference to the Commissioner of Crown Lands?

THE ACTING ATTORNEY GENERAL (Hon. S. Burt): The new comers

might obtain rights, without the approval of the Commissioner, as between themselves and the holders of the license, but the Government could not recognise their rights. The Government could only know the original licensees in the matter, and, if the licensees committed any default, it would not be in the mouth of any man who came in subsequently to raise any objection. Nor would anyone who subsequently came in be liable to the Government in respect of any default.

MR. CROWTHER: Is there any limit as to the number of licenses to be granted?

THE ACTING ATTORNEY GENERAL (Hon. S. Burt): None. The bill is not intended for the benefit of any particular association—there is no association in existence, so far as I understand at present. I believe that those who call themselves an association do so without the approval or consent of the other pearlers at Sharks Bay. Some of these pearlers are, I believe, under the impression that it is intended to grant a monopoly of the banks to certain persons who have combined together in making representations to the Government on the subject; but there is no such intention on the part of the Government to grant any association any rights or privileges to the injury of other Europeans at present engaged in the industry.

The clause was then put and passed.

The remaining clauses elicited no discussion, the date fixed for the Act coming into operation being (on the motion of Mr. Sholl) the 1st October, 1886.

Progress was then reported, and leave given the committee to sit again on July 13th.

DESIGNS AND TRADE MARKS ACT, 1884, AMENDMENT BILL.

Read a third time and passed.

LICENSED SURVEYORS BILL.

Read a third time and passed.

PEARL SHELL FISHERY SPECIAL REVENUE BILL.

Read a third time and passed.

NEW LAND REGULATIONS (MESSAGE No. 3).

On the order of the day for the consideration of His Excellency's message forwarding the draft code of the new Land Regulations,

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said: Sir—I rise to move that an humble address be presented to His Excellency the Governor, stating that the Council, having duly considered the code of land regulations submitted by His Excellency, is of opinion that they should be adopted. In moving this humble address, it will be expected of me, and I am very anxious too, to say a few words—not many, I hope—on this subject of our future land regulations, and also at the same time to review shortly the regulations as they now exist. In doing so I may state something of the position that I occupy in this matter. It is well known that the subject of our land regulations has occupied the attion not only of this House but also of the country for a long time past; and, in two or three of the annual reports that I have furnished to the Governor, I have given my views with respect to the policy that should be pursued in adopting a new code of regulations. Last year, knowing that the subject was to be considered by this House, I gave, in a few words, the pith of the regulations which I thought would be suitable to the country. That memorandum which I gave, with the opinions of several societies and institutions, was referred to this House, and by this House referred to a select committee of which I was appointed chairman. That committee, after working for a considerable time, and after a considerable amount of trouble I think too, were able to bring up a report, which all hon. members have seen. That committee, I think, had a very difficult task to perform, we had a very serious and important question to deal with, and, as a matter of course, we were not unanimous in the conclusions we arrived at. We did a great deal of work, and we received a considerable amount of abuse —I do not think I ever read anything in our praise, or heard anything in our praise. Still it must be some gratification to the members who occupied a seat on that committee to find that the Government have almost altogether ac-

