ditions of improvement. After the goldfields have ceased to draw men away so largely in that direction, we shall have large numbers returning to the towns and loitering about the streets, and perhaps living in wretched tenements, because of there being no inducement for these men to settle on the land as cultivators. Clause 40 in the Bill provides for these men, for nothing presents so great a charm to a labouring man as the prospect of obtaining a block of land, however small, which is to be all his own. If the Premier will be wise in the matter, he will eventually have reason to congratulate himself on having dealt liberally towards the labourer and the artisan; and when we reach this part of the Bill in committee, I will ask hon. members, representing both town and country, to consider that, while making provision for the men who can take larger areas, the artisan and the labourer are, as a class, of as great value to the country as the large farmers. So long as we import almost every necessity of life, although we have a good rainfall over a large portion of the colony and the average yield of corn here is equal if not superior to the average in the best portions of Australia, we shall continue to have the finger of scorn pointed at us as a non-producing people. I intend to support the second reading of this Bill, confessing, as I do, to a disappointment that it is not more liberal in some of its provisions. Still, I believe that if our Premier had had his own way, he would have again tacked on to it a sum of £40,000 for making advances to new settlers, as he did in the last Homesteads Bill which he introduced.

On the motion of MR. A. FORREST, the debate was adjourned.

ADJOURNMENT.

The House adjourned at 10·2 p.m.

Legislative Assembly,

Thursday, 3rd August, 1893.

Motion for Adjournment: Approach of Rabbits from South Australia—The Hampton Lands Provisional Agreement—West Australian Land Company's Railway Rates—Constitution Act Amendment Bill: in committee—Adjournment.

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

PRAYERS.

MOTION FOR ADJOURNMENT: APPROACH OF RABBITS FROM SOUTH AUSTRALIA.

MR. HASSELL: I rise to move the adjournment of the House, for the purpose of calling attention to a matter of great urgency to this colony, namely, the reported approach of rabbits from South Australia towards the border at Eucla. I wish to read, for the information of the House, a letter from a settler, who is a trustworthy and reliable man, as follows:—

Eucla, July 4, 1893.

To A. Y. Hassell, Esq., M.L.A., Albany.

Dear Sir,—I wish to draw your attention to the rabbit question, which the Government should attend to without delay. It will be a very serious matter for the whole colony if rabbits once establish themselves in the Eastern Division of this colony. It will cost Government thousands of pounds per annum to keep them down, and to get rid of them altogether is found impossible in the other colonies. I am informed the manager of the Nullabor Station has been fumigating rabbit burrows, some months ago—this is the nearest station to our East boundary—and I hear from men who saw them that rabbits were plentiful 100 miles north-east of the Bight, twelve months ago, and as they are supposed to travel 100 miles a year across new country, there can be little doubt they will be over our boundary line in a year or two, at most. A good rabbit-proof fence is all that can stop them. The first 50 miles of fence, starting from Wilson's Bluff, six miles east of Eucla, and running north along the boundary line, would be easily and cheaply erected; after that, for 50 miles it would be more expensive, until the timber and sandhills were reached, on the north side of the Nullabor Plain. I am sure you will put this matter strongly before the House, for if something is not done to stop them you may have the rabbits undermining the houses in the town of Albany, in a few years, as they are now doing in Streaky Bay. I may also add that the reports of owners of runs on the outskirts of the rabbit country are not always to be depended on, because if rabbits are known to be on a

block of land, it not only lessens the value of the land by about half, but in South Australia if the owner cannot destroy the rabbits, the Government put on a party to do so and charge all expenses to the landowner, consequently they keep it to themselves as long as the rabbits will allow them. So, if our Government want really reliable information they should appoint some trustworthy person that is used to bush travelling, to inspect the country between that known to be infected with rabbits and our border, and see how far away they really are. Camels could be procured here for this, if required, on hire. The poison plant now makes W.A. very backward for grazing purposes, but if the rabbit pest be added, it will make it almost useless, not only for stock, but for growing crops as well. Hoping something may soon be done in this direction, I remain, dear sir, yours faithfully,

F. W. BEERE.

P.S.—Since writing the above, I have spoken to the Fowler's Bay mail contractor, and he reports that rabbits have been seen this side of the Malliby Shed, that is 90 miles east of the W.A. boundary and 20 miles this side of the Nullabor Station; and also that they are getting numerous this side of Fowler's Bay, where a few months ago they were almost unknown.—F.W.B.

I received the foregoing letter last week, and since then I have received a telegram from the same settler, dated Eucla, 28th July, which says:—"Just received reliable information, rabbits 36 miles from boundary.—F. W. Beere." Therefore I would urge on the Government and the House that something must be done to protect this colony, as far as possible, from the incursion of rabbits.

