

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

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

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

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

THE PREMIER: Stated by a correspondent.

Question put and passed.

Bill read a second time.

ADJOURNMENT.

The House adjourned at 5:50 o'clock, p.m., until next day.

Legislative Council,

Thursday, 27th August, 1896.

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

THE PRESIDENT (Hon. Sir G. Shenton) took the Chair at 4:30 o'clock, p.m.

TECHNICAL EDUCATION—ESTABLISHMENT OF.

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

THE MINISTER FOR MINES (Hon. E. H. Wittenoom) replied as follows:—

(1.) The department has, so far, been powerless to make a commencement in Technical Education, owing to the loss of the site which they had in view for it, adjoining the Museum. This was required for the Defence Forces.

(2.) A scheme has been formulated by the Minister, and sent to the Minister for Education in Adelaide, for suggestions or alterations, and this has not so far been returned.

(3.) Steps have been taken to try and secure a room for the purpose of holding lectures on certain subjects, and so make a beginning by securing pupils and lecturers with £1,000 on the estimates of last year.

(4.) The department is now actively engaged in endeavouring to secure a central site. A substantial sum of money has been placed upon this year's estimates, and with the advent of the Inspector General from London, it is hoped good progress will be made at an early date.

WATER SUPPLY TO EASTERN TOWNSHIPS.

THE HON. S. H. PARKER asked the Minister for Mines if the two and a-half millions of money proposed to be raised by loan for the Coolgardie water supply provided funds for the distribution and supply of water to the townsites of Newcastle, Northam, and York; and, if not, how it was proposed to provide money for the purpose?

THE MINISTER FOR MINES (Hon. E. H. Wittenoom) replied, as follows:—

(1.) It does not.

(2.) Under the provisions of the Bill (of which notice has been given by the Government in the Assembly) for providing water for Municipalities and other places.

STOCK TAX—ABOLITION OF.

THE HON. R. S. HAYNES asked the Minister for Mines, whether, in view of the pronounced opposition of the colonists generally to the continuance of the tax on imported stock and meat, it was the intention of the Government to introduce a measure, during the present session, to abolish such tax.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom) replied that the Government did not propose to introduce such a measure this session.

DISEASE IN CATTLE—REPORTS ON.

THE HON. S. H. PARKER: I beg to move:—That the Chief Inspector of Stock's recent report on diseased cattle discovered by him at the Canning, and also all other reports on the subject of disease in cattle, presented to the Government during this year, be laid upon the Table of the House.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I have not the slightest objection to acceding to the request of the hon. member if there are no reasons against it. I was reading some correspondence this morning, in which I saw that the Hon. the Minister for Lands was asked for the report, but did not see his way to give it, because it involves statements regarding individuals which he did not consider it wise to make public. If, however, it is possible to lay the report on the table, I shall be glad to fall in with the hon. member's wishes.

Motion put and passed.

TELEGRAMS AND CABLES—STATISTICS RE.

THE HON. J. H. TAYLOR: I beg to move, That a return be laid upon the table of the House showing:—

1. The number of telegrams and cables received and despatched at, and from the following offices, respectively, during the six months ending 30th June, 1896:—Perth, Fremantle, Coolgardie, Kalgoorlie, and Menzies.

2. The amount of money received by the Government on account of such telegrams and cables.

3. The amount of revenue derived by the colony from such telegrams and cables at each of the above-mentioned places.

The object of this motion is to draw attention to the immense telegraphic business which is being transacted on the goldfields, so that any expenditure which may be incurred in increasing the facilities at the stations I have mentioned may be justified.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I can assure the hon.

member that this motion has my hearty support, and I shall be glad to give him the information he asks for. I shall do so with especial pleasure, because I shall be able to show that the volume of work is immense, and indeed so great, that it is wonderful how the officials have been able to cope with it, considering the facilities they have.

Motion put and passed.

AGRICULTURAL LANDS PURCHASE BILL.

COMMITTEE'S REPORT.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I move, Sir, that you do now leave the Chair for the purpose of reconsidering this Bill in Committee.

THE HON. F. M. STONE: I should like to ask whether the hon. member is in order. I refer you to Standing Order 270, which reads as follows:—"On the motion for the adoption of the report 'the whole Bill may be recommitted and further amendments made, and the Bill as reported with such further amendments, shall be printed prior to such report being adopted. If no amendments are made on such re-committal, the second report may be 'at once adopted.'" I would call your attention to the fact that there is no motion as yet before the House for the adoption of the report; and, therefore, under the Standing Order, I do not see how the hon. member can move to re-commit the Bill.

THE PRESIDENT (Hon. Sir G. Shenton): The hon. member has moved that the Bill be recommitted.

