Legislative Assembly,

Tuesday, 9th October, 1894.

Colonial Prisoners Removal Bill: second reading: in committee—Explosive Substances Bill: second reading—Police Act Amendment Bill: second reading—Agricultural Bank Bill: further consideration in committee—Adjournment.

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

PRAYERS.

COLONIAL PRISONERS REMOVAL BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. S. Burt): This is a Bill that has been sent down from the other House, to authorise the removal of prisoners from one gaol to another. The enactments that now govern the removal of prisoners have been found to be rather involved, and tend to confuse the definition of a prisoner. There are two or three Acts dependent upon each other, and all chiefly relating to what were called convicts in the early days,—that is, to Imperial prisoners. Circumstances have changed since then, and the Government find it necessary to bring in the present Bill dealing with the subject. I move its second reading.

Motion put and passed.

Bill read a second time.

IN COMMITTEE.

The Bill was then committed, and the various clauses agreed to without comment.

Bill reported, and report adopted.

EXPLOSIVE SUBSTANCES BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. S. Burt): The object of this short Bill is to put the criminal law, with regard to explosives and explosive substances, upon the same footing as that which obtains in England. Not many months ago we had, I think, the first criminal explosion in Western Australia, committed at York, and luckily in that case we were enabled —inasmuch as the explosion had caused damage to a building—to prosecute the person connected with that charge, and to convict him. But if no damage had occurred to the building, or injury to any person, under our present law we should have been unable to have convicted that prisoner of any criminal offence. This Bill is virtually the same Act under which, in England, all dynamiters are proceeded against. It allows the Attorney General to order a sort of preliminary inquiry to be held before a justice of the peace, in any case where an explosion occurs, whether it causes an injury or not, either to property or person, so as to ascertain all the particulars that can be ascertained, before any person is necessarily charged with the offence, and immediately after the explosion occurs. A good deal of information can be thus obtained, which, if we had to wait until somebody is arrested, perhaps some weeks afterwards, it would be impossible to obtain. That is exactly the footing upon which the English Act stands: the Attorney General, where there is any reasonable ground to believe that a crime has been committed under the Act, is empowered to authorise an inquiry to be held, and witnesses may be summoned to give evidence at such inquiry, although no person may be charged at the time with the commission of the crime. Powers are also given to search for explosives or explosive substances, in any case where it may be suspected that anyone is engaged in manufacturing these things with a criminal intent. That is the whole scope of the Bill. I think it is as well to arm the Government with this authority in such cases. Although we have only had one such case in this colony up to the present time, we do not know but that offences of this kind may become more frequent in the future than they have been in the past. If they do, we shall be armed with the necessary power to cope with them; but at present we are utterly without any power to deal with criminal offences of this character, unless the explosion does some damage or injury to persons or property. Under this Bill we shall be able to do so, and, perhaps, be able to prevent loss of life and destruction of property, by the timely arrest and prosecution of the person meditating such crimes, before any harm is done. I now move the second reading.

Motion put and passed.

Bill read a second time.

POLICE ACT AMENDMENT BILL.

SECOND READING.

MR. MONGER: Sir,—In rising to move the second reading of this Bill, I can at least claim for it the merit of brevity and simplicity. I do not think there is one single member who has not already grasped the idea I have in view in bringing forward this Bill. The only matter the Bill deals with is the prohibition of betting in public places. If passed, it will in the future prevent bookmakers and others from going down to our cricket fields and football matches, and publicly offering to lay wagers on the match about to be contested. It will also have the effect of preventing the bookmaker from pursuing his vocation on our racecourses. I think it was only the other day that the hon. member for Albany alluded to the mining jumper on our goldfields as a "jackal." If the jumper is a jackal, I hardly know how I shall distinguish the bookmaker; to me he appears a sort of bird of prey, seeking whom he can prey upon amongst the young and the innocent, and those whom he thinks are not so conversant with the game as himself. We know that once a person of this inexperienced class finds himself in the hands of the bookmaker, there is but a very poor chance of his getting out of his clutches unless he gives that bookmaker all that he claims. I really think there is not one hon. member in this House who has any sort of kindly feeling whatever towards this class of men, or at any rate such specimens of them as it has been our misfortune in this colony to come in contact with. I think any member who has frequented our racecourses, and had an opportunity of looking around and judging for himself as to the type of man I am referring to, the man who works for three or four days of the year and lives upon the fat of the land for the remainder of it,—if he gives us his unbiassed opinion he will say that such a class of men should not be encouraged or permitted to prey upon the public. This idea of excluding the bookmaker from the racecourse is not a new one. It has been worked to advantage in South Australia, and the result has been that, by introduction of the totalisator and the exclusion of the professional bookmaker, the racecourse in that colony has become a place which no person need be afraid to visit, or, if he visits it, is likely to be victimised. That is what I desire to see in this colony. I have no wish whatever, this afternoon, to pose as a moralist, or to pose as a purist; nor do I think it possible to make men moral and virtuous by Act of Parliament. But I think it is possible to suppress notorious evils by means of statute law; and that is the object of this little Bill. I do not think any member of this House will get up in his place and say that ever a bookmaker, or men of his class, have ever done anything to further the interests of the general public in any part of the world, or that they are a class that ought to be encouraged in any community. I notice, from the public journals, that there is a growing desire in England, on the part of the racing public, to do away with betting in the ring; and before many months are over, I feel quite certain we shall see the bookmaker prohibited from betting upon the racecourse in that country. As I have already said, South Australia has adopted this law, and, though the other colonies have not yet thought fit to go in for it—for what reason I can hardly say—I think if we in Western Australia adopt such a law, and exclude the professional bookmaker from our racecourses and other places of public resort, we shall be doing a kindness to the rising generation, and doing no injury to any class of the community. Since I notified that it was my intention to bring forward a measure of this kind, I have never heard one single argument used which in any way tended to alter my views on the subject. Certainly, I was met by a sort of deputation of bookmakers, asking me whether it was my intention to go on with the Bill, and, when I replied in the affirmative, I was informed by those gentry that it was their intention to leave the colony as soon as this Bill became law. Sir, I say if the result of the carrying of this Bill will be that we are going to lose the presence of the members of this fraternity, I think I shall have done a kindness to the colony in bringing the Bill forward. I do not think there is any necessity for me to labour this point. I feel certain that the good sense of the House will enable me to carry this Bill through without a

division, and that, when it becomes law, the general public will be pleased that such a Bill has been placed on the statute book of the colony. Sir, I beg to move the second reading.

