

MR. HIGHAM: The importer should be allowed to mature his liquor in private bond.

MR. DOHERTY: Nobody objected to its being in his private bond.

MR. HIGHAM: But the new clause said the liquor was not to be imported.

MR. DOHERTY: No; it said the liquor was not to issue from the bond until tested.

MR. HIGHAM: That should apply not only to bulk, but to sealed liquors, because most of the vile stuff which got into the local market came here sealed and labelled.

MR. LEAKE: The mover would better attain the object by altering the clause to read that any liquor might be detained for analysis. He had no wish to throw obstacles in the way of hon. members, for he was as anxious to prevent the importation of adulterated liquors as anyone could be.

MR. DOHERTY: It was not a question of adulterated liquors.

MR. LEAKE: Paragraph 1 of the clause dealt with adulteration, and paragraph 2 with the question of the age of liquors. The hon. member was dealing now with the adulteration, and wanted the liquor detained for analysis, and destroyed if condemned; but this intention was not expressed in the wording of the clause. The hon. member should accept his suggestion, and report progress at this stage. He (Mr. Leake) would be glad to assist him to attain the object.

MR. DOHERTY said his intention was to prevent the placing on the market of cheap whisky or brandy until it had matured.

Progress reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at 10:28 p.m. until the next Monday.

Legislative Assembly,

Monday, 15th November, 1897.

Paper Presented—Question: Mullewa-Cue Railway Contract Time, &c.—Cemeteries Bill: third reading—Aborigines Bill: third reading—Hawkers and Pedlars Act Amendment Bill: third reading—Industrial Statistics Bill (amendments suggested on report)—Employment-Brokers Bill: further amendments on report—Local Inscribed Stock Bill: in committee—Width of Tires Act Amendment Bill: in committee; Division on motion to leave the Chair—Sale of Liquors Act Amendment Bill: in committee (new clauses)—Immigration Restriction Bill: second reading (moved)—Motion: Leave of Absence—Visit of Members to Bunbury Show—Adjournment.

THE SPEAKER took the Chair at 7:30 o'clock, p.m.

PRAYERS.

PAPER PRESENTED.

By the PREMIER: Report of Fremantle Lunatic Asylum for 1896.

Ordered to lie on the table.

QUESTION—MULLEWA-CUE RAILWAY CONTRACT TIME, &c.

MR. GREGORY, for Mr. Rason, in accordance with notice, asked the Commissioner of Railways—1. Whether it was the intention of the Government to grant any extension of time for taking over from the contractors the Mullewa-Cue Railway. 2. If so, for what period, and whether the Government would insist upon the contractors providing a suitable and adequate train service, and accommodation equal in every respect to that which would have been provided by the Government had no such extension been granted. 3. Whether the Government would insist that the charges for the conveyance of passengers and freight, during the period of such extension, should not exceed the rates charged upon existing Government lines.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) replied: 1. Yes. 2. For six months; to 30th June, 1898. The contractors have agreed to the running of one train daily for conveyance of passengers and goods. 3. Rates for passengers and goods to be the same as those existing under Government tariff classification.

CEMETERIES BILL.

Read a third time, and transmitted to the Legislative Council.

ABORIGINES BILL.

Read a third time, and transmitted to the Legislative Council.

HAWKERS AND PEDLARS ACT AMENDMENT BILL.

Read a third time, and transmitted to the Legislative Council.

INDUSTRIAL STATISTICS BILL.

AMENDMENTS SUGGESTED ON REPORT.

On the Order of the Day for the adoption of the report,

THE ATTORNEY GENERAL (Hon. R. W. Pennefather) said he desired to move an amendment in Clause 4.

MR. ILLINGWORTH said an amendment prior to that should be made. According to the interpretation clause, an "industrial establishment" meant "any factory, workshop, or mill where an engine is driven by steam, gas, or electricity, whatever be the number of persons employed there, and any mine, quarry, or other establishment or place where four persons or more are employed, &c." If no returns were to be sent in from mines employing less than four men, the statistics would be very incomplete, by omitting the very returns which were needed to show the number of mines and of the men employed in them. He intended to move an amendment for obtaining complete returns from all the mines, because a considerable output of gold might be obtained from a mine in which only two men were employed.