MR. CANNING: In seconding the motion, I will add a few more words as to the serious importance of this matter. We all know how disastrous has been the spread of rabbits in the eastern colonies. Pastoral stations that were formerly of very great value have become practically valueless, being incapable of supporting even a small number of stock; and if this pest extends to this colony, I am afraid a great blow will fall upon the pastoral interest, for if once the rabbits cross our border, we shall be unable to check their spread. I would suggest that the Government should take immediate steps, in the first place, to ascertain whether it is really a fact that the rabbits are so near our border, and, in the next place, to take steps for preventing, as far as possible, their crossing into this colony. For accomplishing the first object, I would suggest that some really trustworthy person should be sent there, as the expense of doing so would be nothing in comparison with the enormous interests involved. It is most desirable that this statement should be investigated, and a full report be made to the Government, who might then forthwith take the necessary measures for preventing the rabbits from passing the border, if the report be found true that they are so near. Something can be done now, to prevent the spread of this terrible scourge, for it is nothing less, to the pastoral interest; and, therefore, no time should be lost in taking some such measures as I have suggested, or other measures which the Government may, in their discretion, think fit to take. I merely offer these suggestions; but this is not a matter that should be allowed to sleep. Immediate action should be taken. Every member of this House is interested, directly or indirectly, in the pastoral interests of this colony, and I would suggest that the Government might with confidence incur any reasonable expense that may be necessary to prevent the rabbits from passing the border.

THE PREMIER (Hon. Sir J. Forrest): I should have preferred that these reports were somewhat more definite and reliable. I have, myself, received a telegram this morning from a settler at Eucla, who very often writes to me on the subject. I wish he had gone out himself, and personally looked for signs of the rabbits being so close to the border. Hon. members are aware that I consulted the Government of South Australia on this subject, a few days ago, and they replied by telegraph that they had a party of men at work boring on the Nullabor Plain, and the men had seen no signs of rabbits in that district. I also made inquiries, at the same time, through the postmaster at Eucla, and he replied that he did not believe any rabbits were near the border at Eucla—certainly not nearer than at the Bight, 140 miles away. It seems to me difficult to do much more, unless we send someone to make a report from actual observation. All these reports come from persons who state only what they have heard. Not one report has been received from any person who has seen the rabbits. Then, if the rabbits are there, the question arises, how to stop them from coming on. Fencing is some sort of stoppage, but I am not sure that it is an effectual

means of preventing rabbits from coming on. Fencing would cost an immense amount of money; and while I am quite with the hon. member as to the necessity of preventing rabbits coming into the colony, and am willing, should there be any reason, to propose a vote for erecting a fence, if it is necessary, yet at the same time I hope we shall not get scared as to rabbits by every report that comes to us from persons who have not seen them. The writer of the letter which has been read to us is, I believe, a reliable person, but he speaks only of what he has heard, and all sorts of reports go about. It was explained by the postmaster, in his report to me, that the traces supposed to be those of rabbits were really the droppings of some goats which had been kept near a well by a boring party while sinking it, and I believe they were mistaken for the droppings of rabbits. I can only promise the House that I will at once take further steps to make reliable inquiries, and I will endeavour to get an independent report of a reliable nature.

Motion put and negatived.

THE HAMPTON LANDS PROVISIONAL AGREEMENT.

MR. HARPER, in accordance with notice, asked the Premier whether it was the intention of the Government to carry out the undertaking contained in the 9th clause of the Provisional Agreement between the Government and the Hampton Lands and Railway Syndicate, Limited, which was signed on the 23rd October, 1889, and approved by the Legislative Council on October 30th, 1889.

THE PREMIER (Hon. Sir J. Forrest) replied: The provisional agreement, dated 23rd October, 1893, was, under Clause 13 of that agreement, subject to the approval of the right honourable the Secretary of State for the Colonies, and that approval was never obtained. On the 18th June, 1890, a fresh agreement was made between the Government and the Hampton Lands and Railway Syndicate, containing the same provisions as the provisional agreement, excepting that clause 9 was as follows:—"The Crown grants for lands purchased shall contain the usual reservation of mines of gold, silver, and other precious metals. The Government shall grant to the syndicate, on its application, a permit to work all the metals reserved by such grant, in accordance with the regulations authorising such permit." The Government are bound by the agreement of the 18th June, and have no power to act under the provisional agreement of the 23rd October, which never came into force.

WEST AUSTRALIAN LAND COMPANY'S RAILWAY RATES.