THE HON. F. M. STONE: Yes; but there is no motion as yet that the report be adopted.

THE PRESIDENT (Hon. Sir G. Shenton): I thought that was moved at the last sitting.

THE HON. F. M. STONE: No.

THE PRESIDENT (Hon. Sir G. Shenton): I see now that the hon. member is right. It has not been moved.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): Perhaps a way out of the difficulty will be to move the adoption of the report, and then move to re-commit the Bill on the third reading.

THE PRESIDENT (Hon. Sir G. Shenton): Some other hon. member can now move the adoption of the report, and then the Hon. the Minister for Mines can move, as an amendment, that the Bill be recommitted. I may point out, however, that this amendment can be made with the President in the Chair.

THE HON. J. W. HACKETT: To put the matter in order, I move that the report be adopted.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I move, as an amendment, that the Bill be recommitted for the purpose of adding this clause.

THE PRESIDENT (Hon. Sir G. Shenton): You need not do that. It can be done with the President in the Chair.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I might mention to hon. members that I desire to amend the clause which I have given notice of by leaving out all the words after "land." The words to be left out are: "Provided that the amount spent under this section shall not exceed £20." My object in dropping these words is, that if we leave them in we shall have no power to deal with the clause. Practically, I am moving to reinsert Clause 9, which was struck out, and I should like hon. members to understand that I am not taking this course from obstinacy. When the clause came before us before, it was not fully debated, and the reason I bring it forward again is to enable me to make a few remarks upon it, and to ask hon. members to further consider whether they will permit the Government to do a little clearing in cases where men of ordinary means cannot undertake it, notwithstanding that the land may be of exceedingly good quality. The clause seems to me to be a reasonable one. The object of the Bill is to make provision for the purchase of land suitable for settlement, and for facilitating the better settlement of the people upon it. Surely it must tend to induce settlement if the Government can offer, upon easy terms, rich portions of agricultural land which are already cleared. Possibly the Government may not require to clear any land. We know, however, that in the Southern Districts the land is exceedingly rich, but it is thickly timbered, and men of ordinary means cannot undertake to clear

it, owing to the cost of such being £15 or £20 an acre.

THE HON. C. E. DEMPSTER: More than that.

THE MINISTER FOR MINES (Hon. E. H. WITTENOOM): Then that is all the better for my case. The only land the Government would think of clearing would be such that a man could get ten tons of onions, or five or six tons of potatoes to the acre from. On such land a man with a very small block could make a very good living. We have only to look around, and see the immense amount of produce that is being imported into this colony to force us to the conclusion that something must be done to induce agricultural settlement. This clearing will not be done upon the large farms, but only where the growing capacity of the soil is very great, and where men can get a good living from small blocks. The Hon. Mr. Spencer knows the Southern part of the colony very well, and he will no doubt be able to give us some information about it. If the clause is passed, it might induce people to come from Warnambool and New Zealand, who are used to the growing of onions potatoes, and produce of that kind, and in this way we should be able to lessen our importations. I move that the following clause be added to the Bill, to stand as No. 9:—"The Minister may, if he shall think fit, with the approval of the Governor, clear, drain, fence, or otherwise improve any of the land acquired under this Act prior to disposing of it, and the cost of such clearing, draining, fencing, or other improvement shall be added to the price paid for the land."

THE HON. W. SPENCER: I have much pleasure in endorsing everything the Hon. the Minister for Mines has stated in regard to the land in the Southern districts. I can speak from experience as to the quality of the land, and what it will produce. I know also that there is a large quantity of land which men would like to get hold of if they could obtain some assistance. The land is suitable for growing potatoes and all kinds of vegetables. I have cleared some of it myself, but it has cost me £25 per acre. The first year after clearing I got ten tons of potatoes to the acre from it. A man with little or no capital could not

get this, because he could not do the clearing and then wait a year before obtaining a return.

THE HON. F. M. STONE: I hope the House will not go into committee for the purpose of inserting this clause. Hon. members will remember that there has been up to the present a particular objection to this clause, and that objection was followed up by members striking it out when in committee. I cannot see that the arguments which the Hon. the Minister for Mines has now used will carry the matter any further. When we were going to build the railway to Bridgetown it was said that the line would open up land upon which hundreds of people would settle. Now that the railway has been agreed to it is said that it will cost so much to clear the land that people cannot take it up. If the Government clear it they will have to keep it clear or it will go back to its wild state. Then, again, people who take up land prefer to clear it themselves because they can do the work cheaper. I feel sure that if the Government take it in hand it will cost twice as much as it would if private individuals undertook it. There would be the cost of supervision, and the labour itself would cost more than if done privately. Further, if the Government are allowed to do work of this kind we shall see the day when the unemployed will be put on to clear land which there is no possible chance of selling. Then, if the Government do the work, the persons who take up the land will have to pay not only 10 per cent on the purchase price, but also 10 per cent on the cost of the clearing, and no one, I am sure, will wish to take up land in these circumstances, when they can do the work better and cheaper for themselves. I have seen some correspondence in a paper called the *Scotsman*, in which the writer condemns a very similar scheme in New South Wales. Although there are hundreds walking about Sydney unable to get work, they will not go away into the country and settle on the soil, no matter how advantageous the terms. There is a certain monotony about the bush they do not like, and farming is a business which is nothing but slavery from morning to night. It is on account of this that men prefer to keep on to the towns and be unemployed, rather than go upon the land.