cepted the conclusions which the committee arrived at. The draft regulations submitted to the House by His Excellency the Governor, and which have received the approval of the Executive Government are now before the House; and I think we are now in a position to deal with the matter in a committee of the whole House. I will not myself oppose—I do not think the Government will oppose—that the question should be again referred to a select committee. If any other gentlemen are ambitious to try their hand at framing a code of land regulations for the colony, I do not expect that any members of last year's select committee will have any objection. But I do not myself think that those who were not on that select committee will be bold enough to ask that this matter should be again referred to another select committee. Before dealing with the draft sent down by His Excellency the Governor, it would be well, perhaps, to glance at the system under which we are now working. I find that, in 1884, in one of my reports, I wrote as follows: "Our land laws in the past have, no doubt, "to some extent satisfied the sparse popu- "lation that has settled upon the land, "but they have not to any great extent "encouraged the agricultural interest, "which, in a country not pre-eminently "suited for agriculture, requires large "concessions in its favor to entice its "occupation and cultivation. It is the "duty of the State to do everything "in its power to encourage the culti- "vation of the soil. Without cultivation "the land cannot carry a population, "and without population a country can- "not prosper. In the Central District "it seems undesirable to do away with "free selection, notwithstanding, as I "pointed out in my report for last year, "that it has in many places resulted in "spoiling the country by having dotted "over it, quite unimproved, small loca- "tions securing waterholes, springs, and "small pieces of good land, which it "would have been better for the colony "never to have sold." [Mr. CROWTHER: Hear, hear.] What has been the result of the operation of our land regulations from the foundation of the colony up to the present time? I will tell hon. members what has been the result. We have alienated about two millions of acres, we have leased, at present, under special occupation, about 300,000 acres—we alienated last year about 54,000 acres, and we leased under special occupation about 113,000 acres—and what portion of that enormous area is under cultivation at the present time? Seventy-seven thousand acres. In 1871 there were 60,000 acres under cultivation, and, in 1885, fourteen years afterwards, there were 77,000 acres under cultivation. In 1871 our population was 25,000; in 1885 our population was 35,000. I do not think, sir, that these figures show that the present regulations have been in harmony with the requirements of the colony, or in accord with the welfare of the colony. What are the evils, some people may ask, of the present system? One of the great evils of the present system, in my opinion, is the absolute sale of land without any conditions of improvement. Some may think that the object of land regulations is to alienate as quickly as possible the Crown estate. My own idea of the object to be kept in view is the settlement and improvement of the country—to settle a thriving and contented population on the soil. This question of land regulations seems to me to be different in many respects from almost any other question. Everyone seems to know all about it. Everyone seems to consider himself competent to pronounce an opinion as to what is best for the colony. Yet many of these persons, I venture to say, are quite ignorant of what is going on in other parts of the world, as regards land legislation. Even as regards what has been done at our very doors, in South Australia for instance. They cannot tell you what the land regulations of New South Wales or Queensland are, but still they are quite prepared to give their views as to the best regulations for Western Australia. In my report for 1883—soon after I was appointed Commissioner of Crown Lands—I wrote: "The policy that permitted and com- "pelled lessees to protect their interests "by purchasing all the springs and water- "holes, and a small plot in centre of every "good piece of land, with the intention of "securing their runs from outside pur- "chasers, having for their object the "monopolising of the country to them- "selves and their heirs for ever, injuring "and making of much less value the

"State property, while at the same time "impoverishing themselves, cannot, in the "interests of the colony, but be condemned. Large districts have had the eyes "picked out of them by the lessees, in very "small blocks, simply because they were "allowed, and almost compelled to purchase, to protect their runs. How much "better would it have been if the lessees "had been given ordinary and reasonable "protection—so that their capital could "have been devoted to stocking and improving their runs, and how much better "for the colony to have received back, "after a stated period, the property that "had been leased, in an improved condition, intact." I went on to say: "Free "and unfettered selection by purchase, "without any conditions of improvement "and in small blocks, has had its career, "and I think has proved a great failure. "It has resulted in spoiling the country "by having dotted over it small locations "which it would have been better for the "colony never to have sold." Again, sir, in 1885, I seem to have been harping upon the same subject, because I wrote: "There cannot, I think, be a doubt that "where pastoral leases have existed in "the Central District, over land fit for "agriculture near to towns or centres of "population, they have, as a general rule, "retarded the progress of the district, "because selectors are unwilling to incur "the displeasure of a lessee by applying "for land within his lease. Many therefore refrain from taking up land, rather "than do battle with and offend a friend, "neighbor, or master. The few leases "occupying the country between Northampton and the Irwin have been the "stumbling block in the way of the "agricultural progress of the neighborhood of Geraldton, and the whole "country has had the eyes picked out of "it by the lessees, and to a great extent "spoilt. There are many similar cases "in the agricultural parts of the colony. "Lessees in the Central District have "not, as a general rule, prospered to any "great extent, and this may be to some "extent accounted for (firstly) by their "holding more land than they have had "the means to occupy; (secondly) owing "to uncertainty of tenure there has not "been sufficient protection to encourage "them to spend money on improvements; "and (thirdly) through being hampered "and impoverished by the purchase of "land in small blocks around springs "and water holes, in order to protect "their leasehold and monopolise the "country. These purchases represent "capital entirely unproductive, and as a "consequence the very money required "for improvement has been absorbed by "the purchase of land, which of course "has not been increased in productiveness "by being converted from leasehold to "freehold." To make things worse, we find in the regulations of 1873 and 1878 a clause inserted, viz., clause 92 and 62—all the squatters in this House will know what that clause is—to encourage pastoral lessees to buy up these springs and waterholes, for, by this clause, lessees were enabled to purchase a percentage of their leaseholds at half the price that any one else would have to pay for the land. What would the heir of any private property say, if upon entering into possession of his ancestral estate, he found that his predecessor had sold all the springs and waterholes on the estate, and alienated also a piece out of every valuable portion of the property—what would he say? He would be inclined, I think, to call his ancestor a fool, or probably a very much harder name. But no private individual, in possession of his senses, would act so foolishly. It is impossible to conceive or picture to ourselves any sane man acting in such a manner. No private owner would think of acting with his property as we have acted with the public estate. In 1872 the special occupation regulations were introduced, to supersede and to liberalise the tillage lease system. The special occupation system is a very good system so far as it goes. It was founded upon the Victorian regulations, but, for some reason or other, it has not some of the good qualities of those regulations. Still, the special occupation system has worked tolerably well in this colony. But I think the reason of that is that we have not been a progressive colony. It is not suited to a colony where there is any great amount of enterprise and speculation, and progress; it is not suited to such a colony for this reason—there is no compulsion under it to make any improvement. The special occupation holder gets his license for ten years, and he is at liberty to leave his land alone or improve