MR. MONGER, in accordance with notice, moved, "That in view of the excessive rates charged by the West Australian Land Company for the conveyance of agricultural produce and other commodities for the use of the settlers, it is desirable, in the opinion of this House, that the Government should endeavour to arrive at a more satisfactory arrangement with the said company, whereby the rates will be rendered, as far as possible, uniform with those on the Government Railways." He said: This motion is the outcome of several questions which I recently put to the hon. the Commissioner of Railways. Previous to my putting those questions, the general impression existing outside this House was that owners of the Great Southern Railway were bound by the rates of charge on railways as fixed from time to time by the Government; that though they might charge as much less as they liked, they could not charge more; and it was not until the Commissioner replied to my questions that the public were relieved of that impression. I was pleased to notice last night, when the Premier was addressing this House on the Homesteads Bill, that he informed us the principal object of the present Government was to promote the settlement of the country, and, to this end, they endeavoured to give cheap communication by railway. I am sorry this was not one of the objects the West Australian Land Company had in view when they attempted to settle the large area of private lands which they hold along their railway. The Commissioner, in replying to my questions, stated that the Government were aware there was a slight difference between the charges made by the Company and those made by the Government. But I think I shall be able to show to hon. members that the difference is not a slight one, but a very considerable one. As far as I can judge,

the object the Land Company seem to have had in view has been to deter settlement as much as possible; for instead of assisting the settler, as the Government have recently done by the modification of their charges for the carriage of produce over long distances, the Land Company have left their rates the same as they have been for years past, and, in most of the cases which affect the settlers, these rates are at least 50 per cent. in excess of those charged by the Government. It is not my wish—knowing that the Land Company are not in a very strong financial position, and knowing that they are reported to be losing money—to say anything at the present moment which might be construed into taking advantage of them when their position is not too satisfactory. But I think all will agree with me that the position of the settler on the line of the Land Company's railway is very different from that of the settler near one of the Government railways. It is needless for me to point out all the differences that exist between the items in the two railway tariffs. I will deal simply with those affecting the settler. For instance, the charge made by the Land Company for the carriage of agricultural implements over their railway a distance of 50 miles is 27s. 4d., as against 14s. 2d. on the Government railways, and for a distance of 200 miles the charge is 69s. 6d., as against 35s. For the conveyance of wool bags, corn sacks, and similar articles, the charge made on the Great Southern Railway for 50 miles is 19s. 9d., as against 8s. 4d. on the Government railways, and for 200 miles the charge is 49s. 6d., as against 20s. 10d. For the carriage of hides, skins, galvanised iron, and fencing wire, the charge on the Great Southern line for 50 miles is 19s. 9d., as against 13s. 4d.; and for 200 miles it is 49s. 6d. as against 34s. 2d. I think these comparative figures will be sufficient to show that the Land Company's charges are not such as to give the settler along their railway the same facilities of cheap transit as the Government have given. I should like to see the whole of the railways in this colony in the hands of the Government, if only the private railways could be acquired at a satisfactory price, but I suppose that will never come to pass; and one of my principal reasons for bringing forward this motion is to point out to hon. members, and to the Commissioner of Railways in particular, the great difference existing between the rates of a private company and the rates on the Government railways, and to ask that the Commissioner will take care, when the Midland Railway Company complete their line and submit for his approval their first schedule of traffic charges, to ensure that the settlers along the Midland line shall be placed in as favourable a position, in respect of rates, as are the settlers along the Government railways. I understand that, no matter what might be agreed to by hon. members of this House, there is no power to make the owners of the Great Southern Railway alter their rates; and the only satisfaction I have, in submitting these comparative charges to the House, is that the fact will go out to the whole colony that the settler along the Great Southern Railway is not placed in the same position as to traffic charges, nor are the same advantages given to him, as the settler along the Government railways of the colony.

MR. TRAYLEN seconded the motion.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn): I had not intended to say anything on this occasion. This is a question that almost entirely affects the Great Southern Railway proprietors. I may say that it is a fact that in the old schedule of rates there was great similarity between the rates charged on Government railways and those on the Great Southern Railway; but the Government have lately adopted a different principle altogether, and one that is on its trial; and I hope and believe the result will redound to the credit of the Government, and be of immense advantage to the colony. The new principle is a lowering of the charges for carrying produce grown in the colony, and putting the whole schedule on a milcage basis; and this change has very considerably reduced the freights charged for produce carried long distances, while it has rather increased the freights charged on many articles that are not of local production, when carried short distances; so that, as far as the Eastern and other Government railways are concerned, we hope the difference in the revenue from one class of articles will make up for the difference in the other class, and that