Mr. TRAYLEN: I rise to support the second reading of this Bill, not because it has the merit of brevity alone—if that be a merit—but because it has other merits than that to commend it. It aims at the suppression of gambling; and, though it may not, and will not, do away with every class of gambling, nor even a very large portion of gambling—because I can see there are openings for people to indulge in betting apart from the circumstances referred to in this Bill—yet, I do believe it will be a very great boon to the public, and to the young especially, who find it an easy thing to lay small wagers, and sometimes win, and, perhaps, do not feel it very acutely if they lose, and who are thus led on until gambling becomes the bane of their lives, and who suffer greatly in consequence, as well as their friends, and, perhaps, their employers. I am glad to congratulate the hon. member for York on his appearing in the guise of a public benefactor on this occasion. I am sure it must also be gratifying to us all to learn that we are about to lose from our midst certain gentlemen of whom we shall be able to say we are glad to see their backs. Looking at the matter in that light, I think we ought to congratulate our hon. colleague in this House for initiating a measure of this character, and which I shall very warmly support.

Mr. MORAN: I simply rise to say I cannot support the second reading of this Bill. No doubt it looks very well, and it may be a very laudable thing to bring forward this grandmotherly kind of legislation; but the question has to be asked, whether it will achieve all that is claimed for it, or whether it is expedient to introduce a Bill of this kind, or whether it is necessary? Apart from these questions, I object to it on another ground. I have no doubt—and I am sure the hon. member himself will acknowledge it—I have no doubt the mover of this Bill has had a lot more experience in the betting line than I have; in fact, I may tell the House at once I have not had much experience of betting, or of those who carry on that particular trade. But what I do deprecate is this: that measures of this kind should emanate from private members, and particularly from a private member who has a personal grievance against the class of people whom this Bill aims at. I do not think the hon. member for York will deny for a moment that it is a certain unhappy incident which occurred in his life as a sporting character that has induced him to introduce this measure; and no doubt he has justice, to a great extent, on his side, because, had he not been ruthlessly robbed, as is reported—and, perhaps, it may be correct—by some of these individuals, it would not have occurred to his mind to have brought this Bill forward. I say we ought not in this House to initiate measures of this kind from private motives, or for reasons which may not be known to the general public. This is a democratic Parliament, and, as a democratic member, I am one who believes strongly in following the wishes of the people and public opinion in legislation of this kind. If there had been any public outcry for such legislation, as there has been in some of the other colonies, I would only have been too pleased to give it my support. But there has been no such outcry in this colony. I think it will be agreed that the particular form of gambling which this Bill aims at is only one out of many forms which that evil assumes; and we know very well it will not touch another form of betting which is equally as bad as the bookmaker. I refer to the wheels and spinning-jennies that are allowed and legalised on our racecourses. On the contrary, it will tend to further encourage that form of gambling; and the racing clubs, who derive a revenue from these machines, will benefit considerably by the exclusion of the bookmaker from the racecourse. I look upon these spinning-jennies as the very worst form of gambling, and it is well known that at this game, like the game of roulette, an experienced hand may carry on the grossest swindling. Yet these machines are tolerated on our racecourses, even under the auspices of our foremost racing clubs. I have yet to learn that those who work these spinning-jennies are any better, either in character or morals, than the members of the bookmaking profession. It is not a thing unknown in the annals of racing to find bookmakers who are honourable

men, and who make honest, straightforward wagers, and who, when they lose, pay their money, like honourable men, to the last penny. Some of them have also done a great deal to improve the breed of racing horses in the other colonies, and among them are some of the most respected men in Australia. It seems to be an instinct of human nature to speculate in some form or other, and to risk our money in some venture, in the hope of making a good thing out of it. All speculation is to a certain extent a gamble, and amongst others mining must be looked upon in that light. [MR. SIMPSON: Nonsense.] It may be so, but there is a large element of chance about it. I do not wish to appear as a special pleader on behalf of the bookmaker; I have no connection with the class myself, nor do I know any of them. I have never wagered a pound in my life, nor do I wish to encourage gambling in any form, public or private. But this Bill will not do away with one of the most vicious forms of gambling in existence, and which I should like to see done away with, and that is the gambling that goes on in private amongst our young men, and which in my opinion does a great deal more harm than wagering on the racecourse. I refer to the gambling that goes on at clubs and card parties, threepence a corner, or a sovereign a trick, in the company of boon companions, when the brain is sometimes over-heated with drink. That is where young men lose their moral character and contract evil habits. If the hon. member for York, who seems so solicitous to put down gambling on racecourses, were to turn his attention to the evil I am referring to, he would do more good to the community. Once more I deprecate a private member bringing in measures of this kind out of private pique, simply because he happens to have been made a prey of by some of these bookmakers. [MR. MONGER: No.] I have heard him say so openly. I suppose there are black sheep in every flock; but there has been no public outcry against this class in this colony that I am aware of. The hon. member may be justified in his action; no doubt he knows a great deal about these matters. I do not wish to impute any motive to him. I believe he is an honourable man, who, if he gambles or bets at all, will do so honestly. No one has ever heard to the contrary of him. But I do object to any private member bringing forward legislation of this kind without any warrant or request on the part of the public.