it, just as he likes. There is no compulsory clause as to its improvement; and, although, as I have already said, the system has worked very fairly in this colony—much better than it would have worked if we had been a more progressive community—the result has not been at all satisfactory. With 300,000 acres of land held under it, and 2,000,000 acres alienated, we have at this day only 77,000 acres under cultivation. How, then, can anyone say that our land system has worked well, so far as cultivation is concerned? I have heard many people saying that the present regulations are better than those which I am now advocating. I submit that anyone who says that cannot be acquainted with the past history of the colony, cannot have looked at the progress we have made under our past regulations, cannot be aware of the way in which the public estate of the colony has been almost completely spoilt. Having said so much with regard to the past, I will now come nearer to the present time, and refer to the regulations that I proposed last year. Those regulations were practically the same, in principle, as the measure now before us; and I am glad to think so. Perhaps some hon. members may think I am a little egotistical in saying it, but I maintain that practically the principle is the same, and I do not think I need take any credit to myself for that, because it is in accord with the principle of land legislation adopted in the other Australian colonies, and, I think, in most other parts of the world. This principle of improvement must be adopted. You may say what you like, you cannot get away from it. In my official report for 1883—so far back as that—I said: "I am inclined to do away "with purchase without improvements "altogether, and make all alienation of "land fitted for agriculture subject to "improvement clauses, which should con- "sist of fencing, clearing, and cultivating. "Such conditions should be divided over "a term of years, and it should be com- "pulsory that improvements should be "begun soon after the approval." His Honor the Speaker, Mr. Brown, Mr. Venn, and Mr. Wittenoom have added riders to the report of the select committee—our recommendations have even been called revolutionary—but they cannot get away from the principles laid down there, and they must be adopted. It may be as well, perhaps, if at this stage I attempt to point out the difference between the recommendations of the select committee and the regulations now before us. Hon. members who have had the two codes before them may have had some difficulty—I have no doubt they have had—in finding out exactly where they do differ, because they are so much in accord. There may be some minor points, but the only important differences, so far as I know, are two. First, it was proposed by the select committee to prevent the alienation of land altogether in the North-West, the Gascoyne, the Eastern, and the Eucla divisions, and partially also in the Kimberley division. Now, in the proposals of the Government, it is not intended altogether to prevent alienation in those divisions, but we treat the whole of them in the same way—that is to say, no land is to be alienated except within defined areas, and no area can be declared open for sale until twelve months' notice has been given to the lessee. There are objections entertained to this alteration on the part of some hon. members, and I can see myself that there is something in the objection that may be raised—namely, that the Government may at any time declare the whole of these five divisions of the colony an area for the purpose of alienation. But I do not think it can be said that that is the spirit of these regulations. It is clear enough it is not intended that the whole of the country should be declared an area for the purpose of alienation. What it is that is intended is this, that where there is a demand for land in any part of the colony, the Government may be in a position to throw it open for selection and occupation. That, I believe, is the view taken by the Government, which removes the great objection raised by several members that the regulations locked up five-sixths (or something of that sort) of the whole colony; and, although the protection offered to lessees may not perhaps be so great as some may desire, still I think there is practically a great deal of protection afforded. The regulations in this respect are very far to be preferred to the present system. Lessees will know beforehand that the land is to be declared open for selection — they will have twelve