If what the Hon. Mr. Spencer has said is correct, there is a good chance for people who wish to settle on the land, especially as they can obtain assistance from the Agricultural Bank without paying the Government 10 per cent. on the cost of the work. I hope the House will not stultify itself by recommitting the Bill.

THE HON. R. S. HAYNES: It seems to me that it is sufficient that this is a matter which affects the South for members from the North, and those representing agricultural districts to vote against it.

THE HON. C. E. DEMPSTER: No, no.

THE HON. R. S. HAYNES: We had experience of it the other night, and in future the agriculturists will have to look to the representatives of the towns and the mining districts for what they want. I think this clause ought to be inserted, for we may be sure that the Government will not clear land unless there are probable purchasers for it. It is said that the people will want to clear the land for themselves. If they want to do it there will be no need for the Government to step in, but those who are unable to do it the Government can assist. And as to the people doing it, I may remind hon. members that this land has been there since the foundation of the colony, and no one has done anything to it yet. It seems to me that the policy being pursued by hon. members is to defeat the Bill if they can; and, if they cannot, to endeavour to mutilate it as much as possible. I say, if this clause is not inserted, the whole Bill will be defeated. It will be the same as giving a man authority to buy something and not giving him the money to pay for it. It is said that it will cost the Government more to clear than a private individual. I do not agree with this, because the Government will let the work by contract, when it will be done by skilled men who are used to the work, and who can do it for less money. The Hon. Mr. Stone referred to an article in the *Scotsman*. There are two objections to that. In the first place we have not got the writer here, and we do not know whether he has any experience of what he wrote; in the second place the article applies to New South Wales, where the conditions are different to ours. Then it is said

that if assistance is required people can go to the Agricultural Bank. At one time it was said that every one would be borrowing from the Bank, and that was the objection to it. Now it is said that every one should go to the Bank, and by-and-by it will be urged that the Government has lent out too much money. If there is to be a loss, it does not matter to the colony whether it comes through the Agricultural Bank or through another channel in connection with the clearing. It is objected that if the Government do the work the purchaser of the land will have to pay an extra 10 per cent. on the cost of clearing. Surely, if the land is already improved, he can afford to pay it. In the face of what the Hon. Mr. Spencer has said, I think this House will not be doing its duty if it does not insert the clause.

THE HON. A. B. KIDSON: Unlike the hon. member who has just sat down, the arguments which have been adduced against the insertion of this clause meet with my approval. When the matter was last discussed I gave my reasons why I should vote against the clause, and, notwithstanding all that has been said, I do not see any reason to alter my views. The Hon. Mr. Haynes made a statement which, as representing a Southern constituency, I feel it my duty to contradict. He said that the agriculturists would have to look to the representatives of the towns and mining districts rather than to the members for the North and agricultural districts for any legislation that might be of benefit to them. I may point out that the hon. gentleman is speaking from about three days' experience only. I have not had a long experience, but it is longer than that of the hon. gentleman, and I can only say that during the time I have been in the House I have always found, when it has become necessary to support a measure for the South, the members for the North have always rendered what assistance they could. If we permit the Government to undertake the clearing of land we shall find them next cultivating it and paying the wages. Unless people are going to take up our land and improve for themselves it is better to do without them altogether. The men we want as settlers upon the soil are not those who desire the Government to do everything

for them. We have the Agricultural Bank, which will advance upon improvements; but to say that the Government shall do them seems to me to savour very much of grandmotherly legislation. If the Government do this I shall next be wanting some one to run my office for me and pay the expenses of it. If we make the best land in the colony available for settlement that is all we should be asked to do. Certainly we shall be stultifying ourselves if, after having struck the clause out, we now reinsert it.

THE HON. H. BRIGGS: With regard to what the Hon. Mr. Stone has said as to the House stultifying itself I may say that I hail with pleasure the fact that I now have an opportunity of reconsidering my vote. I do not think a man stultifies himself by looking more closely into matters than he has done before, and it is at times an act of great wisdom to change one's mind. I voted against this clause before, but after the explanation which has been given by the Minister I can see there are circumstances which may arise which make such a provision as this necessary to the Bill.