MR. ILLINGWORTH: I do not follow precisely on the lines taken up by the hon. member for Yilgarn; but I have a very grave suspicion of any Bill that has a specific, individual, or local application. I may have been incorrectly informed—and I shall be glad to contradict it if I am so—but I understand that the precise object of this Bill is to give what I may call a pre-emptive right or monopoly to certain racing clubs, in the use of a certain machine commonly known as the spinning jenny. [MR. MONGER: Not at all.] If it is not, then I must withdraw it. A particular machine or instrument of gambling, and the right to use it, was sold by a certain racing club in this city for a considerable sum of money last year, and the individual who purchased the right made a considerable sum of money out of it; and I happen to know that another gentleman was particularly anxious to purchase this particular right another time, with the intention of making a further sum of money out of it. This brings us back absolutely to the question which has been opened for discussion, and been largely discussed in other places, as to whether the State may legalise any form of gambling? This is the principle upon which I look upon this Bill, not because I am in favour of gambling—exactly the opposite—not because I desire to protect the bookmaker, who is one of the greatest pests of our social life—and I happen to know a good deal about it, unfortunately (not by personal experience, I am happy to say, for I was never on a racecourse in my life); but I have been in a great city where, I think, of all the cities in Australia, gambling is carried to its highest extent, and in its worst forms. I mean the city of Melbourne; and I am in a position to state, with absolute certainty, that there are no less than a thousand men in that city who are living at the rate of over £1,000 a year and upwards absolutely upon gambling. When we think what that means to society, and what is involved in such an annual expenditure as that in gambling transactions, and when we see the masses of the people carried away

with the infatuation of gambling, no man who has any moral perceptions, no man who has any sense of justice or righteousness in him, or who has any desire for the public good, can do anything else than oppose gambling in all its forms. So far as this Bill goes (which is not very far), I am absolutely in its favour. I am in its favour on this principle: when you cannot get all you desire, it is well to take what you can get. Even a quarter of a loaf is better than no bread at all; and, to that extent, I am in favour of this measure. But what I want to speak on is this: I have a certain amount of suspicion of any Bill that has a specific local object, which I believe this Bill has, and, in order to test the sincerity of the hon. member who has brought it in, I am going to ask him and to ask this House, if they are in earnest upon this question of gambling upon racecourses, and if they admit the principle,—I am going to ask them to go the whole distance. I am going to ask this House, when we get this Bill into committee—and I give notice of it now — to insert some additional words that will prohibit the use of the totalisator, spinning-jenny, or any other machine for betting purposes. If the hon. member is sincere and genuine in his opposition to gambling, he will support that amendment; and, if he is not sincere, then I go back upon the objection that this Bill has simply one specific local object, and that its object is not to benefit the public, but to benefit a certain local institution known as a racing club; and, I ask this House, are we going to legislate for such an object as that? On the other hand, if that is not the object of the Bill, and if the hon. member is sincere, he will be quite prepared to accept my amendment. Let us look at this question closely again, and see what is involved in this Bill. Betting here is treated as a penal offence, punishable, upon conviction, by a fine for the first offence, and, for a second offence the convicted person is to be deemed a rogue and a vagabond within the meaning of the Police Act, and as such may be convicted and punished under the provisions of that Act. What is there wrong in that? I will show the House what is wrong in it. Under this Bill the act for which a man is to be fined from £2 to £100 for the first offence, and to be declared a rogue and a vagabond for the second conviction, is betting or gambling on a racecourse or any public place; but betting or gambling in private, betting or gambling at clubs, is not made an offence. A man is to be regarded as a rogue and vagabond if he bets on a racecourse, but the same man ceases to be a rogue and a vagabond if he bets at Tattersall's. I ask members to look fairly and seriously into that question. Are we going to legislate in this one-sided way, and to give a pre-emptive right to individuals to bet and gamble as much as they like within the walls of a club, but to convict them as rogues and vagabonds, and punish them accordingly, if they bet or gamble ever so little upon a racecourse, or any other public place? Then again, although a racecourse is a public place within the meaning of this Act, I presume that the grand stand will cease to be a public place. [Mr. Monger: Not at all.] Perhaps not; but I think that a clever lawyer might be able to show that such was the case. At any rate, if betting is a sin, it is just as much a sin within the walls of Tattersall's, or in the private room of an hotel, as it is on the open course on the day of the race. If the House is as sincere in this matter of endeavouring to suppress or to check this evil of gambling as I am, then members will show their sincerity by going the whole distance I have indicated. Of course, if they won't go as far as I want them to go, I must be content to go as far as they are prepared to go. But, if members are going to confine their opposition to gambling in this particular form, and this particular form only, the only conclusion I can arrive at is that there is not a bit of sincerity in the whole thing, and that it is simply a personal question. If you want to put down gambling on your racecourses, why not prohibit the use of those instruments of gambling, the totalisator and the spinning-jenny? If a man is seen with one of these wheels on a racecourse, in Victoria, he is liable to be arrested by the police and treated as a rogue and vagabond. It is the same in South Australia, it is the same in New South Wales, it is the same in Queensland, and it is the same in Tasmania. But here, in Western Australia, you can use this machine that is

tabooed and defamed in all other parts of the British dominions, and is one of the very worst forms of gambling; you can use it with impunity. And this particular Bill is to protect and to encourage that particular form of gambling, the worst of all forms of gambling! I do not understand it. Members really, if they are in earnest, or if there is any sincerity in them, will be prepared, when we go into committee, to deal with this question on its merits, and declare that if gambling is a wrong it is just as much of a wrong within the four walls of a building as it is upon the open racecourse. The only possible reason that can make any difference between the two forms of gambling is the possibility that the example of a man betting in a public place may affect other people; but, in itself, the evil is just as bad in one place as the other. Now I am going to vote—much to the astonishment of the hon. member for York, I suppose—for the second reading of this Bill, and my object in doing so is (as I have said) to test the sincerity of hon. members who are supporting it, and to see whether it is gambling they are against, or whether it is the spinning-jenny they are for. That is what I want to know: whether it is legislation in the interests of the racing clubs, to give them the pre-emptive right to use the totalisator and the spinning wheel, or whether it is legislation in the interests of the general public and to put down gambling. If it is in the interests of the public and against gambling, then members will be prepared to support the amendment which I shall propose when this Bill goes into committee. For these reasons I am going to vote for the second reading.