months notice of it; and, looking at the present circumstances of the colony, unless some great change takes place as regards utilising the land, the power here proposed to be given the Government is not likely to be used for many years to come. I think hon. members may be satisfied of that. I think that the minds of lessees may also be at rest upon that point; and I hope that the House and the country will be satisfied that this concession in the way of affording protection to pastoral lessees goes as far as the Government can go. The second and only other important point of difference between these regulations and those of the select committee is this: the duration of leases under the present regulations is reduced from 28 years to 21 years. I think therefore that I may fairly say that these regulations, although they differ from the committee's recommendations in these two important points, are still practically the same regulations as those proposed by the select committee. Before I proceed any further I should like to say a word or two—and perhaps I ought to have said it sooner—in order to meet the objections which some hon. members, and possibly a good many, entertain to the proposed regulations, because they make no provision for the classification of our lands. Some of the members of the select committee—in fact, we were nearly equally divided on this point—considered it desirable to class the lands in the South-West division, in order that people should not be called on to pay the same price for inferior land as for good land. There is reasonable ground for that objection, no doubt, but I was opposed to the proposal myself, and I did all I could to bring other members of the committee to my own way of thinking, and I was fortunate enough to get a bare majority. If we were charging a high price for our land there might be some reason in the objection, but when it is proposed to charge a rent of 6d. an acre per annum, the payment to run over twenty years—it is only five per cent. on the purchase money and no principal to pay—it seems to me there is no great necessity for classifying the land. On the other hand, if we were going to put a very high price on good land and a very low price on inferior land, no doubt, if we were prepared to go to the great expense which the classification of our enormous territory would entail, the principle of classification is a good one. But in a colony like this it is surrounded by many difficulties, and, as I said before, the price of land is so low that no great hardship can arise in the absence of such a system. It would lead to endless disputes and give rise to a great deal of contention and dissatisfaction, and I think we had better adhere to the principle embodied in these regulations, which was also contained in the recommendations of the select committee, and deal with the land, good and bad, alike. There is one other proposal in the memorandum which I made last year, which I should like to refer to. I will do so in very few words, for it was a proposal that did not meet with much favor, though I still entertain a strong regard for it. I allude to the suggestion for reserving certain lands in the South-West division for grazing farms,—a scheme by which fairly good lands, not so well suited for agricultural purposes as for pasture, should be set apart for occupation, and improved upon easy conditions, with the right of purchase. I concluded my outline of the scheme in these words, and I have no reason whatever to alter my opinion on the subject since I wrote them: "By the above means," I said, "the country would "carry more stock and support a greater "number of people, while it would give "certain tenure to the occupiers, and "peasant proprietaries would be estab-"lished. With regard to peasant pro-"prietors, it is recorded by a great "authority that 'no other existing state "'of agricultural economy has so bene-"'ficial an effect on the industry, the "'intelligence, the frugality and pru-"'dence of the population, or is on the "'whole so favorable both to their moral "'and physical welfare.' Instead of one "person holding one or two hundred "thousand acres there would be a large "number of families residing upon it, "and instead of one individual with "uncertainty of tenure, there would be "a number of families with a fixed and "certain tenure, stimulated to exertion "by the knowledge that the land they "were laboring upon would in a stated "period become their own, if the terms "and conditions were fulfilled." I am