MR. BURT (in charge of the Bill) said Clause 13, relating to returns from industrial establishments, would require redrafting, and he therefore moved that the consideration of the report be adjourned until Thursday next.

Put and passed, and the consideration of report adjourned.

EMPLOYMENT BROKERS BILL.

AMENDMENTS ON REPORT.

Consideration of report from committee.

Clause 6—Objections to license and notice thereof:

MR. BURT (in charge of the Bill) moved, as an amendment, in the ninth line, that the words "any officer of police" be substituted for the words "police officer in charge of the district."

Put and passed.

MR. BURT moved, as a further amendment, that after the word "objections," in the twelfth line, the following words be inserted, "except when made by any licensing magistrate." It would not do to require a member of the bench to give notice beforehand of any objection he wished to make. When cases were heard, any magistrate should be able to raise objections, at once, if he wished to do so.

Put and passed, and the clause as amended agreed to.

Clause 15—License forfeitable on more than two convictions during its currency:

MR. BURT moved that the following words be inserted at the end of the clause: "Or imprisonment not exceeding three months."

Put and passed, and the clause as amended agreed to.

Report adopted.

LOCAL INSCRIBED STOCK BILL.

IN COMMITTEE.

Bill considered in committee, reported without amendment, and report adopted.

WIDTH OF TIRES ACT, 1895, AMENDMENT BILL.

IN COMMITTEE.

Clause 1—agreed to.

Clause 2—Amendment of 59 Victoria. No. 39, section 2:

MR. LOCKE: The Width of Tires Act of 1895 was one of the best measures ever passed in this colony. He had been a member of a roads board for a number of years, and his experience proved that it would be a pity if the Act were amended in the direction which Clause 2 proposed. He hoped to persuade hon. members not to pass the clause. People living in the agricultural districts were of opinion that the Act was a good one; and in his (the Sussex) district all the people had altered the tires of their carts to the width prescribed by the Act of 1895; also, those persons who had given orders for new carts were having

them constructed according to the Act now in force, so that to alter the Act now would put them to considerable expense. The tires prescribed by the Act saved the road, and many men in the country had altered their tires before there was any law on the subject. Large sums of money would be saved in road-making, as the wide tires did not cut up roads as much as narrow ones, and consequently the roads boards would not require so much money for maintenance. He hoped a majority of members would see their way to vote against the alteration proposed. The Act, as it stood, was not a hardship on settlers.

MR. QUINLAN (in charge of the Bill): The hon. member did not grasp the meaning of the amending Bill. The wide tires might suit the district which the hon. member represented, but would not suit every district. In introducing the Bill, he had pointed out that this amendment was necessary on account of the wear and tear and shortness of life of wheels in the metropolitan district. In country places, more particularly in the Eastern districts, wheels lasted three times as long as those in the district which were exempted. It would be a hardship to those people who had just had their wheels made prior to the Act coming into force, to have to discard them, because each wheel represented a value of £5. The feeling in the country districts—not alone the one he represented—was in favour of this amending Bill. He admitted he was in favour of wide tires. He had seen the result of them, and had no hesitation in saying that wide tires were better able to carry a load than narrow tires; but this Bill was brought forward to remove the hardship on those least able to bear it. He was confident that the Bill would meet with the approval of a majority of the people of the colony.

MR. LOCKE: The hon. member for Toodyay did not understand the width-of-tires business. There was no hardship on anyone through the Act of 1895. If a man had a cart with narrow tires, the sooner he widened them the better it would be for himself; and if he had not the sense to widen his tires, then Parliament must show him that it was his advantage to have wide tires. The case had been misrepresented to the hon.

member for Toodyay. He (Mr. Locke) must stick to what he thought was right, after the experience he had had of wide tires. He had seen a road torn to pieces by narrow tires, while wide tires had no such effect on a road. He moved that the Chairman do leave the Chair.