there will be no great loss of revenue from the large reductions made, but that the revenue as a whole will be increased, as a result of the greater assistance and encouragement given to the cultivation of the land. The owners of the Great Southern Railway have not yet recognised the new principle we have introduced; but hon. members will see that, as the new principle has been in operation on the Government railways only a few months, it is impossible to say how far the rates on the Great Southern Railway may be altered, for approximating them to the rates ruling on the Government lines, when the results of the new principle became more fully evident. I am in great hope that the rates will be approximated, because it is an unpleasant sort of thing to have different rates ruling on a private railway which intersects with the Government railway. I hope the Land Company will shortly alter their classification, and so place the long-distance traffic on the same scale of charges as those ruling on the Government railways. If they do not make the alteration, the only way to settle a question of this sort will be to go to arbitration; but I rather think that the force of circumstances should dictate to the Company the proper course to pursue. I feel sure that the manager of that Company, alive as he is to its interests, will very soon alter the classification so as to assimilate to the classification on the Government railways. It is manifestly against the Company's interests for this to be otherwise. Hon. members will see it is no use trying to coerce the Company into it, but we should rather trust to the force of circumstances for inducing the Company to assimilate their classification. The Government have not had any communication with the Land Company as to the reduction of their railway rates; but, without a doubt, this motion will stimulate them to take some action, and I hope the action will be in the direction indicated by the motion.

MR. R. F. SHOLL: I think hon. members ought to consider that the object of a private company like that which owns the Great Southern Railway is quite different from that of the Government in respect of their railway policy. As far as the Government are concerned, they consider it is good policy to lower the railway charges as a means of assisting the agriculturists to send their produce to market at reasonable rates; but, as regards this private Company, I think it is a matter for the Government as well as the Company to consider whether the rates charged are fair, and not to compare the Company's rates with the lower rates which, as a matter of policy, the Government may consider desirable and indirectly remunerative. The two cases are quite different. A low rate may be wise in the one case and the reverse in the other. The only question the Government have to consider, in viewing the Land Company's rates, is whether those rates for goods and produce are fair in themselves. The hon. member mentioned that he would like to see all the railways in the colony possessed and worked by the Government, but I think they would be more efficiently worked by private companies, and that this plan would save hundreds of thousands of pounds to the colony.

Question put and passed.

CONSTITUTION ACT AMENDMENT BILL.

IN COMMITTEE.

New Clause.—"After second rejection by Council of any Bill, a joint sitting of both Houses to be ordered":

MR. DEHAMEL moved that the following new clause be added to the Bill:—

"In the event of a second rejection by "the Legislative Council of any measure "which has been twice passed by the "Legislative Assembly, the Governor in "Council may order and direct a joint sit-"ting of the members of the Legislative "Council and Legislative Assembly, in "same Chamber, for the purpose of "jointly considering any such measure; "and the proceedings on the first, second, "and third readings respectively, and in "committee thereon, shall be in accord-"ance with the Standing Orders for the "time being, and the passing or rejection "of such measure or of any clause there-"in or amendment thereon shall be de-"cided by a majority of those present "and voting thereon, and such measure "shall, on passing the third reading, "thereupon have the same force and "effect as though it had been so passed "by the Legislative Assembly and the "Legislative Council in separate session."

He said the object of the new clause was to prevent the delays and conflicts, and