sorry to say that amongst the nine members of the select committee I did not get one single supporter in favor of this scheme. But I believe that the principal reason of that was because in the opinion of my colleagues it would interfere too much with the vested interests of the colony. I do not think that is a bad reason, but it has not altered my own opinion on the subject. I still have great faith in the scheme. I feel like a certain doctor that I once read about, who, having discovered (as he believed) some specific remedy for a certain disease, said he had tried it on about twenty patients, but, though they all died, he still had the greatest faith in it. I also have the greatest faith in this idea of grazing farms, and I believe that hereafter the system will be adopted,—if not on the lines I have suggested, at any rate on something very like the same lines. Sir, I now come to the present proposals, and first of all I will deal with the question of alienation. In the Kimberley, North-West, Gascoyne, Eastern, and Eucla divisions—five out of the six divisions of the colony into which these regulations divide the country—after twelve months notice, the Governor-in-Council may declare an area within which selection may be made, the minimum quantity for selection being 100 acres and the maximum 20,000: and the only improvement necessary in order to acquire the fee simple will be that the land shall be fenced in, within three years. The object of this, as I said before—the object of only allowing selection within defined areas, is of course to give protection to the lessee. I think that those hon. members who are interested in these five divisions may be satisfied that the protection sought to be afforded the lessee is, if not adequate, almost so. During the past twenty years there has been no alienation of land, I may say, in these districts. Speaking with accuracy, the only alienation that has taken place has been in the case of lessees themselves, who, wishing to secure for themselves some isolated patch for a homestead or for water, have picked it out, as I have said before, for themselves; and I am inclined to think, from my knowledge of the country, that, during the next few years at any rate, the extent of alienation will be something the same as in the past. The land, generally speaking, is fitted for pastoral purposes rather than agriculture, and unless somebody is prepared to buy it for pasture, or unless some improved system of dealing with it is introduced, there is not much chance, in my opinion, of its being applied for and used for any other purpose. Another thing, hon. members must bear in mind—especially those interested in this far-off country—if we cannot get all that we desire, the next best thing is to take what we can get. It is better to accept with good grace that which is freely offered, than to wrangle for more than we are likely to get, and be defeated in the end. Of course we cannot vouch for the action of successive Governments. We cannot foretell what future Governments may do; but we must be prepared to put some faith in them, in a matter of this kind, affecting as it does the interest of the whole colony. We may have a Government whose policy may be altogether adverse to the Northern settlers, and who would declare large areas open for selection; but any Government that did so would have also to find purchasers to buy up the land within those areas. At present, and until the necessity arises, the Government, as far as I know, have no desire to declare areas in those parts of the country referred to, but it wishes to be empowered to do so when the necessity does arise. I next come to the South-West division—what may be called the home district of the colony—which is well suited for agricultural development. Under these regulations free selection will not be interfered with in any way. It is proposed that land may be sold in this district, in addition to the system of auction sales, either by conditional purchase or by direct purchase. There is also introduced a system of agricultural areas. Some people, I know, are opposed to agricultural areas, but I have the greatest belief in them. We only have to look at the few agricultural areas that we have—they are very few, I admit; but let us take the Greenough Flats. I would ask whether, if indiscriminate selection had been allowed in that district, the condition of things would have been as good as they are at present? I think not. The same thing would occur in every part of the colony. We would have the best land selected for agricul-

tural purposes, roads and reserves looked after, and then the country thrown open to selection. We would have plans of the land to be obtained for a mere trifle, and anyone coming to the colony inquiring where land could be found would be provided with a map showing what areas remained unselected. This is the principle that is in force in South Australia, and which has been in force since the colony's foundation, and it is a principle that has worked well there. There is no other colony that has such a nice complete system of surveys as the South Australians have. There, you do not have the squatter picking out the eyes of the country. Land is only sold after it has been laid out, and the consequence is that the squatter is perfectly secure, until the land is required for agricultural purposes. I may point out, however, that the difficulty of selecting agricultural areas is far greater now than if that system had been adopted here in the past. The country, as I have already pointed out, has been spoilt by these small blocks that have been bought up all over the place. What we insist upon in these regulations is improvements and residence. Many may object to the residential clause, but I believe myself it will have the result of settling people on the soil,—which, after all, is what we want. The maximum area allowed for selection on conditional purchase is 1000 acres, the rent charged being at the rate of sixpence per acre for twenty years, the license to issue for five years, during which the holder must fence his land. He will then get a lease for the remaining fifteen years, and if at the end of the twenty years he has spent 10s. an acre upon his land in improvements, besides fencing —and these improvements may consist of anything that will permanently enhance the value of the land—they are described in the regulations—buildings, tanks, clearing, etc.—he will be entitled to the fee simple of the land. If at any time after the license—after the expiration of five years—the required improvements have been made, and the full purchase money paid, the man will get the fee-simple of the land. The object of the regulations, as everyone will therefore see, is to encourage the improvement of the land; and, with that end in view, there is a residence clause, under the conditional purchase system. In framing these regulations, the select committee proposed that a certain amount of protection should be given to what are called vested interests. Under these regulations any existing pastoral lessee in the South-West division will be allowed, without the condition as to residence, to obtain a conditional purchase of land, in one block, adjoining his homestead, provided that the quantity does not exceed, with the land otherwise held by the lessee, a total of 5,000 acres. He will also be able to surrender some of his freehold blocks for a more compact area, if he wishes to do so, and the Government will be empowered to pay for these freehold blocks either in land or in money. There is also a better plan, I think, provided for paying for improvements. It may be looked upon by some hon. members perhaps as somewhat cumbrous, and I am not prepared to say that it is not so; but, at present, this question of payment for improvements is a very troublesome one, and I very much doubt whether one-half of the lessees whose improvements are bought are ever paid at all. It is a very troublesome question not only to the lessee and to the Lands Department, but to everybody else connected with it,—how to value the improvements that are purchased, in the first place, and, afterwards, how to see that the lessee is paid for them. The object of these regulations is to try to simplify this matter, and to do justice to the pastoral tenants. Pastoral tenants, however, the same as agriculturists, must, so far as I have any power in the matter, utilise their land and improve it. It has often been said—I have heard it myself, and no doubt other members have—that I have not that amount of sympathy with the pastoral tenant that I have with the agriculturist. Although I do not think there is any foundation for that idea, I have often heard it. I may therefore be allowed to read what I said in 1883 on the subject. I said:—"As to pastoral tenants, they must have protection. It is unreasonable to expect that men will improve their runs if they are subject to be bought out at any moment; and, in those districts not suited for agriculture, the more security that is given the better will it be for the country and