THE PREMIER (Right Hon. Sir J. Forrest): The object of the member for Toodyay was to provide that farmers and others in the country, who did not use carts very often, should not be compelled to alter their tires until the first of January, 1902. By that time carts now in use would, no doubt, be worn out; and in the meantime, if new tires were needed, wide tires would have to be fixed. All new carts would have to be fixed with tires of the width set forth in the Act.

MR. LOCKE: This question had been thoroughly threshed out by the Bureau of Agriculture and the Agricultural Conferences during the last two or three years, and he must adhere to the motion he had submitted.

Question—that the Chairman do leave the Chair—put, and division taken, with the following result:—

Ayes...	8
Noes...	9
Majority against...			1

AYES.		NOES.	
Mr. Burt		Sir John Forrest	
Mr. Ewing		Mr. Hassell	
Mr. Gregory		Mr. Kingsmill	
Mr. Illingworth		Mr. Mitchell	
Mr. Leake		Mr. Pennefather	
Mr. Locke		Mr. Piessé	
Mr. Oats		Mr. Quinlan	
Mr. Kenny (Teller).		Mr. Wood	
		Mr. Hubble (Teller).	

Motion thus negatived.

Clause put and passed.

Clause 3—agreed to.

Title—agreed to.

Bill reported without amendment, and report adopted.

SALE OF LIQUORS ACT AMENDMENT BILL.

IN COMMITTEE—NEW CLAUSES.

New Clause—Analysis in bond:

Discussion resumed on the new clause proposed by Mr. Doherty at the previous sitting, as follows:—

No spirituous liquor in bulk shall be issued or allowed to pass out of the Customs bond, unless the same has been first tested and certified by a public analyst as being free

from adulteration. And no whisky or brandy or rum shall be issued from or allowed to pass out of the Customs bond unless the same is at least four years of age.

Mr. BURT (in charge of the Bill): It would be impracticable to attempt to analyse every gallon of liquor received at the Custom-house. His attention had been drawn to this subject on more than one occasion, and he was convinced of the impossibility of carrying out the proposal embodied in the new clause. To analyse all liquor imported would require an army of analysts and a new Custom-house.

Mr. HUBBLE: An amendment had already been carried for the appointment of inspectors, and this did away with the necessity for the proposed new clause. The inspectors, if they did their duty when visiting hotels, would find out where adulterated liquors came from.

Clause put and negatived.

New Clause—Sports ground refreshment-room license:

Mr. BURT: The five new clauses and two schedules under this heading had been put on the Notice Paper with a view to affording an opportunity of looking at them carefully; and the more he looked at these suggested clauses the less he liked them. He would not, therefore, move any of these suggested clauses. He certainly would not move them in the language in which they were drawn, allowing, as that language did, licenses to be taken advantage of by members of a cricket or sports association. Such a provision would be ridiculous, and give rise to nothing more than a private grog-shop. At first he had thought there was something in the suggestion that the committee of a cricket or sports association might sell their own liquors during times when their grounds were open to the public; but the more he considered the matter, the more he was convinced that this would not be a proper thing to allow.

Mr. ILLINGWORTH: Whenever sports were held, the association by whom the sports were promoted let the right of selling drink on the ground at so much for the day or for the "season." The effect was to introduce a large amount of drink into the sports grounds for sale, without any control as to quality or otherwise by members of the association. The man who sold the liquor paid

a certain sum for the privilege, and sold to the public what he pleased.

Clauses not moved.

New Clause—Amount of license fee: Mr. QUINLAN moved that the following new clause be added to the Bill:—

Sub-section 1 of Section 15 of the principal Act (44 Vict., No. 9) is hereby amended by striking out all the words after "license" in the first line, and inserting the words "seventy pounds in the Perth and Fremantle Electoral Districts, fifty pounds in the Perth and Fremantle Magisterial Districts, Kalgoorlie, Coolgardie, and Boulder city municipalities, and forty pounds elsewhere.