to avert the evil and disastrous consequences, which must ensue from collisions and protracted deadlocks between the two Houses of the Legislature. While amending the Constitution of the country, it was manifestly their duty to provide for what might, as well as for what must, occur. Conflicts and deadlocks were certain to occur, and these should be provided against. By so doing, hon. members would not either invite or cause them, but rather go far to prevent their occurrence; and if they should occur, there would be the means provided for solving the difficulty, and for speedily terminating any deadlock. In the history of all Constitutional Governments would be found frequent reference to collisions between the two Houses. Those which had happened in the mother country were too well known to need special reference; but on looking to see how they were averted or terminated, it would be found that they were so by the interposition of the Sovereign in exercising the prerogative of appointing new peers to the Upper Chamber, so that certain measures should receive a sufficient majority to carry them. Would a similar course be possible in this colony, if the Constitution provided in the present Bill were adopted? The Upper Chamber was not to be nominative, but elective, and the number of its members had been fixed in the Bill at 21. Therefore, no means would be available for averting or ending a deadlock by increasing the number of members in the Upper Chamber. It might be thought that a dissolution might meet the difficulty, but in that case the members of the Lower House would be sent to the country, while the members of the Upper House could not be so sent, and therefore a dissolution would in no way remove the difficulty. A deadlock might continue for four or more years, before members having different views might be elected to the Upper Chamber, in such number as to carry the measure in dispute. Fancy what would be the evils and the bitterness of a conflict between the two Houses, during even two years, and much more so if it continued four years! Turning to the history of other Australasian Parliaments, in South Australia, Victoria, Queensland, Tasmania, and New Zealand those conflicts which he was anxious to avert had occurred. In South Australia a dispute arose over the new Parliament Building Bill, commencing in June of 1887, and lasting until November, when it was finally settled. In Tasmania, a dispute occurred in 1879 over the Supply Bill, and the result was that it involved a session of eleven months before it was settled. In Victoria the differences between the two Houses, in respect to financial matters, had been of long duration, and prosecuted with greater acrimony than in any other colony. In 1865 the first difficulty in Victoria occurred, followed by a deadlock, and during that period the conduct of the Governor was marked with so much indiscretion as to lead to his recall. Thus, the consequences of a deadlock might be serious and far-reaching. The next serious dispute occurred in 1867, about voting a pecuniary compensation to ex-Governor Darling, the Council refusing its assent, and there ensuing a deadlock, with various Ministerial changes and complications. In 1877, further dissensions broke out between the Assembly and the Council, arising from the introduction by the Assembly of the payment of members, a settlement being found after a long protracted session. In July, 1878, the Governor referred, in his opening Speech, to four distinct occasions on which the machinery of legislation had been brought to a standstill in that colony, and an amendment of the Constitution was suggested. A Ministerial Bill for that purpose was submitted to the Assembly by Mr. Graham Berry, the then Premier, as related by Todd in his work on "Parliamentary Government." Having shown that deadlocks did occur, and that the one suggestion for settling them, by adding a certain number of members to the Upper House, would not be available when the number of that House became fixed, as it would be here under the new form of election, he submitted that he had made out a case for the adoption of the remedy contained in the proposed new clause. It might be objected that the remedy was novel, unnecessary, and unacceptable. When any new thing was proposed by a private member, the Attorney General always took exception to it and found some flaw in it; but, on this occasion, that hon. gentleman might be inclined to treat this clause with some amount of respect, when

informed that it was not his (the mover's) clause, but that in bringing it forward he had stolen the brains of another man, to whom he now wished to give due credit, namely, the greatest statesman of the age, Mr. Gladstone, who had himself adopted it from a series of resolutions which had been submitted to the House of Representatives in New Zealand, in the year 1878. It was there proposed that after any Bill had been rejected in two successive sessions by either House, then both Houses should sit together, and should decide by a two-thirds majority whether the particular Bill should pass and be presented for the assent of the Crown. That scheme had been proposed in New Zealand while there was a nominated Upper House, and it was objected to by the Ministers of the day as not applicable, their Attorney General contending that there was always available the power of appointing additional members to the Upper House, for terminating a deadlock. But in Western Australia this expedient would be no longer available, with an elected Upper House, and therefore that argument could not apply here. Having the opportunity now of providing a remedy for deadlocks which had occurred elsewhere, and must occur here, he warned those who might reject this remedy that they would always regret their action in allowing the present opportunity to pass unused. The principle of this clause had been adopted in England itself.

THE ATTORNEY GENERAL (Hon. S. Burt): Where do you find that?

MR. DEHAMEL: The clause had been adopted in England, so far as the House of Commons was concerned. In proposing it here, he was not wedded to the wording of the clause, nor to the detail as to whether the disputed Bills be carried by a bare majority or a two-thirds majority; it was also immaterial whether the joint sittings be held by direction of the Governor-in-Council, as proposed, or simply by law without special direction; it was immaterial also whether the clause should apply to Bills rejected by the Upper Chamber or by either Chamber. Had he seen the New Zealand proposal before he found this plan in the Home Rule Bill, he would have adopted the wording of the New Zealand proposal. It was the principle he was striving for; and, without such a provision, the Constitution Act must be a fallacy, and would lead to great evils in the future.

THE PREMIER (Hon. Sir J. Forrest) said that those hon. members who were better acquainted with Australian precedents than the mover of this motion would remember the struggles which had taken place between the two branches of the Legislature in the Eastern colonies; but the hon. member who proposed this clause had had to go a long way back to find the cases he quoted. The case of ex-Governor Darling must be twenty years old. More recent instances than those quoted would have been preferable for this argument. The fact was that in all new Legislatures, where one branch was unwilling to give credit to the other branch for good intentions, difficulties and disputes must arise. In the same way, the young men were found to be more quarrelsome than old men. As people got older, they grew wiser, and, in the same way with Parliamentary institutions, experienced politicians were more inclined to give credit to the other side, or to the other House, for doing what might be by them thought right. Under the present Constitution Bill, the two Houses were to be elective; the differences between the franchises of the two Chambers would not be very considerable; and he was not disposed, in these early days of Constitutional Government, to do anything tending to show distrust of the future, or distrust in the working of the institutions which they were about to bring into operation. He wished to respect the Constitution of the colony, as they proposed to make it in the Bill; and he preferred that it should be based on the lines which had proved of value in all other parts of the British dominions where elective Houses were in existence, and proved also in the working of the Constitution in the mother country, where one House was not able to coerce the other House by any means whatever. If it was wished that one House should be enabled to coerce the other, it would be better not to have an Upper House at all. Each House should respect the other; and, after all, when individuals or Houses differed, hon. members might depend on it there was something to be said on both sides. He was not sure that, even if this power were given it would be found necessary, for when