MR. RICHARDSON: I do not wish to say very much on this measure, except that it occurs to me that the question resolves itself very much into a question of the degrees of gambling, perhaps of the degrees of sin, in some sense. If we are going to attempt to see how far it is possible to eradicate the spirit of gambling from the human breast, I think we shall be engaged in attempting an impossible thing, though I suppose that will not be urged as an argument against attempting to keep it within certain bounds. We must remember that the argument that you cannot make men moral by Act of Parliament has a very wide application. It may as well be argued that, because we cannot by Act of Parliament altogether prevent dishonesty in business, we should therefore not attempt to legislate against stealing, as to argue that because it is impossible, perhaps, by any kind of legislation to do away with that spirit of gambling which seems to be implanted in human nature, we should not attempt to place any restriction whatever upon it, but give it free license to cause all the evil it can, let the victims be who they may. I do recognise it would be utterly impossible, by any kind of legislation, to make people act rightly in all walks of life; but I do not think that is a sufficient reason why we should not attempt to do what we can to restrict the evils of gambling. Perhaps if we were to go the whole distance suggested by the hon. member for Nannine it would accomplish more in that direction than the Bill in its present form does, but it would be legislating in the face of public opinion. I am sure we should not have public opinion with us if we tried to enact a law that would prevent any man from laying a wager with a friend in his own private house, because we would be trying to enact an impossibility, and to pass a law which could not by any exercise of human ingenuity, or supervision, be enforced. Nevertheless, I believe there are certain restrictions which we may effectually place upon gambling; and I think we may succeed, by legislation, in preventing this open, reckless spirit of gambling in places of public resort from being forced upon the attention of inexperienced youth. We may be able to do some good in that direction, and this little measure may possibly assist us, and it is for that reason alone that I give it my support, and not because I think it will accomplish all we desire.

MR. JAMES: I have very great pleasure in supporting the Bill. I agree with the hon. member for the De Grey that, whatever may be our views upon gambling in private life, what we have to aim at principally is the restriction of gambling in public, and to limit as far as we possibly can the demoralising influences of unrestricted public gambling, which is what this Bill aims at. To that extent I think it should meet with the hearty

support—and I believe it will meet with the hearty support—of every member of this House. It may be that some of us—I won't say most of us—will not be able to go so far as the hon. member for Nannine (and I think consistently) has a right to ask us to go; but I think we are justified, at all events, in attempting by means of this particular measure to prevent what is one of the worst abuses in connection with racing in this colony. I have much pleasure in supporting the second reading of the Bill.

Motion put and passed.

Bill read a second time.

AGRICULTURAL BANK BILL.

IN COMMITTEE.

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

Clause 21.—Crown lands may be cleared, cultivated, drained, fenced, &c.:

Debate continued upon MR. THROSSELL'S motion to strike out the clause.

MR. PIESSE said he must object to the proposal to strike out this clause. It was necessary, he thought, to have such a clause, if they were going to give the Government power to carry out the provisions of the Loan Act as to expending a portion of the loan in agricultural improvements. He thought the amendments which the Premier proposed to introduce in the clause would meet with the approval of members generally.

MR. THROSSELL said, although he had proposed to strike out the clause, he was not altogether convinced as to the wisdom of doing so. If, as was said, the Government would not, without this clause, have any power to expend that portion of the Loan Act which was allotted to the development of agriculture, he was inclined to give way if other members were willing to do so. His objection to the clause was that it seemed to him to clash with the leading principle of the Bill, that every borrower of Government money under the Bill should take equal risk with the lender, and that in all cases there should be a margin of 6 per cent. to work upon. But under this clause the free selector, it appeared to him, would have very large advantage over the borrower from the Government. He need not spend or possess one penny himself. The Government might spend £200 or £300 in clearing, ring-barking, fencing, and otherwise improving an area of land, and the free selector would take it up and enjoy the advantage of this expenditure of public funds. However, after the explanation of the Premier—that the Government wanted this clause in order to empower them to spend the sum set apart in the Loan Act for the encouragement of agriculture—he would prefer to withdraw his motion, rather than have that portion of the Loan Act inoperative. He took it for granted that the Government would not clear and improve any large area of land, unless application was made for the land, or there was a probability of the land being taken up at an early date.

Motion, by leave, withdrawn.

THE PREMIER (Hon. Sir J. Forrest) moved that the word "available," in the first line of the clause, be struck out, and that the words "to be raised by the sale of mortgage bonds" be inserted in lieu thereof. Members would see at a glance that the object of this amendment, and the subsequent one, was to provide that the moneys required for carrying out this Bill should be provided either by the sale of mortgage bonds or such other moneys as might be provided by Parliament from time to time. He thought it would improve the clause very much.

Amendment put and passed.

THE PREMIER (Hon. Sir J. Forrest) moved that, after the word "Act" in the second line, the following words be inserted: "or from such other moneys as may be provided by Parliament from time to time."

Amendment put and passed.

MR. LOTON moved that the word "cleared" be struck out of the clause. He thought the other improvements specified in the clause were quite sufficient without the Government undertaking to clear the land. If the Government were going to embark in this kind of work at all, he thought they should confine themselves to such improvements as, perhaps, they might be able to carry out more satisfactorily than private enterprise would. But, in his opinion, the selector himself, if he was any good at all, could clear land at a cheaper rate and to greater advantage to himself than the Government could do. He could do it by degrees, and at times when

he was not occupied with any other operations. Supposing the Government did clear a lot of land, unless they could ensure its being taken up and occupied very soon afterwards, and cultivated, it would become covered with a second growth, and in a short time the cost of clearing that second growth would be quite as much as the cost of clearing the land in the first instance. They were taking a new departure in this clause altogether. This Bill, itself, contemplated an expenditure of £100,000, and there was a further sum set apart in the Loan Bill for this purpose, and the amendment they had just agreed to made provision for the expenditure of any further sums that Parliament might provide from time to time. He thought the time had not arrived when it would be in the interests of the country for the Government of the day, whoever they might be, to enter upon the clearing and cultivating of land. It was for the people who went on the land to undertake that kind of work, and not for the State. He thought it would be in the best interests of the country that the Government should stay their hands in this direction.