THE HON. C. E. DEMPSTER: I consider this Bill a most desirable one, but this is the only clause that I take exception to. I consider it undesirable on several grounds. In the first place I think it would be unwise for the Government to purchase land which will cost £40 or £50 an acre to clear. Purchasers will never give the value of the improvements. I do not think any one knows of a freehold where the full value of the improvements has been obtained. Further, I think the Government have already sufficient in hand without undertaking work of this kind. The old settlers have never had their farms put in working order for them, and I feel sure that if the Government do the work they will never get back what they spend on the improvements. Taking this view of the clause, I adhere to my former opinion.

THE HON. D. K. CONGDON: On a previous occasion I voted for the retention of this clause, and I shall do so again, because I think that if it is left out we shall render the Bill altogether inoperative.

THE HON. S. J. HAYNES: I trust that hon. members will not support the reinsertion of this clause. I do not pro-

pose to go into the arguments that have already been adduced against it, but I may point out that the object of this measure is not for the purpose of clearing land to induce settlement, but to purchase it. If we insert a clause of this kind we shall be pampering the agriculturists too much. Already we have an Agricultural Bank to assist them, which can lend up to three-fourths of the value of the improvements, and now we propose to buy land for them and sell it to them on 20 years' terms. If we go any farther we shall be inducing a pauper class of people to settle on the soil instead of the self-reliant farmer whom we require.

THE MINISTER FOR MINES (Hon. E. W. WITTENOOM): Hon. members evidently misapprehend the intention of this clause. The object of this Bill is to enable the Government to purchase a special class of land which the ordinary farmer cannot deal with on account of the initial expenses. The Hon. Mr. Stone said that my arguments had not convinced him. Never in my wildest hopes have I expected to do such a thing. The hon. member referred to settlers being able to obtain assistance from the Agricultural Bank, and this in itself shows the absurdity of the hon. member's argument. The bank only advances on improvements in the future, and what is the good of that to a man who has to expend £30 or £40 an acre on clearing.

THE HON. F. M. STONE: By Section 19 of the Act, a man can get an advance if he has cleared and cropped one tenth of his area.

THE MINISTER FOR MINES (Hon. E. H. WITTENOOM): I think the hon. member has got very mixed over this matter, but I shall not take up the time of the house in answering him. All I can say is, that it is very necessary for the Government to have the power which is given to them by this clause, and I trust hon. members will see their way to pass it.

Question—That the clause be added to the Bill; put.

The House divided with the following result:—

Ayes	...	...	...	9
Noes	...	...	...	6
				—
Majority for	...	...	...	3

AYES.

The Hon. H. Briggs
 The Hon. D. K. Congdon
 The Hon. J. W. Hackett
 The Hon. R. S. Haynes
 The Hon. E. McLarty
 The Hon. W. Spencer
 The Hon. J. H. Taylor
 The Hon. E. H. Wittenoom
 The Hon. C. A. Plesse
 (Teller).

NOES.

The Hon. R. G. Burges
 The Hon. S. J. Haynes
 The Hon. A. B. Kidson
 The Hon. J. E. Richardson
 The Hon. F. M. Stone
 The Hon. C. E. Dempster
 (Teller).

Question—That the report, subject to the addition of the new clause, be adopted—put.

THE HON. F. M. STONE: The question before the House was that we go into committee to consider this clause. That has been agreed to, and we should now go into committee. I have some further amendments to make.

THE PRESIDENT (Hon. Sir G. Shenton): No new amendment can be offered at the report stage unless notice has been given of it.

THE HON. F. M. STONE: I refer you, Sir, to Standing Order 270.

THE PRESIDENT (Hon. Sir G. Shenton): I did not put the question that we go into committee. What I put was, that the new clause be added to the Bill. What I put was, that the report, subject to the addition of the new clause, be agreed to.

THE HON. F. M. STONE: The Hon. Mr. Hackett moved that the report be adopted. To this the Hon. the Minister of Mines proposed, as an amendment, that all the words after "that" be left out, to insert the words "The Bill be recommitted for the purpose of inserting this new clause."

THE PRESIDENT (Hon. Sir G. Shenton): I said there was no occasion for that, and I told the Hon. the Minister of Mines he could move the new clause with the President in the Chair.

THE HON. F. M. STONE: I raised the point that the Hon. the Minister was not in order, because no motion had been made for the adoption of the report, as required by Standing Order 270.

THE PRESIDENT (Hon. Sir G. Shenton): I am aware of that, but the Hon. the Minister of Mines adopted my suggestion, and moved that the clause be added to the Bill.