there was great divergence of opinion the question in dispute would not, as a rule, suffer very much if allowed to wait. When this colony was preparing for Responsible Government, a device for preventing deadlocks was proposed to be introduced into the new Constitution Bill, but the then Secretary of State advised the Government and the then Legislative Council that it would be far better to leave differences of opinion between the two Houses to be worked out by mutual concession and conciliation. It must be remembered that the composition of the Legislative Council, under the elective system as in the Bill, would change every two years in regard to seven of its members, who would retire by rotation, and might seek re-election or not; therefore in the course of every six years the electors in the colony would have an opportunity of deciding whether the retiring members should be returned to the Council, or fresh ones be sent there. This was a sufficient security for ensuring that the members of the Council would act wisely and in the interests of their constituents. It would be said of them no longer, as was sometimes said now, that they only represented in a general way the whole colony, for they would have their several constituencies, would have to explain their political actions to them, and have to ask for re-election in the same way as members of the Assembly. That would be a sufficient safeguard. When they found the new Council, as it was to be constituted, opposing the wishes of the Lower House, the matter in dispute would be found to be one that required careful consideration, and the colony would not suffer by allowing the question to wait awhile for solution. For these reasons, he advised the House not to anticipate difficulties, nor show by anything in the Bill that they feared that wise and moderate counsels would not prevail in the other branch of the Legislature. In the event of some measure being brought forward in the Lower House which the Upper House would not accept, a joint sitting of the two Houses, according to the motion, would enable the Lower House, with its larger number of members, to override the Upper House. He opposed the motion on the grounds that it was not necessary, that the expedient was a new one which had not been tried elsewhere, and that it would be time enough to consider expedients when the difficulties which the hon. member seemed to foresee had actually arisen here. When they did so arise, he thought there would be the means of grappling with them successfully, as had been done elsewhere. In other colonies, where these difficulties had formerly occurred, the working of parliamentary institutions had settled down, and the difficulties had not been renewed. Still, those colonies had not moved in the direction which the hon. member now desired this House to move in.

THE SPEAKER (Hon. Sir J. G. Lee Steere) said the mover of the motion did not appear to quite understand the purport of it as it was worded. He had said the expedient would be used only in the event of a disagreement taking place in two successive sessions of Parliament; but the second rejection of a Bill by the Upper House might take place within a week of the first rejection, because if the Government wished to force a Bill through, and it was objected to by the Upper House, the Government might ask the Governor to prorogue the Legislature for one day, perhaps for two days, and if the Bill were again objected to when sent a second time to the Upper House, this clause would come into operation. Although the hon. member did not appear to anticipate it, yet that would be the effect of the clause, as worded by the mover. Therefore, if he (the hon. the Speaker) were in favour of the clause, which he was not, he could not advise the committee to consent to it in that form.

MR. TRAYLEN said it had been formerly a pet wish of his that, whenever a Constitution Bill was adopted, it might include such a provision as the hon. member now proposed. But, after further reflection, he now thought differently. Two principles had been recognised: the one, that there should be two Houses of the Legislature; the other, that the Upper House should also be elective. He could hardly help thinking that this motion ignored these two principles; for why was there to be an Upper House, if the acts of the Lower were not to be controlled? Therefore, he was not able to vote for this motion now, as he would have been glad to do two or three years ago.

THE ATTORNEY GENERAL (Hon. S. Burt) said the object of the motion was, no doubt, a good one. This question had been threshed out when the previous Legislature was considering the lines on which Responsible Government should be based, in this colony; and on the point now raised, which was fully considered then, they obtained the advice of the Secretary of State, Lord Knutsford, which was to the effect that there was really nothing in the anticipated fear of disagreements between the two Houses; that the two Houses in this colony had better run along, and settle the difficulties as they arose, rather than that antagonisms should be invited by providing what some might think was a means of escape from difficulties. It would be no escape to adopt the expedient proposed in this clause, for the Upper House would say at once: "Well, we must reject this measure, and the sooner we begin the better." And the Lower House would see, as soon as they began to get into a difficulty with the Upper House, that there was no way out except to pass the same Bill twice, and as speedily as possible, in order that, by getting a joint sitting, their greater numbers might override those of the other House. The clause would be an invitation to at once get to that stage; and what object would be gained by adopting this expedient, seeing that the Upper House, with its smaller number, would have no chance of carrying its views in a joint sitting, and that the Lower House must always prevail with its preponderating numbers? That being so, was it likely that the Upper House, as at present constituted, would be favourable to the passing of this proposition, which took away all incentive to argument between the two Houses with a view to settlement, because the Assembly could always carry a disputed Bill after it had gone through the form of being rejected twice? The House which had the greater number of members need not argue, and send a Bill backward and forward, because that House could always carry the day. In preference to that plan, he thought it was better, when a difficulty did arise between the two Houses, to agree reasonably, and to give and take. Let the question settle itself. This expedient had not been adopted elsewhere, because it was not feasible; and he was not surprised to hear that the only place where the hon. member had found it was in the Home Rule Bill.