He was confident that the public-houses within the Perth electoral district were better able to pay increased license fees than any of the houses in the Perth magisterial district. The Perth electoral district extended from Mill Street to Lord Street, and was bounded on the north side by Wellington Street. It was true there were one or two houses outside of that area which might fairly be called on to pay a little more than the ordinary fee; but he did not think the increase of fee could be made, generally, on any more equitable basis than he proposed. With regard to the municipalities of Coolgardie, Kalgoorlie, and the Boulder, he considered that £50 was not an unreasonable fee for publicans in those places to pay, as they could better afford an increase than the publicans in most other districts. The principal Act, it must be remembered, was very old; and if the Perth and Fremantle public-houses were able to pay a £50 fee when the Act was passed in 1880, it was reasonable to suppose that those in Kalgoorlie, Coolgardie, and the Boulder township could pay the same fee now, considering that the price of a drink in those places was generally one shilling. This was a fair way of raising revenue. The words "£40 elsewhere" applied to all places in the colony other than those mentioned previously. In some country districts publicans might barely be able to pay this fee; but, possibly, their landlords would reduce the rents, in the altered circumstances.

Mr. BURT pointed out that the electoral districts, in some cases, overlapped the magisterial districts. Further consideration of the matter was necessary.

Mr. EWING: The member for Toodyay evidently desired to tax more heavily the hotels situated in large centres of

population, on the ground that these were more likely to produce large profits; but it did not follow that because a hotel was in the electoral district of Perth or Fremantle, it was therefore a profitable concern. He had known houses in the outlying districts which gave infinitely better returns than others centrally situated. The Act which we were now amending would probably be the law of the country for many years; and it was likely that some of the places in which this clause proposed to increase the license fees would, in days to come, cease to be so prosperous as they were now, and that other large places would arise in their stead. To draw a distinction in present circumstances, between a few towns in the colony and all the others, was altogether inequitable.

MR. KINGSMILL: The distinction between the fee proposed to be increased in respect of houses in Perth, Fremantle, Coolgardie, Kalgoorlie, and the Boulder, as compared with the fee in other towns in the colony, was drawn not so much by the member for Toodyay, as by the publicans themselves. The tariff in the gold-fields towns was most exorbitant, and the publicans therein were suffering under few disabilities as compared with those of Perth and Fremantle. He would support the amendment.

THE PREMIER (Right Hon. Sir J. Forrest): The principle of the clause was a good one, that those places where most profit was made should pay a larger amount to the revenue than others where less trade was done. He had always thought it unreasonable that the same price should be charged for all licenses. They all knew that in Perth and Fremantle a large sum of money could be made in a good hotel, whereas in the country districts a publican merely made a living. The license fees should certainly be larger in the central portions of Perth and Fremantle than they were at present; for publicans in the larger centres could certainly afford to pay fees which it would be altogether unreasonable to expect from those in such places as Katanning, Busselton, Bunbury, Pinjarrah, Newcastle, Northam, York, Beverley, Kojonup, Northampton, and other small townships. To ask a licensed victualler in a small country town to pay the same fee as one doing business in the centre of

a city like Perth or a town like Fremantle, was asking altogether too much. One hundred pounds would not be too large a fee for Fremantle and Perth, whereas in country places the fee ought to be much smaller. Hon. members must recollect that, when they went into the country, they expected accommodation as well as refreshment; and, unless these licenses were issued, they would be unable to get accommodation so good as that now provided. The hon. member was on the right track in charging a high fee for hotels situated in the electoral districts of Fremantle and Perth. He had not taken a prominent part in this question, because he did not pretend to know more about it than any ordinary member did; still, now that we were dealing with the subject, we might try and put the license fee on a better footing than it had hitherto been.

MR. ILLINGWORTH said it might be in the memory of the committee that he had, on one occasion, moved that a fee of one hundred pounds should be charged for all licensed houses.