THE HON. F. M. STONE: Should not the question, that the report be adopted, be put first?

THE PRESIDENT (Hon. Sir G. Shenton): I do not think the hon. member is

in order. The question now is that the report, subject to the addition of this new clause, be adopted.

Question, that the report, subject to the addition of the new clause, be adopted, put and passed.

FEDERAL COUNCIL REFERENCE BILL.
 THIRD READING.

This Bill was read a third time, and passed.

CONSTITUTION ACT AMENDMENT BILL.
 SECOND READING—ADJOURNED DEBATE.

THE HON. F. M. STONE: I have much pleasure in supporting the measure now before the House, and, perhaps, on this occasion, the Hon. the Minister for Mines will feel happy that his argument has convinced me. I may say, however, that it was not his argument, but the necessity for the Bill which has convinced me. I have long thought that the goldfields were not properly represented, and I am glad to see that by this Bill they are given what they are entitled to. There is one matter I regret in connection with it, and that is that the Government have been moved by the clamour of another place into giving an additional member to the Fremantle district. Having gone so far, I cannot see why they did not go even further and give yet another one, so that Fremantle would be represented on the North, South, East, and West. However, it has been passed, and I shall not question it further. Taking the Bill as a whole, it is a very good one—one which the fields cannot complain of, and I feel sure that when members are returned under it they will come prepared to represent the interests of the colony as a whole, rather than those of a local character.

THE HON. J. H. TAYLOR: In supporting this Bill, I acknowledge the fairness which is extended by it to the goldfields, but I would like to point out that the goldfields are not standing still. At present they possess half the male population of the colony, but as regards the Lower House only twelve members directly represent the goldfields—about one-fourth instead of one-half. This may be a very fair thing for a start, but it will not satisfy the goldfields in the future. Perth and Fremantle may de-

mand more representation, but the time may come when these demands will not be listened to as they were the other day. Although the goldfields accept this measure now, I feel sure that before long they will ask for something more.

THE HON. A. B. KIDSON: It is with great pleasure that I support this Bill. Its introduction is an evidence of the fact that the Government recognise the growing interests of the goldfields. I cannot agree with what the Hon. Mr. Taylor has said in reference to Perth and Fremantle. He said the time would come when the demands of these places would not be listened to so readily as they have been.

THE HON. J. H. TAYLOR: I did not say that.

THE HON. A. B. KIDSON: That is what I understood the hon. member to say, and I was about to return the compliment by stating that the day might come when the goldfields would not get all they asked for. All I can say is that if the goldfields are not satisfied they ought to be, and I hope that when they elect their members under this Bill the gentlemen who are returned will feel it their duty to consider the interests of the colony as a whole before those of any particular constituency.

THE HON. R. G. BURGESS: I congratulate the Government on bringing in this Bill which will help to satisfy the people on the goldfields. Our goldfields are the chief factors in the prosperity of the colony, and I hope as time goes on they will be able to show that they are entitled to even further representation. There is one interest, however—the agricultural interest—which is always neglected by the Government—

THE MINISTER FOR MINES (Hon. E. H. WITTENOOM): I rise to order. What have I just been fighting for?

THE HON. R. G. BURGESS: I say the agricultural interest has not been thought of in this Bill. The Government certainly have brought in an Agricultural Bank Bill and a Land Purchase Bill, but these amount to nothing at all. I do not see why the agricultural interest should not have representatives of its own. Even the districts which are supposed to return agricultural members are so divided up that anyone who comes forward to represent agriculture will not be returned owing to the votes of the towns.

The East Province, for instance, takes in the Canning and the Midland Junction, where there is a large population, and these districts will swamp the votes of the purely agricultural parts. I think these places should be added to either the South-West or the Metropolitan Province.

THE MINISTER FOR MINES (Hon. E. H. WITTENOOM): I will just say one word in reply, in order to thank hon. members for the manner in which they have received this Bill. It has been prepared after considerable trouble and anxious thought, and even now entire satisfaction does not seem to have been given, bearing in mind what the Hon. Mr. Burges has said. I may point out, however, that it is a very difficult matter to get agriculture represented. The Greenough, for instance, is a purely agricultural electorate, and yet we find it returning a member who resides in Perth. Again, in the Central Province I was the only local member returned, the other two representatives, Mr. Henty and Mr. McKernan, both being residents of Perth. To show, however, that the Government have endeavoured to separate the interests as much as possible, I may point out that what may be called the mineral vote has been taken away and put into a new Province. It might be better if the agricultural industry were more directly represented, but it is very difficult to do it. I am sorry to hear that the goldfields are not satisfied, but I hope that in four or five years' time we shall have to bring in another Bill, and if we do, it will be a sign that we are still making progress.