MR. LEFROY said the plan proposed in the motion appeared, at first sight, to be despotic and autocratic, because, if the clause were adopted in its entirety, the Upper House would not be able to fulfil its function of stopping and checking hasty legislation, as an Assembly of 33 members could always force its disputed Bills on a Council of 21 members, and there would thus be no necessity for an Upper House. Although there might be a large majority of the Council opposed to a measure when received from the Assembly, yet a small majority of the larger House could always carry the measure when the two Houses sat together. It seemed strange, also, that the mover did not perceive that he had not provided for two separate sessions, as pointed out by the hon. the Speaker. The system proposed had not been tried in any other country, and he thought they should

> ——rather bear those ills we have,
> Than fly to others that we know not of.

Question—That the clause be added to the Bill—put and negatived.

New Clause.—"Quorum in Council, division, casting vote:"

THE ATTORNEY-GENERAL (Hon. S. Burt) moved that the following new clause be added to the Bill, and stand as Clause 8:—"The presence of at least one-"third of the members of the Legislative "Council, exclusive of the President, shall "be necessary to constitute a quorum for "the despatch of business; and all ques-"tions which shall arise in the Legislative "Council shall be decided by a majority "of votes of the members present, other "than the President, and when the votes "shall be equal the President shall have "the casting vote. Provided always, that "if the whole number of members con-"stituting the Legislative Council shall "not be exactly divisible by three, the "quorum of the Legislative Council shall "consist of such whole number as is "next greater than one-third of the mem-"bers of the Legislative Council." He said the increase in the number of the Council necessitated an increase in the quorum; therefore it was proposed that the quorum in the Council, as also in the

Assembly, should be at least one-third of the total number of members.

Question put and passed, and the clause added to the Bill.

New Clause.—"Quorum (in Assembly), division, casting vote:"

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the following new clause be added to the Bill, and stand as Clause 18:—"The presence of at least "one-third of the members of the Legisla- "tive Assembly, exclusive of the Speaker, "shall be necessary to constitute a quo- "rum for the despatch of business; and "all questions which shall arise in the "Legislative Assembly shall be decided "by a majority of votes of the members "present, other than the Speaker, and "when the votes shall be equal the "Speaker shall have the casting vote. "Provided always, that if the whole num- "ber of members constituting the Legis- "lative Assembly shall not be exactly "divisible by three, the quorum of the "Legislative Assembly shall consist of "such whole number as is next greater "than one-third of the members of the "Legislative Assembly."

Question put and passed, and the clause added to the Bill.

New Clause—"Term 'aboriginal native' to include half-caste native:"

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the following new clause be added to the Bill, and stand as Clause 25:—"In this Act, the words 'aboriginal native' shall include persons of the half-blood." He said this amendment was proposed on the suggestion of the hon. member for the Murray, and the definition of half-castes would apply to aboriginal natives of Asia and Africa, as well as of Australia.

MR. A. FORREST said many of the native half-caste women had married European men, and become respectable members of the community. An amendment was to be moved later by the hon. member for Geraldton, with reference to giving votes to women, under Clause 12 of the Bill, and, presuming that amendment to be adopted, he asked what would be the position of such half-caste women, and also their children?

THE ATTORNEY GENERAL (Hon. S. Burt) suggested that, in the intended amendment of the hon. member for Geraldton, there might be inserted, after the words "*feme sole*," the further words "except such as are of colour."

Question put and passed, and the clause added to the Bill.

Ordered—That in consequence of the insertion of new clauses, the clauses of the Bill be re-numbered where necessary.

First schedule:

THE ATTORNEY GENERAL (Hon. S. Burt) moved, in the first column, to strike out the words "this Act" and insert "Part II. of this Act," and to strike out the words "Part III. of the Principal Act" and insert "this Act."

Amendment put and passed.

THE ATTORNEY GENERAL (Hon. S. Burt) moved, under heading "Extent of Repeal," to insert the word "sixteen" between the words "eleven" and "and," in the first line.