all concerned. I think the tenure of leases under the present regulations most insecure and uncertain, and not such as should be followed in dealing with a new country. Lessees have no other security than that if any one purchases the improvements of another, whether they be valuable wells, tanks, dams, fencing, homesteads, etc., he is only obliged to pay the actual cost of the improvements to the lessee. I do not believe that it is in the interest of the country to encourage or compel a leseee to purchase land fitted for agriculture, except for cultivation or improvement. As a general rule, besides impoverishing the lessee it has for an object the injury of the Crown estate for the purpose of a monopoly. I am in favor of tolerably long leases in localities which are not required for agriculture; and in the Central District, much of which is well suited for agriculture, and especially in the more southern portions of the colony, for the homes of a large peasant population, the creation of areas and townships in many localities, with power to the Crown at any time to make reserves for such purpose, should be encouraged." That, sir, was my view in 1883, and it is exactly my view at the present time. With the pastoral regulations in the past I have no fault to find. I believe they have given every encouragement to the tenant,—the pastoral regulations I mean outside the South-West division (and in that division, too, except as regards protection); but I am alluding more especially to the pastoral regulations outside that division. I have known, in many parts of the colony, large pastoral areas held by persons without doing a single improvement upon them, or without utilising them in any way—there has not been a sheep within a hundred miles of them. What has been the result? Many persons who have come here and would have settled here have departed from our shores because they could not get any land within a reasonable distance of the sea coast. That, sir, is a state of things that ought to be put a stop to. I think that these lessees ought to be compelled to utilise the land which they lease from the Crown. I regret very much, and I have no doubt every member of this House regrets, that in the code of regulations now before us there is no adequate or proper protection afforded to pastoral lessees in the South-West division. I have thought the matter over from every point of view. I recognise that they deserve protection, but I am altogether unable to recommend anything that would give them adequate protection without interfering with the agricultural development of the country. The only plan would have been—but I think it is too late now to think of it, and it would not be acceptable to the country—the only plan would have been to have survey before selection and the declaration of agricultural areas. That is the only plan which appears to me to afford a solution of the difficulty,—the South Australian plan, in fact. But people here have been so accustomed to be allowed to go where they like for the land, that I think the system would not now find favor here. People have been so used to have their own way that any such plan as that in operation in South Australia would not be at all favorably received. I may however point out in reference to this South-West division—and I make the remark in view of a statement made in a local paper this morning, that only annual leases would be given in the South-West division. I may inform the House that the South-West division as regards the proposed duration of leases is in the same position as all the other districts. All leases will be computed from the 1st of January preceding the date of the application, and will expire on the 31st December, 1907; so that the South-West division lessees will be in precisely the same position in this respect as lessees in all the other districts. I next come to the question of rental of pastoral leases; and I will commence with the North-West, the Gascoyne, Eucla, and Kimberley districts. Hon. members will see that the same rent is to be charged in all these districts,—10s. per thousand acres for each of the first seven years; 15s. for each of the second seven years; and 20s. for each of the third seven years. I think myself I may say that I agree with these rates, and for this reason: I believe that the country in these districts is similar, and that the interests of the districts are similar. It is impossible to make regulations that will affect everyone alike. For instance, some people argue that those holding