THE PREMIER (Hon. Sir J. Forrest) hoped the committee would not agree to this amendment, because, really, if they struck out the word "clearing," they might as well strike out the clause. What would be the use of the clause at all if they were not going to be allowed to make these improvements? It was necessary, not only to provide how the money was to be obtained, but also how it was to be expended, and the Government proposed it should be expended as indicated in this clause. He had thought this matter over since the debate upon the second reading, and he had come to the conclusion that they might fairly strike out the words "cultivating" and "fencing" in this clause, but certainly not the word "clearing." He did not think any Government would be likely to go in much for cultivating land, or even fencing it. Upon reconsideration, he thought these were improvements which it would be hardly legitimate for the Government to undertake. But, he thought, they might fairly undertake, in places where the land was suitable for agriculture, to clear it, or to drain it, and to ringbark it. The only difficulty he saw—he did not mind putting both sides of the question fairly before members—the only difficulty he saw was in getting a lot of good land close together. If they could find large areas of good land, all good for cultivation, or nearly all good, and lying close together, so as to form a compact settlement, he did not know how they could spend public money to greater advantage than by letting a big contract for clearing and ringbarking the land. They would do as much towards production in one year as they would in many years, if left to private enterprise; because, as a rule, people who went on the land were men in humble circumstances, and not possessed of much money. Nearly all our farmers in this colony had been men who had commenced farming without any large means of their own. It took a long while after taking up a piece of virgin land, if your resources were limited, to get the land cleared and fenced, and the crop put in; whereas, if the Government cleared the land ready for them to go upon it, and to cultivate it, they could get a crop in at once; and, in this way, they would be doing more in the way of extending production than would be done in ten years, if these men were left to their own unassisted efforts. The only difficulty he saw, as he said, was to find a large and convenient patch of land to operate upon. Of course, if he had anything to do with the administration of the Act, he would try to find a good place to start with, so that they might get as satisfactory results as possible. As for draining, he did not suppose there would be much of that work done by the Government. The only place he had particularly in view at the present was the Harvey estate, and the matter was then before the Engineer-in-Chief, and levels had been taken to see whether a good main drain could not be made from nearly the railway line to this Harvey estate, to which other smaller drains might converge. Of course, in the Eastern districts, there was not much to be done in the way of draining, nor any necessity for it.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) said he agreed altogether with his friend the Premier, except that he thought it would be just as well to leave the word "fencing" in, and for this reason: assuming that the Government selected (say) 1,000 or

2,000 acres with the idea of clearing it, and settling a number of small farmers on the land, these men could not do anything on that land in the way of cultivating it unless it was protected by a fence. He had no objection to strike out "cultivating," but if they were also going to strike out "clearing," they might as well be without the clause.

Mr. RICHARDSON said if the Government did venture outside the proper province of a Government, and wished to go in for improvements, he thought the simpler, and the safer, and the more inexpensive was the nature of those improvements the better; and he could not assent to the wisdom of the Government undertaking to clear and cultivate the land. There might be cases where a great deal of good might be done by ringbarking, which was a comparatively inexpensive kind of improvement, but one which gave a large return in a few years, and, perhaps, it would be legitimate to allow the Government to undertake that improvement. He believed, also, there were some localities where—if it were permissible or practicable for the State to undertake such work—draining might be carried on, because the expenditure upon draining would generally be common to a large number of holdings, if the Government constructed the main artery and the holders of the land cut their own channels into it. In order to meet such a case as that, he would not object to draining being included in the improvements to be undertaken by the Government. But, as for anything else besides ringbarking and draining, he did not think it would be wise for the Government to dabble in clearing land or cultivating it, because he felt perfectly sure they would not be able to get the work done as inexpensively as the settlers themselves, seeing that the settlers would have to pay an increased rent for such land.

Mr. A. FORREST would certainly object to clearing being included in these improvements. He hardly thought it was within the province of the Government to engage in clearing land for people to settle upon; it would be far better to let the people do it themselves. They would then know that they were getting their money's worth, whereas, if the Government had to employ a large staff, it would be difficult to arrive at what it had cost, and to fix the rent accordingly. If the Government called for tenders for such work, they would probably have to pay a higher rate for it than it could be done by private enterprise. As to ringbarking, he thought that would be a very serious responsibility for the Government to undertake, because ringbarking, unless it was followed up, was a very expensive work. The Government might ringbark 5,000 or 10,000 acres this year, but unless they were prepared to continue the work next year, and the third year again, they would probably find that land in a worse state than it was in before. It would cost something every year unless the land was taken up and cultivated. It would also be necessary to exercise a very careful supervision over these improvements while they were being carried out, and particularly ringbarking. He had some work of this kind done some time ago, and he thought, when he agreed to pay 1s. 9d. an acre for it, that would be the end of it; but when he went up and saw the land twelve months afterwards he found more saplings there than ever, and he had to enter into another contract, and now he had a third one. Then, again, as to fencing. He thought fencing should never have appeared in this Bill as an improvement in any shape or form. What was the value of a fence as a security? It might be burnt down as soon as it was put up. Of course a farm was of no use unless it was fenced, but he thought the farmer should do it himself, without calling upon the Government to do it for him. He could then put up the kind of fence he required, and put it up as he wanted it. His own opinion of this clause was that it would be better to leave it out altogether. He was opposed to the Government going in for clearing, or cultivating, or fencing. They might, perhaps, go in with advantage for a little draining in some parts down South, where the land would be not much good unless it was drained, but would pay very well afterwards.

The PREMIER (Hon. Sir J. Forrest) hoped the committee would not strike out "clearing," as it seemed to him it would be very useful in many cases for the Government to clear the land before putting people upon it. It must be borne in mind that a higher rent would be charged for this land than for unimproved

land, so that the Government would be recouped for their outlay, while at the same time it would be an inducement to people to take up such land, even at this higher rent. It was all very well to say, let these people do it themselves. Many of them could not afford to do it, and, besides, there would be great loss of time, and the Government could do it cheaper, probably, by doing it on a larger scale. The powers vested in the Government under this clause would have to be used cautiously, of course; in fact, the whole of the Bill would have to be administered very carefully. But the principle was a good one, and he believed that when they got the Bill into working order it would be productive of a large amount of good to the colony. If this money be judiciously and prudently expended, he could not conceive a more legitimate way for spending a portion of our public funds.