Question, that the Bill be now read a second time, put and passed.

IN COMMITTEE.

Clauses 1 to 3 agreed to.

Clause 4: "Colony divided into 8 electoral provinces, each returning three members."

THE HON. C. A. PLESSE: I should like to point out again the need that there is for more consideration to be given to this matter. We should, I think, put the districts of the Moore, Irwin, and Greenough by themselves, because their interests are identical. The splitting up of the colony into provinces, each returning three members is not good. In addition to the districts I have referred to, the Swan, Canning and Murray should

be represented according to their interests, and they should not be in a position to outvote the agriculturists in Northam and Newcastle. Then again, Nelson, Sussex, and Wellington, which are agricultural districts, may be outvoted by the residents of the towns which are situate within the province. I hope when another Bill of this kind is introduced this matter will be attended to, and more consideration given to the agricultural interest.

Clause agreed to.

Clauses 5 to 15 agreed to.

Clause 16: "Suspension of Act."

THE MINISTER FOR MINES (Hon. E. H. Wittenoom) moved that progress be reported.

Motion put and passed.

Progress reported.

POST OFFICE SAVINGS BANK BILL.

SECOND READING.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): This is a small Bill for the purpose of extending the powers of the Post Office Savings Bank with regard to the lending of money. At the present moment the limit is fixed at £3,000, and as hon. members are aware, no loan can be granted for more than three-fifths of the value of the land. Lately the properties about Perth have assumed a great value, and are increasing in value. On the other hand the amount in the Post Office Savings Bank has become so large that it is impossible to find good investments for it. In these circumstances it is proposed to extend the limit to £7,000, and it is also provided that the Government may purchase the debentures of municipalities. I think the balance to the credit of the Post Office Savings Bank is at present something like £300,000 or £400,000, and unless some means of investment are provided the Government will make a loss on the Bank. I move that the Bill be now read a second time.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clause 1, agreed to.

Clause 2: "Loans."

THE HON. S. H. PARKER: In view of what the Hon. the Minister has just said, I would suggest that the amount be increased from £7,000 to £10,000. I take it that it is an advantage to lend

money in as large sums as possible, by reason of there being less difficulty about the collection of the interest than is the case with small sums, and it must be borne in mind also that under the Act the Government cannot lend more than three-fifths of the value. This leaves a very safe margin. When I was in office I prepared a series of valuation papers, and one of them showed the owner's valuation, and another the market value. If we only lend three-fifths of the market value we shall be quite safe, no matter what the amount lent may be.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): It would ill become me to offer any opposition to the suggestion of the hon. member, showing as it does further confidence in the Government. For my own part I may say that I am in accord with his views, and so as to give a little further time to consider the matter I move that progress be reported.

Motion put and passed.

Progress reported.

STATUTORY DECLARATIONS BILL.

SECOND READING.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): In my past experience I have found on the goldfields and distant settlements there is at times a difficulty in securing the services of a justice of the peace before whom oaths can be taken and statutory declarations made. This Bill provides that every Warden shall become, *ex officio*, a justice of the peace. Then power is given in certain circumstances to clerks of Courts to administer oaths so long as a justice is not within three miles of where the clerk resides. On the goldfields, unless a warden or a justice happens to be in a particular district, it is impossible at times for the police to get informations taken and thus the work is much hindered. It is now proposed that the clerk of petty sessions may issue summonses in the absence of a justice, and Clause 4 names the particular persons before whom oaths may be taken. This Bill, I feel sure, will give a great deal of convenience to the public, and I move that it be now read a second time.

THE HON. S. H. PARKER: I agree that the principle which is contained in this Bill is a most useful one, but it

seems to me that as the measure is drafted it will not give what the hon. the Minister claims for it. I may point out one or two of its defects. The first clause enacts that a warden on the goldfields shall, by virtue of his appointment, be a justice. It provides that when acting as warden he shall be a justice, but in the former portion of the clause it is said he shall be a warden. Now is it intended that an acting-warden shall be a justice? Then by Clause 2 it is enacted that where no justice is resident within three miles a clerk of petty sessions, in the absence of a justice, shall have authority to administer oaths and take affirmations. It is obvious that the clerk before he can administer an oath must be at some place where there is no justice resident within three miles, and further that there is no justice present on the spot. It is not sufficient that no justice shall be resident within three miles to authorise the clerk to take an oath, but there must be no justice on the spot. Then look at Clause 6. It says that where a clerk of petty sessions administers an oath or takes an affirmation in pursuance of Sections 2 and 5, he shall state in the jurat the words "there being no justice resident within three miles." That statement does not authorise him to take an oath or to administer a declaration, because if we look at Clause 2 the jurat should also go on to state that there was no justice present. Unless this is stated in the jurat, all sorts of objections will be taken, and the provisions of the Bill will not give the effect which is desired. It is obvious that if a clerk takes a declaration it must, if this Bill is to be of any use, be shown that it is good on the face of it. Again, take Clause 3. It says: Any clerk . . . in the absence of a justice of the peace, may sign and issue summonses, &c. What does "the absence" of a justice mean? Does it mean he is absent if he walks outside?