Amendment put and passed.

THE ATTORNEY GENERAL (Hon. S. Burt) moved, under heading "Extent of Repeal," to insert the word "ten" between the words "sections" and "forty-five," in the last line but one.

Amendment put and passed.

Schedule, as amended, agreed to.

Second schedule:

THE PREMIER (Hon. Sir J. Forrest) moved, after the description of the Swan Electoral District, to insert the following descriptions for the Nelson Electoral District and the Sussex Electoral District:—

Nelson Electoral District.

"Bounded on the *Northward* by a line "extending due East from the South- "West corner of Wellington Location "171 to a spot due South from the "South-East corner of Wellington "Location 40, thence due North passing "along the Eastern boundary of said "Location 40 to the old road from Bun- "bury to Kojonup, known as the "Old "Post Road," and thence by the said "road Easterly to the junction of the "Balgarup and Blackwood Rivers; on the "*Eastward* by a straight line from the "said junction South-South-Easterly to a "spot 16 miles West of the 175-mile "mark on the Perth-Albany road, thence "in a Southerly direction to Upper "Yerriminup Pool in the Frankland "River, and thence by the said Frankland "River downwards to the sea; on the "*Westward* by a South-Easterly line from "the South-West corner of Wellington

"Location 171 aforesaid, to the junction "of Padbury's Brook with the Blackwood "River, and from thence to the South-"West corner of Nelson Location 31 at "Mangimup, thence in a Southerly direc-"tion to a spot known as Bullamurrup, "thence by the Bullamurrup Creek down-"wards to its junction with the Warren "River, and thence by a straight line "South-South-Westerly to Point D'En-"trecasteaux on the sea coast; and on "the *Southward* by the sea coast, includ-"ing the islands adjacent.

Sussex Electoral District.

"Bounded on the *Northward* by the "shore of Geographe Bay, and by an "East line from the shore of the said "Bay to the Capel River, passing along "the South boundary of Sussex Location "82, then by the river aforesaid upwards "to Wellington Location 171, excluding "such location; on the *Eastward* by a "South-Easterly line from the South-"West corner of Wellington Location "171 aforesaid to the junction of Pad-"bury Brook with the Blackwood River, "from thence to the South-West corner "of Nelson Location 31 at Mangimup, "thence in a Southerly direction to a "spot known as Bullamurrup, thence by "the Bullamurrup Creek downwards to "its junction with the Warren River, "and thence by a straight line South-"South-Westerly to Point D'Entrecas-"teaux on the sea coast; and on the "*Southward* and *Westward* by the sea "coast, including the islands adjacent."

Amendments put and passed.

THE PREMIER (Hon. Sir J. Forrest) moved to amend the description of the Plantagenet District by striking out all the words after the word "by," in the ninth line, down to the word "river," at the end of the thirteenth line, and insert the words "the Frankland River upwards from the sea."

Amendment put and passed.

Schedule, as amended, agreed to.

Title and preamble:

Agreed to.

Bill reported with amendments.

ADJOURNMENT.

The House adjourned at 6·5 p.m.

Legislative Assembly,

Monday, 7th August, 1893.

The Death of the Hon. T. Burges—Adjournment.

THE SPEAKER took the chair at 7·30 p.m.

PRAYERS.

THE DEATH OF THE HON. T. BURGES.

THE PREMIER (Hon. Sir J. Forrest), before the House proceeded to business, said: Sir, I rise to move that the House, instead of proceeding to the ordinary business, do adjourn. Hon. members of course are aware of the great loss which the Legislative Council and this House, and also the colony itself, have sustained by the lamented death of Mr. Burges, a member of the Legislative Council. For a lengthened period Mr. Burges has taken an active part in all things tending to the advancement and progress of this colony. He has sat in this Chamber, under the old form of Government, representing the constituency of Geraldton, or of the North; he has also sat here as a nominated member; and, since the introduction of Responsible Government, he has occupied a place in the Legislative Council. This colony can ill afford to lose the services of men of the character and capability of the late Mr. Burges. He was an energetic and enterprising man, who took a deep interest in all the varied industries which go to make up this great colony. He was thoroughly loyal to this colony, which was his native place. All his interests, all his desires, were wrapped up with the welfare and progress of the colony. I have no hesitation in saying, sir, that the death of a man of the character of Mr. Burges is a real calamity to the colony, in its present circumstances. He was respected everywhere in the colony; and in no place was he more respected than within the town and district in which he lived for the most part of his life. His name is associated with everything that is connected with the development of that district; his name is a household word in that district; and I feel sure that no man can be less spared at the present time than our lamented friend. His generous hospitality in his