land near the sea should pay more than those holding land in the interior, as the former would not have so much carting to do. That is true enough; but how are you possibly going to place everyone in the same position? It is a physical impossibility. After all, we must look at this matter in a broad light. We must look at what comes off the land, rather than what we receive in rent; and, if some are more fortunate than others as regards the position of their land, all I can say is—so much the better for them. In the Kimberley and Eucla divisions there is a reduction during the first fourteen years of the lease, for stocking, provided the necessary quantities of stock are in the district within a certain time,—five years. This is in lieu—so far as the Kimberley district is concerned—of the stocking clause in the present regulations; and it was thought that, in the interests of the district itself, while encouraging persons taking up land there to stock it, it will at the same time not necessitate their forfeiting the land altogether in the event of their not being able to stock it within the required time. When the select committee of last year were pursuing their labors, the prospects of this district were not so bright as they have become since the discovery of gold there; but, even now, on those beautiful banks of the Ord, where some hon. members and other persons believe gold may be found everywhere, there are many blocks of land still open for any hon. member of this House who may wish to do so, or for anybody else, to take up. I believe this regulation will be a boon to Kimberley leaseholders, and also to Eucla leaseholders—at present there is no stock at all on the table land in the Eucla district, no water having been discovered—and, I think these lessees ought to be liberally dealt with. I think it is a boon that will not only prove acceptable to the settlers themselves, but also be a good thing for the colony, too. It will be noticed also that there is a new division, the Eastern division. The rent there is proposed to be very low—2s. 6d. per thousand acres, for each of the first seven years; 5s. for each of the second seven years; and 7s. 6d. for each of the remaining seven years. This is in the interior of the colony, and as a rule the land is very poor. It was thought that every encouragement ought to be given to take up large areas in this division, with a view of settling and improving the country; and I think that this concession, this low rental, may encourage the occupation of some of that country. I have no doubt that some hon. members may consider that these rates for pastoral lands, owing to the depression in the price of wool and other reasons, are too high. I have heard from a good many quarters, the Press and other sources, that no increase in rentals should take place at all. Well, sir, the present regulations contemplate no increase, so far as most of the leases now in existence are concerned; but, as in our financial arrangements we have acted upon the assumption that we shall receive an increase of revenue from some of these lands, I think, if possible, we should keep that in view and not make any reduction in the present rents. For my own part I think the proposed rentals are fair and reasonable, and I believe that as a general rule the lessees will gladly accept them. I have formed this opinion from my knowledge of the country and of the people, and also from the value I notice unoccupied country now possesses in the market. I am in a pretty good position to know the value of unoccupied lands brought into the market, and I notice, very often, that leases altogether unimproved, without a shilling expended upon them, bring a considerable amount. I think that in fixing these rentals no one can accuse the Government of any wish to screw more rent out of the lessees than they can afford; and I hope hon. members will accept this view, and look upon the rental placed upon the land as a reasonable and proper rental, under all the circumstances. Hon. members will also notice that there is a penalty for non-stocking in these regulations, that is to say—if the lessees do not stock their runs within seven years they will have to pay double rental for the remainder of their term. Anyone who holds land for seven years and fails to stock it, I have no sympathy with; he ought, I think, to be subject to some such penalty, or be compelled to give up his land. As I have already said, although the code now before the House may be regarded as a Government measure, it is, in nearly all its important features, the same as the

measure proposed by the select committee of this House last session. The same principle that we wish to see adopted as regards agricultural land, we also wish to see followed as regards pastoral land, the principle, namely, that those who wish to hold the land must improve and utilise it. We next come to poisoned land. Unfortunately, portions of the colony in the South-West division are infested with a poison plant, and we have made some little improvement in the clauses dealing with these lands. They are nearly the same as the regulations now in force, with this exception, that whereas for the want of some slight amendment the present regulations are almost unworkable, additions and alterations have been made in these which will, I think, be found to make them work very well. Clause 79 deals with the payment of rents; and there, again, I think hon. members will see a great improvement. At present if the rent is not paid by the 1st March the lessee must pay 25 per cent. more, no matter from what cause the default was made. The penalty under this new clause is on a sliding scale. Should any lessee under these regulations fail to pay his rent on the 1st March, when it becomes due, he will have thirty days grace by paying five per cent. additional rent; sixty days by paying an additional ten per cent.; ninety days by paying fifteen per cent.; and 120 days by paying an additional twenty per cent. If he does not pay within that time he forfeits his land, together with any improvements that may be upon it. I think these are as liberal conditions as could be desired, and I believe they will be very acceptable and be found to be a great improvement upon the regulations at present in existence. In the regulations relating to mineral lands no important alterations are contemplated. I am afraid the select committee did not take that interest in the regulations affecting mineral lands which we would have done if the industry had been in a more prosperous condition, but I think we have introduced, on the suggestion of the hon. member for the Greenough, one improvement that will have the effect of giving some security to the prospector. The timber regulations are almost the same as those now in force, with a few unimportant alterations. Sir, I think I have now gone through the proposed regulations sent down by His Excellency the Governor, and I shall have very few more words to say at this stage, because all matters of detail can be dealt with as the regulations pass through the House, as I hope they will, clause by clause. I believe that the general tendency of land legislation, in Australia at any rate, is opposed to the alienation of Crown lands by sale. I do not give my own opinion on it, but I believe the day is coming when our countrymen all over the world will object to the sale of the public estate. We see this tendency everywhere. We find it all over these Australian colonies. No one can now buy up a large estate from the Crown. The object aimed at in their land regulations is to settle population on the land, and I think that, with that end in view, the residential principle is a good principle to follow. I do not think that any of us wish to see this enormous territory of ours always occupied by a handful of people. We do not wish to see what we see even in the other colonies, huge areas of hundreds of thousands of acres in the possession of one man, to do with as he likes. Such a system of alienation can only give rise to difficulties and troubles in the future; and, taking that view of the subject, all these colonies are now adopting the New South Wales system, limiting the area to be held by individual holders. Of course you cannot apply the principle for ever. When a man gets the fee simple of his land he may do what he likes, sell it or keep it, but, having made himself a home, he will be very likely to retain it. It may be said that we want to encourage the introduction of capital here. I quite agree with that, and I believe it will come in good time. But I do not believe in introducing capital here in order to purchase land, unless that land is to be utilised and improved. In concluding these remarks I can only say that I repudiate the idea that there is anything revolutionary about these regulations. "Revolutionary" is a very high-sounding word, and some people are very fond of using it; but I look upon anything revolutionary as an attempt to rob or to take away something that belongs to another. Regarded in that light, I see nothing