THE MINISTER FOR MINES (HON. E. H. WITTENOOM): It means if he is three miles away.

THE HON. S. H. PARKER: There is not a word about that, and the Bill shows that that is not intended, because in Clause 6 there is not a word about Clause 3. Clause 6 only refers to Clauses 2 and 5. This should obviously be provided for in the same way that provision is made in

regard to oaths, that the certificate of the clerk that the justice is absent shall be proof of that fact, otherwise people will treat the summonses as useless. The draftsman evidently saw this in regard to oaths, but neglected to provide for it in the case of summonses. Then Clause 4 says: The persons hereinafter mentioned, and in their absence their respective deputies may take affirmations, &c. What is the meaning of their absence? Does it mean if the justice walks outside there is an absence? Then, whoever heard of deputies to clerks of Local Courts. Years ago I used to practice in the Local Courts, but I never heard of a deputy. It seems to me that this Bill has been drawn by someone who does not understand our local circumstances. Then Clause 5 says: All wardens of goldfields and goldfields districts, and all persons by this Act authorised to administer oaths under the circumstances, or for the purposes of this Act in that behalf mentioned, &c. This is obviously a description of those persons who take oaths in the absence of a magistrate. But then Clause 6 comes in and says they cannot take an oath unless there is no justice within three miles. It seems to me, therefore, that Clauses 5 and 6 are entirely contradictory. I presume it is part of our duty to criticise Bills when they come before us, and that we should do so all the more when we find that they go through the Lower House with but little criticism. On the whole it seems to me that this Bill will not have the effect that is desired.

The **PRESIDENT** then left the Chair for an hour.

On resuming,

THE HON. R. S. HAYNES: I quite agree with the remarks which have fallen from the Hon. Mr. Parker in reference to this Bill. It seems to me to be a miserable production, and that no good service will be done by it if it is passed as it stands. I should also like to see a clause inserted under which a clerk could take recognisances in cases where the magistrate has granted bail. A sergeant of police can take bail in his own department, and I cannot see why the clerk should be debarred from doing so. I think it would simplify matters if all clerks of petty sessions could take informations. In my experience in Perth I have found a great difficulty in

getting justices to take informations, and if we allow the clerks to do the work it will not interfere with any person's liberty, and at the same time it will simplify the procedure very much. I think if we pass the second reading we might then refer the Bill to a select committee.

Question, That the Bill be now read a second time, put and passed.

Bill read a second time.

THE HON. R. S. HAYNES: I move that the Bill be referred to a select committee, with power to call for persons and papers, and to report at the next sitting of the House.

Question put and passed.

A ballot having been taken, the following members were elected, in addition to the Mover, to serve on such committee:—The Honourables A. B. Kidson, S. H. Parker, F. M. Stone, and E. H. Wittenoom.

EXCESS BILL.

SECOND READING.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): By this Bill the Government ask hon. members to confirm an unauthorised expenditure of £95,840 11s. 4d. This money was expended last year, and was necessary on account of developments having taken place so rapidly. New townships were formed, and new expenses created. I may say that the amount is absolutely necessary in order to keep pace with the business of the country. I will not take up the time of hon. members by going into the details, because an explanation of every one of them will be found in the Auditor General's report. I may say, however, that although this money has been spent which was not voted, there are under-drafts amounting to £111,000. I move that the Bill be now read a second time.

THE HON. S. H. PARKER: I am not going to oppose this Bill, but I may point out that it only covers the excess expenditure to 30th of June, 1895. Last year the House sat until October, and I cannot see why this Bill should not have been introduced before we went into recess. It looks very much as if it were the desire of the Government to put off the consideration of the Bill until all interest in the subject matter of it had been done away with. I trust the Hon the Minister will be able to give us an

assurance that the Excess Bill for the year ending 30th June, 1896, will be presented before the session closes.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I may say that the reason this Bill has not been introduced before is that the Auditor General's report, which gives the details and explanations, was not ready. The Government have no desire to keep the Bill back, and if the Auditor General's report for the year 1896 is ready before Parliament is prorogued the Excess Bill will be presented.

Question, that the Bill be now read a second time, put and passed.

COMPANIES ACT AMENDMENT BILL.