MR. COOKWORTHY did not think the Premier knew much about clearing land. The great thing in clearing was to look after the contractors, to see that they did the work thoroughly, otherwise it was money and labour thrown away; and how was the Government to exercise proper supervision over those engaged in this work? Then, again, unless the land cleared was taken up at once and cultivated, the clearing, instead of being an improvement, became a curse, and the last state of that land would be worse than the first. But as they had agreed to the principle of the thing, perhaps it would be as well to give it a trial, though he did not think there would be much come out of it.

MR. HARPER thought clearing was one of the most unsafe of all the contemplated improvements. The Premier told them the Government would be able to get the work done cheaper than private individuals would, by having it done on a large scale. He must take exception to that. Not only was the Government incapable of looking after the clearing, as had been pointed out by the hon. member for the Vasse, but it could not do the work as cheap, and for this reason: there were large areas of land in most parts of the colony belonging to private persons already ringbarked, and land that had been ringbarked four or five years could be cleared at half the cost it could be cleared in its virgin state. Therefore the Government would be placed at a disadvantage at once. He thought if the Premier consented to clearing, cultivating and fencing being struck out, he would be doing wisely; there would still be scope for the Government to do a large amount of good.

MR. LOTON thought it was pretty clear, from what had been said on this clause by some of the most practical men in the House, that the time had not arrived yet for the Government to move in this direction, and that there was no necessity for it. He thought it would be wise on the part of the Government to listen to reason and argument, and be convinced that such was the case. He took it that the experience of those who had opposed this scheme was equal to the Premier's experience, and, as they all had but one object in view, he thought the Government would do well to accept the advice of practical men on this subject. This clause empowered the Government not only to spend the money provided in the Loan Bill for this purpose, but also the money raised under this Agricultural Bank scheme. He was opposed to the idea when it came before them in the Loan Bill, and he was still more strongly opposed to give them power to spend further money for this purpose. If the Government desired to drain land on the Harvey, let them bring in a Bill to authorise the expenditure of a few thousand pounds in that direction, but not take power to do so under the present Bill, which was simply a Bill to enable farmers to borrow money at a cheap rate. He thought they ought to move very cautiously in a matter of this kind. The time had not yet arrived in this colony for the Government to undertake work of this kind. The time might come, perhaps, when we had a large number of unemployed people returning from the goldfields, and clamouring for public works to be started, in order to give them employment. It would be time enough then for the Government to take up work of this kind.

MR. RICHARDSON thought, if the Government got power under this clause to undertake ringbarking and draining, they would get as much power as they would care to exercise, and he thought they would do wisely to accept the suggestions made by members who had

spoken on the subject, and who had a practical knowledge of what they were talking about.

THE PREMIER (Hon. Sir J. Forrest) said he would really hesitate to ask the House to agree to the clause if it was to be restricted to ringbarking. Surely they could find the money necessary for ringbarking without making a great parade of it in a Bill of this kind. They could do that out of current revenue. If members did not want the clause it would be better to strike it out, rather than mutilate it in that way. If there was a general feeling in favour of striking it out, he did not know that he would object to it, except that they wanted the power to spend the Loan Bill money in this way, and to charge an increased rent for land upon which money had been spent in these improvements.

Amendment, by leave, withdrawn.

MR. LOTON moved to strike out the whole clause. If the Government wanted more power than they had under the Loan Bill for spending the vote for agricultural improvements, they could bring in an enabling Bill, as was done in the case of railways.

THE PREMIER (Hon. Sir J. Forrest) said it must be borne in mind that this clause provided that the money received from these lands in the way of extra rent was to come back to the Lands Department, or, in other words, to the public revenue. No doubt they had authority to spend the money, under the Loan Bill, but that Bill provided no machinery for raising the rent of these improved lands, though perhaps it might be done under the Land Regulations. As the House had already given them power to raise the money for this purpose, what harm could there be in adopting this clause?

MR. LOTON said the clause empowered the Government to spend other moneys for this purpose, in addition to the loan money. So far as he could see, there was nothing to prevent them spending the whole of the £100,000 proposed to be raised under this Agricultural Bank Bill in these land improvements.

Motion put and passed, and clause struck out.

Clause 22 — "Improvements for the "purposes of this Act shall mean clearing, "cultivating, draining, planting of vine-"yards or orchards, ringbarking and "fencing, but shall not include any other "kind of improvement:"

MR. THROSSELL moved, as an amendment, that the word "cultivating" be struck out. The object of the Bill was to enable the holders of land to borrow money at a cheap rate, and to offer some tangible security for the money they borrowed, in the way of permanent improvements. He did not think that either fencing or cultivating would be of much value in the shape of security.

MR. LOTON said this clause referred to improvements made by the person borrowing, and not by the Government (as the clause which they had just struck out did); and, surely, if they were going to insist upon improvements, the very thing a man must do would be to clear and cultivate his land. It appeared to him that if they did not allow these things to count as improvements, they would be defeating the object of the Bill. The only thing was to provide proper supervision over these improvements by the manager. No doubt it would require a great deal of looking after, and they would want a very alert manager if this Bill was ever going to do any good for the country.

MR. RICHARDSON said that land under cultivation surely gave that land some additional value, and it was one of the best guarantees they could have that the man on the land intended to utilise the land and remain on it.

MR. LEFROY took it that the clause only referred to the cultivation of unimproved lands—that was to say of new land, never cultivated before. He did not think the manager would be likely to lend money on land cultivated a second or third time.

MR. PIESSE thought that cultivation would be an additional security, combined with clearing. Clearing, by itself, unless the land was also cultivated, would not be of much value.

Amendment put and negatived.

MR. PIESSE moved that the word "draining" be struck out. In most districts it was an unnecessary work; and even if they did include it as an improvement within the meaning of this clause, draining was a kind of work which it would be almost impossible to value at its true value. There were so few places

where draining was needed that he thought it should be left to the occupier himself to do it.