THE PREMIER: That would not do at all.

MR. ILLINGWORTH: The member for Toodyay (Mr. Quinlan) seemed to have hit on a solution of the difficulty which would meet the circumstances of the case.

THE DIRECTOR OF PUBLIC WORKS (Hon. F. H. Piesse): This matter was too important to be dealt with off-hand; and although the member for Toodyay, in moving in the matter, had probably acted in the right direction in raising the fee, yet it would be better to see the amendment in print before passing it. Hon. members would then be able to study the question, and to see what effect such an amendment was likely to have. With regard to the proposal that the electoral districts of Perth and Fremantle should be the areas within which seventy pounds should be charged as a license fee, and that in all magisterial districts another rate should be charged, we would have to strictly define the meaning of the terms used, because magisterial districts and electoral districts overlapped one another. The matter was so important that progress should be reported, with a view to making the amendment more effective.

MR. LEAKE agreed with the Minister who had just spoken, that the amendment, as now worded, should not be allowed to pass, because a magisterial district would overlap an electoral district. So far as the principle of the amendment was concerned, he considered it a good one, namely that a higher license fee should be charged in the metropolitan districts of Perth and Fremantle than in country places; but he did not believe in having a further subdivision within Perth and Fremantle. His idea was to aim a blow at the outside public-houses, those on the fringe of the city, as they did more harm than any others, and he did not see why we should grant them a favour. He asked the hon. member to consider this aspect of the question. There was no doubt that this question of licensing was bound to crop up during the next session of Parliament. He hoped that the new Attorney General would find time to direct his attention, during the recess, to the consolidation of the law, and, if so, we might as far as possible avoid overloading the provisions of this Bill, which was only of a temporary nature. We did not want to imperil the adulteration clause, which had already been affirmed, by going off into side issues.

MR. ILLINGWORTH: Probably there was no intention of bringing in a consolidation Bill next session.

THE PREMIER: We had had a pretty good dose of it this session.

MR. QUINLAN was satisfied he was moving in the right direction. The licensing meeting was to be held next month, and it would mean an immediate increase to the revenue of a fair sum of money, if higher license fees were charged. In Perth alone, fifteen public-houses were in the electoral district, and there would probably be a similar number in Fremantle. There were also the towns of Coolgardie, Kalgoorlie, and the Boulder, where a great number of licenses were held, and where it was proposed to increase the fee by ten pounds. He had left the suburbs of Perth out of consideration, as they were certainly less able to pay a fee of £50 for a license than the goldfields. Such a sum would be high for Subiaco and Leederville, for instance. He was well aware the magisterial district overlapped the electoral

district; but, as he had stated, it would require a lawyer to put the amendment into legal phraseology. As it was the wish of hon. members, he would move that progress be reported.

Progress reported, and leave given to sit again.

IMMIGRATION RESTRICTION BILL.

SECOND READING.

THE PREMIER (Right Hon. Sir J. Forrest): This Bill, as its title denotes, proposes to place certain restrictions on immigration. Hon. members are aware that the question to restrict certain classes of immigration into this colony has occupied the public mind to a considerable extent of late years. The influx of coloured people into all the colonies of Australia has been a matter which has caused grave anxiety to the people of the various Australian colonies. There has always been a difficulty in dealing with the question, and that difficulty I am sure is recognised by everyone in this House, and everyone in the colony who takes a reasonable and moderate view of the question, and has any regard to the responsibility which attaches to dealing with the question. Hon. members have seen, no doubt, the remarks made by the right hon. the Secretary of State for the Colonies, Mr. Chamberlain, in his admirable address to the colonial Premiers a few months ago, a copy of which has been laid on the table of this House. His remarks had reference to Bills which had been passed by the legislatures of Victoria, South Australia, and New South Wales. These three colonies, and I think also the colony of Tasmania, have all passed a Bill restricting immigration into those colonies, and having for the basis of the restriction the colour of the immigrant. These Bills were reserved, by each of the Governors for the signification of Her Majesty's pleasure, and the Colonial Office and the Imperial Government found themselves in a difficulty in regard to dealing with these Bills. They found themselves in a difficulty in recommending Her Majesty to assent to them. Here is what the Right Hon. J. Chamberlain says in regard to the question. These words are so statesmanlike, and so applicable to the subject, that I think I

should be justified in reading them again for the information of hon. members. Mr. Chamberlain says:

I have seen these Bills, and they differ in some respects one from the other, but there is no one of them, except perhaps the Bill which comes to us from Natal, to which we can look with satisfaction. I wish to say that Her Majesty's Government thoroughly appreciate the object and the needs of the colonies in dealing with this matter. We quite sympathise with the determination of the white inhabitants of these colonies, which are in comparatively close proximity to millions and hundreds of millions of Asiatics, that there shall not be an influx of people alien in civilization, alien in religion, alien in customs, whose influx, moreover, would most seriously interfere with the legitimate rights of the existing labour population. An immigration of that kind must, I quite understand, in the interest of the colonies, be prevented at all hazards, and we shall not offer any opposition to the proposals intended with that object; but we ask you also to bear in mind the traditions of the empire, which makes no distinction in favour of or against race or colour; and to exclude, by reason of their colour or by reason of their race, all Her Majesty's Indian subjects, or even all Asiatics, would be an act so offensive to those peoples that it would be most painful, I am quite certain, to Her Majesty to have to sanction it. Consider what has been brought to your notice during your visit to this country. The United Kingdom owns as its brightest and greatest dependency that enormous Empire of India, with 300,000,000 of subjects, who are as loyal to the Crown as you are yourselves, and among them there are hundreds and thousands of men who are every whit as civilised as we are ourselves, who are, if that is anything, better born in the sense that they have older traditions and older families, who are men of wealth, men of cultivation, men of distinguished valour, men who have brought whole armies and placed them at the service of the Queen, and have in times of great difficulty and trouble, such for instance as on the occasion of the Indian Mutiny, saved the Empire by their loyalty. I say you, who have seen all this, cannot be willing to put upon those men a slight which I think is absolutely unnecessary for your purpose, and which would be calculated to provoke ill-feeling, discontent, irritation, and would be most unpalatable to the feelings not only of Her Majesty the Queen, but all of her people. What I venture to think you have to deal with is the character of the immigration. It is not because a man is of different colour from ourselves that he is necessarily an undesirable immigrant, but it is because he is dirty, or he is immoral, or he is a pauper, or he has some other objection which can be defined in an Act of Parliament, and by which the exclusion can be managed with regard to all those whom you really desire to exclude. Well, gentlemen, this is a matter I am sure for friendly consultation between us. As I have said, the colony

of Natal has arrived at an arrangement which is absolutely satisfactory to them, I believe; and remember they have, if possible, an even greater interest than you, because they are closer to the immigration which has already begun there on a very large scale, and they have adopted legislation which they believe will give them all that they want, and to which the objection I have taken does not apply, which does not come in conflict with this sentiment which I am sure you share with us; and I hope, therefore, that during your visit it may be possible for us to arrange a form of words which will avoid hurting the feelings of any of Her Majesty's subjects, while at the same time it would amply protect the Australian colonies against any invasion of the class to which they would justly object.

This matter, introduced in such a statesmanlike and friendly way by Mr. Chamberlain, engaged the attention of representatives of these colonies in London, and they came to this conclusion:—

On the question of the legislative measures which have been passed by various colonies for the exclusion of coloured immigrants, a full exchange of views took place, and though no definite agreement was reached at the meeting, as the Premiers desired to consult their colleagues and Parliaments on the subject, Her Majesty's Government have every expectation that the natural desire of the colonies to protect themselves against an overwhelming influx of Asiatics can be attained, without placing a stigma upon any of Her Majesty's subjects on the sole ground of race or colour.