LEGISLATIVE ASSEMBLY'S AMENDMENTS.

The President announced the receipt of the following message from the Legislative Assembly:—

"Mr. President,

"The Legislative Assembly acquaints the Legislative Council that it has this day agreed to a Bill intituled 'An Act to amend the Companies Act, 1893,' subject to the amendments set forth in the schedule annexed; in which amendments the Legislative Assembly desires the concurrence of the Legislative Council.

"JAS. G. LEE STEERE,

"Speaker.

"Legislative Assembly Chamber, Perth,
"27th August, 1896."

"Schedule of Amendments made by the Legislative Assembly in 'The Companies Act Amendment Bill':

"No. 1.—Clause 3.—Add to the clause, 'and a fee of five shillings shall be payable in respect of all copies so filed.'

"No. 2.—Clause 4.—Add to the clause, 'A fee of one pound one shilling shall be payable on every such certificate.'

"No. 3.—Schedule, lines 2 and 3.—Strike out the words 'according to the certified copy of certificate of incorporation,' and insert the words 'it appears that' in lieu thereof.

"WALTER A. GALE,

"Clerk of the Assembly.

"27th August, 1896."

CRIMINAL EVIDENCE BILL.

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

COOLGARDIE WATER SUPPLY LOAN
BILL.

SECOND READING—ADJOURNED DEBATE.

THE HON. D. K. CONGDON: I move that this Order of the Day be discharged and made an Order of the Day for the next sitting of the House.

THE HON. R. G. BURGESS: I think it is most unfair to country members who have come to town especially for the purpose of considering this Bill. Besides this, I think it is better that we should get on with the work.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I can only say that I am entirely in the hands of the House, and if a majority of hon. members wish to adjourn in order to hear in another place the most important speech of the session I shall offer no objection.

THE HON. J. H. TAYLOR: I shall oppose the adjournment. I am a country member, residing 380 miles from here. I have come down twice for the purpose of taking part in the discussion, and I think it only fair that we should go on.

THE PRESIDENT (Hon. Sir G. Shenton): Under our Standing Orders the question for the adjournment of the debate must be put without discussion.

Question, That the Order of the Day be discharged, and made an Order of the Day for the next sitting of the House, put.

The House divided with the following result:—

Ayes	...	...	...	8
Noes	...	...	...	6

Majority for ... 2

AYES.
The Hon. D. K. Congdon
The Hon. C. E. Dempster
The Hon. E. McLarty
The Hon. S. H. Parker
The Hon. C. A. Piessie
The Hon. W. Spencer
The Hon. F. M. Stone
The Hon. S. J. Haynes
(Teller).

NOES.
The Hon. H. Briggs
The Hon. R. G. Burgess
The Hon. E. S. Haynes
The Hon. A. B. Kidson
The Hon. J. E. Richardson
The Hon. J. H. Taylor
(Teller).

Order of the Day discharged, and made an Order of the Day for the next sitting of the House.

ADJOURNMENT.

The House, at 8-10 o'clock, p.m., adjourned until Wednesday, 2nd September, 1896, at 4-30 o'clock, p.m.

Legislative Assembly,

Thursday, 27th August, 1896.

Question: Assistance to establish Wineries—Companies Act Amendment Bill: third reading—Criminal Evidence Bill: third reading—Streets and Roads (Greenmount and Marble Bar) Closure Bill: in committee—Supply of Water to Municipalities &c. Bill: first reading—Annual Estimates and Financial Statement: in Committee of Supply—Adjournment.

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

PRAYERS.

QUESTION—ASSISTANCE TO ESTABLISH WINERIES.

MR. CLARKSON, in accordance with notice, asked the Premier whether the Government are willing to assist in the establishment of wineries in the larger vine-growing districts of the colony. If so, to what extent?

THE PREMIER (Hon. Sir J. Forrest) replied: No final decision has yet been arrived at. The Government are in sympathy with the idea.

COMPANIES ACT AMENDMENT BILL.

THIRD READING.

Bill read a third time, and passed.

CRIMINAL EVIDENCE BILL.

THIRD READING.

Bill read a third time, and transmitted to the Legislative Council.

STREETS AND ROADS (GREENMOUNT AND MARBLE BAR) CLOSURE BILL.

The House went into committee to consider the Bill.

IN COMMITTEE.

Clause 1—agreed to.

Schedule:

THE COMMISSIONER OF CROWN LANDS (Hon. A. R. Richardson) explained that two verbal errors in the printing of the Schedule had occurred. (Errors corrected accordingly.) Referring to the proposed closure of a road at Marble Bar, he said the particular road had been diverted because a better route was found available. As to the proposed closure at Greenmount near Smith's Mill, the contour of the country was such that the road originally marked on the map