MR. THROSSELL said the whole Bill presupposed that they were not dealing with paupers, but with men who could afford to spend, and had spent, on improvements, double what they proposed to borrow. The first necessity in a colony like this was increased clearing, and, if he had his own way, he would like to limit the whole of this expenditure to clearing, because £100,000 spent in the clearing of virgin land would mean 50,000 more acres prepared for the plough—taking the cost of clearing in the Eastern districts as the standard. Draining, comparatively speaking, was a very unnecessary kind of improvement upon lands in this country, and it was very difficult to estimate its value as a security. The principle of this Bill—if they wanted it to work well financially—was to advance money only upon such security as they would advance their own money upon; and, if they limited those improvements which were to count as improvements, they would be doing a wise thing, in his opinion. He thought they should encourage people to go in for vineyards and orchards, little plots of 10 or 20 acres—which would be a valuable adjunct to the farm; but he could not agree to draining counting as an improvement.

Amendment put and passed.

MR. ILLINGWORTH moved that the words "planting of vineyards or orchards" be struck out. Members were aware that he looked with great suspicion upon this Bill from its first inception, and most particularly upon this clause dealing with the security provided under the Bill. It must be remembered that these improvements constituted the Bank's only security, and what did it consist of? It consisted of certain land that was cleared, certain land that was cultivated—they had now struck out that item—certain land that was drained, and then they came to certain land planted with vines or fruit trees. It must be remembered that they were dealing for the most part with lands newly cleared, and when they talked about vineyards the vineyard would, perhaps, consist of so many acres of cuttings in their first year, and from which, under any circumstance, there would be no return for the next two or three years. It would be longer still in the case of young orchards. Now what security was land like that to the Government for a loan? The oïdium, or some other blight, might render the vineyard valueless, and neglect on the part of the owner would do the same with an orchard, and what would become of the security? He wished to deal with this question from a sound financial point of view, because, unless this Bill was worked on sound financial principles, it must result in disaster, so far as this Bank was concerned. The owner of this vineyard, in estimating the value of his improvements, consisting of a few acres of cuttings, would probably put the cost down at £2 an acre, if it had cost £1, or £4 if it had cost him £2, and what could the Government do? [THE PREMIER: Look after him.] Look after him! Here was the hon. member for Northam suggesting they should have little vineyards and orchards of 10 or 15 acres, scattered all over the country, and how was this Bank manager to look after 200 or 300 of these little plots of land, with the owners probably gone off to Coolgardie or somewhere else? The Government would never see its money nor the interest either in many cases. A young vineyard or orchard, subject to all the vicissitudes of climate, disease, and neglect, was absolutely no security whatever for a loan. If they helped a man to clear his land, surely he should take the risk of his vineyard upon himself? If not, it was not worth advancing any money to him.

MR. RICHARDSON could quite understand, on looking into this matter, that there was a certain amount of danger in accepting a young vineyard or orchard as a security. It was an expensive style of improvement to start with; it amounted to a very considerable sum per acre, and the whole virtue of that expenditure subsequently was entirely dependent upon after results, distant four or five years hence; and if those results did not come up to their expectations, either through disease or neglect, the value of the improvements as a security would be largely discounted. He thought if they confined themselves to actual clearing, they would be on pretty safe ground, and have pretty good value for their money. There was a great deal of the element of

uncertainty about some of these other improvements.

Mr. LEFROY said the whole Bill was admittedly an experiment, and he thought it would be wise to restrict these improvements as much as possible, at present, by way of security. If they found, in a year or two, that the Bill was proving a great success, the Government might be asked to extend the scope of these improvements, and he believed the House would then be prepared to agree to it; but he thought that, in the first instance, this being purely a tentative measure, it would be wise not to attempt too much. There was not the slightest doubt that whoever would have the management of this Land Bank would have a very difficult and onerous task indeed, and he thought it would be well at the first start to restrict the work of supervision, so as to ensure its being done thoroughly. He thought that the planting of a vineyard or orchard was a risk which the holder of the land should himself accept. As the whole Bill was simply an experiment, he preferred to see the experiment conducted on a limited scale to start with.

The PREMIER (Hon. Sir J. Forrest) said if it was the general wish of members that these words should be omitted, he had no particular wish to press them upon the House.

Amendment put and passed.

Mr. ILLINGWORTH moved that "fencing" also be struck out. He had spoken strongly on the second reading against fencing being accepted as a security, and, as his views appeared to be endorsed by members generally, it was unnecessary for him to further dilate upon the subject.

The PREMIER (Hon. Sir J. Forrest) said he had thought over this matter, and carefully considered what members had said, and the conclusion he had come to was that they would not be acting wisely in striking out "fencing," for this reason: the object of this Bill was to encourage people to go on the land and to cultivate it, and what would be the value of these improvements unless the land were fenced? A man might spend what little money he had in clearing his land and putting in his crops, and not have the means to put up a fence around it without some assistance; and, without that fence, his other improvements would be quite insecure. Of course there was the possibility of a fence being burnt down, but they must accept some risk. They must bear in mind that the holder of the land must have expended his own money and his own labour on his land, and he would naturally be as careful as possible to preserve his fences. After all, it did not often happen that people's fences were burnt down. There must necessarily be a certain amount of risk and uncertainty connected with all agricultural operations, and the farmer must be prepared to accept these risks. Above all things, it appeared to him that fencing was a necessary improvement in the case of the farmer, and even also for the grazier. He always thought that the state and the character of a man's fence was a good indication of his thrift or otherwise, and they might depend upon it that the sight of a dilapidated bush fence would not be likely to induce the manager of this Bank to regard the owner of the land with much favour as a desirable customer. On the other hand, a good, tidy, substantial fence would be a fair indication that the man was a thrifty man at any rate.

Mr. PIESSE thought it would be a mistake to omit fencing from the list of improvements required by this clause. If they were going to advance money upon land that was cleared and a crop put in, surely a fence would add to the value of that land as a security.

Mr. RICHARDSON thought it would be desirable to have some restriction as to the description and value of the fence, so that in estimating what it was worth as a security there should be something to guide them.

Mr. ILLINGWORTH thought no advance of money should be made unless the land was fenced, or at any rate so much of it fenced as the holder of the land intended to cultivate, and that a man should not come to the Government to borrow money before he had even fenced his land. They gave the land away, and now it was proposed to lend money to enable the man they gave it away to, to put up a fence. That seemed to contemplate a very helpless class of occupiers. Why not also lend them the money to live on? Of course there was one class of borrower under this Bill to whom it would be safe enough to allow fencing or other improvements to count

as an additional security, while in other cases such improvements would be of very little value—one being the freeholder, and the other the homestead blocker or leaseholder.