I may inform hon. members that the Bills passed by the Legislatures of the various colonies to which I have referred, made no exception in respect to British subjects. If they were natives of India—these Bills having been assented to—and had gone to any of the colonies named, they would have been excluded as if they were alien and not having been British subjects, and having no rights as British subjects. Hon. members will see the difficulty in which the Government of England was placed. I will say no more in regard to that, as Mr. Chamberlain's words are so much to the point, and he has so thoroughly explained the whole matter. This Government, I may say at once, has never had any sympathy whatever with the influx of undesirable persons into the colony. We have expressed ourselves times out of number that we do not desire the Asiatic alien to come to this colony, because he is alien to us in race, in religion, in sympathy, and we do not want our people to mix up with the black races. Those are

the views of the Government—and on this question I believe we represent the feelings of the country—expressed so often, although I am aware it has been said that the Government are merely talking, and do not really mean to act in this matter; still there can be no question and no doubt whatever as to the views we hold on this matter. They have been expressed time after time—I expressed them in England before a large assemblage, and I may tell you the coloured man is not looked upon with any disfavour in the old country. You will find perhaps just as much cheering when an Indian gentleman gets up to speak, as when any of our own race rise to speak. They recognise that India is a great nation, and that no semblance of affront should be shown to that country. We (the Government) have always expressed ourselves that we do not desire an invasion of alien races in this colony, and acting on the precedent established by the colony of Natal, which I may tell you is a colony with a very large native population, we have brought in this Bill. There are, I think, half-a-million of native Kaffirs in Natal, and only 50,000 Europeans.

MR. ILLINGWORTH: They are the aborigines.

THE PREMIER: They are, but the Government there have recognised the system of immigration for cultivation. Indian coolies are going there in large numbers, and they have gone there to stay. That difficulty had to be overcome, and the result was that the Government passed a Bill somewhat similar to this, the second reading of which I am asking the House to assent to to-night. While not mentioning anything as to coloured races, aliens, or British subjects, the Bill can be administered in such a way as to prevent the introduction of undesirable persons. The Bill passed in Natal received the assent of the Governor of Natal, without being reserved for the signification of Her Majesty's pleasure; and we have every reason to believe, from the observations Mr. Chamberlain made, that this Bill will not be interfered with in any way by the Imperial Government: at any rate, a similar measure has been allowed to remain the law of Natal. Hon. members on looking at the Bill—I admit they have not had much opportunity yet—will find no mention in it of any races

of people, of any colour, or any nationality. It is a Bill dealing with all classes of people, whether English, British, or foreigners of any description, and whether black or white. The efficacy of the Bill will be in the administration. If it is administered wisely and well, all cause for complaint as to undesirable persons coming to the colony will cease. Hon. members will notice that Clause 2 says:

This Act shall not apply to any person possessed of a certificate in the form set out in the Schedule to this Act, and signed by the Colonial Secretary or the Agent General of Western Australia, or any officer appointed by the Governor for the purposes of this Act, whether in or out of Western Australia.

This has the advantage that any immigrant, having a certificate from any person appointed under the Bill when it becomes law, will be free to come here. The provision in sub-clause (b) of Clause 2 finds a place in the Natal Act, and although the provision may not perhaps be necessary in this colony, there can be no objection to its remaining in the Bill.

MR. ILLINGWORTH: It is in the New Zealand Act, I believe.

THE PREMIER: I did not know that the New Zealand Parliament had passed a coloured-labour Act.

MR. ILLINGWORTH: This is not a coloured-labour Act.