revolutionary about these regulations. They are really, if you come to consider them and understand them, very much the same regulations as we have in force to-day, only much improved. We have introduced a new principle, that residence and improvement shall be a *sine qua non* condition of alienation of land on easy terms from the Crown. Hon. members must also remember that these are not my regulations personally. They are the regulations of the Government,—they are the regulations proposed by the select committee, and adopted, with some alterations, by the Government. I may not agree with them in every particular, but they are the best we can get. They are based, in my opinion, for the most part on good and sound principles, and are almost in accord with my memorandum of last year. In that memorandum I said:—"The "main object I have in view is to settle "a population—'a bold peasantry'—on "the soil; to see the country utilised and "occupied; to encourage the agricultural "progress of the colony; and, while do- "ing this, to give as much security "as possible to the pastoral tenant, es- "pecially in localities not suited to agri- "cultural development." I am satisfied, sir, that if we take this step forward in our land legislation, if we accept and maintain this great principle we shall have taken a decided step in the onward path of progress, and it will be easy to add to a work commenced on so sure and certain a foundation. For my own part I look forward, sir, to the working of this land scheme without any foreboding of evil or disaster, for it is based on the broad principle that only those who will use the land shall have the control of it. Sir, we are given a great privilege, I think, to legislate upon this subject, connected as it is with the natural heritage of the human race. We have a great duty to perform, we have a difficult task entrusted to us; let us approach it with care and without passion, and with a desire to do, as far as in our judgment lies, simple justice, always bearing in mind that in dealing with this land question we are endeavoring to solve a problem which "in all lands and through all human story" has been found to be one of very great difficulty.

On the motion of Mr. HARPER, seconded by Mr. MARMION, the debate was then adjourned until Wednesday, July 14.

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

LEGISLATIVE COUNCIL,

Thursday, 8th July, 1886.

Rabbits on the mainland, near Albany—Excess Bill, 1881: in committee—Hawkers Act, 1882, Amendment Bill: in committee—Reopening of certain Pearling Banks on the North-West Coast—Legislative Council Act (Increase of Members) Amendment Bill: in committee—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

RABBITS ON THE MAINLAND, NEAR ALBANY.

MR. GRANT, in accordance with notice, asked the Acting Colonial Secretary if it was true that rabbits had been found to have established themselves on the mainland, near Albany, and, if so, what steps had been taken for their destruction: and did the Government intend to carry out the Rabbit Act in its entirety, on the islands as well as on the mainland? The hon. member said that since the report was made in the newspapers that rabbits had been discovered near Albany, great anxiety had been felt as to the action of the Government in the matter, and the public were very desirous of knowing whether the authorities were fully alive to the danger of these rabbits spreading. He thought it was most desirable that the Act should be enforced at once against this scourge, and that there should be no dilly-dallying in the matter.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith) replied:—Rabbits have been found to have es-