THE PREMIER (Hon. Sir J. Forrest) wished to point out that this Bill did not make it compulsory upon the Government to lend money to anyone; and the question of lending or not would entirely depend upon the report of the manager. In every instance the manager would have to approve of an advance before the advance could be made, and the money would only be advanced upon such improvements as the manager approved. The mere fact of the word "fencing" being retained in this clause did not make it compulsory upon the Government to lend any money upon the security of the fencing. His object in including fencing in the clause was because it would add to the security and protection of the other improvements.

MR. LOTON said the more they went into matters of detail connected with this Bill, the more convinced he became of the danger and treachery there was behind it, and the more convinced he was that the Bill was one which the Government ought never to have touched. No money lender—not even a German Jew who charged 50 per cent.—would think of advancing money upon some of these improvements, and there was none of them of less value as a security than fencing, bearing in mind that this dealt with entirely new land. Though fencing was a necessary improvement to any farmer, still it must be admitted it was a very precarious sort of security, and what they had to consider now was simply its value as a security.

Amendment put and passed.

Clause, as amended, agreed to.

Clause 23.—"At the expiration of five "years from the first day of January or "the first day of July, as the case may "be, following the date of every advance, "the borrower shall begin to repay the "same, at the rate of one-thirtieth of the "principal sum half-yearly, until the "whole has been repaid: Provided "always, that the advance may be repaid "at any time sooner than is herein pro-"vided, and in larger instalments, at the "option of the borrower";

MR. RICHARDSON considered this almost the most important clause in the whole Bill, and he wished, with all due deference, to urge what he considered would be a decided improvement in it. According to the clause as it stood, the borrower would have to repay the whole of his loan in twenty years, there being no payments required in respect of the principal during the first five years after the loan was incurred. He thought it would be an advantage, as he had pointed out on the second reading, to the borrower, and an improvement to the Bill, if the repayment of the loan were spread over a longer period. The main object of this Bill was to enable the farmer to obtain money at a lower rate of interest than was usually charged by the ordinary financial institutions of the country; but the scheme of repayment provided under the Bill was very little improvement in that respect upon the present state of affairs, because, if they went into calculations, it would be found that, what with interest and sinking fund, the whole thing worked out to something like 11 per cent., if this money had to be repaid within twenty years—virtually it was within fifteen years. It might be considered, perhaps, that the knowledge that the man, in paying at the rate of 11 per cent. annually, was paying off his debt, would be a solace to him; but it appeared to him it was about the kind of solace that it was to a hungry man to tell him he would have a sumptuous dinner next week. He should like to see the amount of interest and sinking fund together amounting to not more than, say, 8 per cent., and this, of course, could only be done by extending the period of repayment. He therefore proposed to extend the time from 20 years to, say, 30 years. If they made it that term, the borrower, by paying 6 per cent. interest, and 1½ per cent. towards the sinking fund, would be free of his debt at the end of that period, and the payments would not come so heavily upon him as if he had to repay the loan, as now proposed, in 20 years. He also thought it would be better to have these payments annually, instead of half-yearly as proposed in this clause; though he did not regard this as of much importance. He moved that the word "thirtieth," in the fourth line, be struck out, and that the word

"fiftieth" be inserted in lieu thereof. This would be fifty half-yearly payments of the principal, commencing at the expiration of five years after the money was borrowed, thus making the repayments extend over a period of 30 years altogether.

THE PREMIER (Hon. Sir J. Forrest) said the object he had in view in making the term of repayment 20 years was to assimilate it with the term of the mortgage bonds. It might, perhaps, press a little heavily in some instances, but every year the repayments would be getting easier, as the debt was reduced. Possibly it might be arranged on a more scientific actuarial basis, but the scheme he proposed had the merit of simplicity; and it had struck him as being a fair thing. He was not a believer in making the period of repayment extend over too long a term. Thirty years would be half a man's life-time. If a man were 30 years old when he borrowed the money, he would not be free from the debt until he was a grey-headed old man. However, if members thought it would be an advantage to extend the term, he had no particular objection.

MR. LOTON was inclined to favour the amendment. No doubt these annual payments would press rather heavily at the outset, and he was afraid, unless the period of repayment was extended, and the annual contributions correspondingly reduced, the result would be that some of these men would be compelled to have resort to outside assistance to enable them to pay off the claims of the Government. He would suggest that the Premier should re-draft the whole of the clause, framing it on the principle that so much interest and so much sinking fund should be paid annually.

MR. THROSSELL was not altogether opposed to the amendment, though he thought it erred on the side of liberality. As, however, the borrower under this Bill had to tax himself very considerably in spending his own money before he could get any Government assistance, he would not object to the amendment.

MR. ILLINGWORTH would have preferred to see the period extended to 40 years, in which case the contribution to the sinking fund need not be more than one per cent. annually.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 24 to 30:

Put and passed.

Schedule, preamble, and title:

Agreed to.

Bill reported, with amendments.

ADJOURNMENT.

The House adjourned at 45 minutes past 5 o'clock p.m.

Legislative Council,

Wednesday, 10th October, 1894.

Supreme Court: erection of—Camping ground for miners—Saunders, Hon. H. J.: leave of absence to—Busselton Street Closure Bill: third reading—Municipal Institutions Bill: committee—Droving Bill: first reading—Marriage Bill: committee—Loan Bill: committee—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at 4·30 o'clock p.m.

PRAYERS.

SUPREME COURT—ERECTION OF.

THE HON. F. M. STONE asked the Colonial Secretary whether the Government intended building a new Supreme Court House, making provision for two Courts in such building.

THE COLONIAL SECRETARY (Hon. S. H. Parker) replied: The question of erecting a new Supreme Court has been under the consideration of the Government, but no decision has yet been arrived at. The question will again be considered during the coming recess, when I hope it will be determined to erect a complete block of buildings for Court-houses, legal offices, and all necessary appurtenances.

CAMPING GROUND FOR MINERS.

THE HON. F. M. STONE asked the Colonial Secretary whether the Govern-