THE PREMIER: Sub-clause (b) of Clause 2 states that the Bill does not apply to "any person of a class for whose immigration into Western Australia provision has been made by law, or by a scheme approved by the Governor." It may be necessary—I do not say it is—to have a scheme of immigration of labour for a tropical country. If such a scheme be approved, immigration shall be allowed; but I shall be quite willing to make any modification desired in the clause, not regarding it as of very great importance at the present time. The next exemption made by the Bill is that of "any person specially exempted from the operation of this Act by a writing under the hand of the Colonial Secretary or any officer appointed in that behalf by the Governor." Then, in the list of exemptions follow Her Majesty's land and sea forces; the officers and crew of any ship of war of any Government; any person duly accredited to the Government of Western Australia

by or under the authority of the Imperial or any other Government; any person landed in Western Australia under the Imported Labour Registry Act for the time being in force, or any Act amending the same; and persons returning to the colony under certificates granted under former Acts authorising such return. There are some immigrants out of the colony who have a certificate allowing them to return; and no one, I suppose, would wish to break faith with those people. Clause 3 defines what is a prohibited immigrant, and the first of the sub-clauses says:—“(a) Any person who, on being asked to do so by an officer appointed under this Act, shall fail to himself write out in the presence of such officer, in the characters of any language of Europe, a passage in English of fifty words in length taken by such officer from a British author, and to append his name thereto in his own language.” There is great force in the words, “on being asked to do so.” If an immigrant is not asked to fulfil the condition, it does not matter who he is, he is admitted to the country. But any person who, on being asked, fails to write out the passage of fifty words in the manner prescribed, is a prohibited immigrant. This is an education test simply. If an Afghan or Indian, or any British subject—even an Englishman—fail to comply with this condition, he is a prohibited immigrant.

MR. ILLINGWORTH: That test would not prohibit Afghans.

THE PREMIER: Such a test would, I believe, prohibit nine-tenths of the Afghans who come to this country. But if an Afghan can pass the test, then this Bill will not apply to him. Let members understand that if an educated person comes here, and is able to comply with the conditions set forth in this clause, he is not a prohibited immigrant. The other prohibited immigrants are set forth in sub-clauses:—“(b) any person being a pauper or likely to become a public charge; (c) and any idiot or insane person.” Further in the Bill it is provided that sub-clause (c) shall not apply to any idiot or insane person domiciled in the colony, or a member of a family domiciled here. Continuing, the prohibited immigrants are, “(d) any person suffering from a loathsome or dangerous contagious

“disease; (e) any person who has within three years been convicted of a felony or infamous crime, or a misdemeanour involving moral turpitude, and not being a mere political offence, and has not received a pardon therefor; (f) any prostitute and any person living on the prostitution of others.” Clause 4 sets out that any person contravening the provisions of the Bill may, in addition to being removed from the colony, be sentenced to imprisonment for not more than six months with hard labour. Such imprisonment, however, ceases for the purpose of the offender being conveyed out of the colony, or if he shall find two approved sureties, each in the sum of fifty pounds, for his leaving the colony within one month. Clause 5 permits a prohibited immigrant within the meaning of the third clause, and not coming within the meaning of sub-clauses (c), (d), (e), or (f) of the latter clause, to enter the colony upon certain conditions. These conditions are that the immigrant “shall, at landing in or entering the colony, deposit with an officer appointed under this Act the sum of one hundred pounds.” Then, if within 14 days the immigrant obtain a certificate from the Colonial Secretary or person appointed under the Bill that he (the immigrant) does not come within the prohibition of this Act, the deposit of one hundred pounds shall be returned, and he allowed to remain in the colony. If, however, the immigrant fail to obtain this certificate within 14 days, the deposit of one hundred pounds may be forfeited, and the depositor treated as a prohibited immigrant. There is a proviso to this clause that “in the case of a person entering the colony under this section, no penalty shall attach to any vessel, or the owners of any vessel, in which he shall have arrived at any port of the colony.” Exceptions to the definition of “prohibited immigrant” are provided for in Clause 6, which reads:—“Every person who shall satisfy the Colonial Secretary, or the officer appointed under this Act, (a) that he is possessed or entitled to any real estate of the value of three hundred pounds in Western Australia, or (b) that he is or has formerly been domiciled in Western Australia, and does not come within the meaning of any of the sub-sections (c), (d), (e),

“or (f) of the third section of this Act, and possesses a certificate of the Colonial Secretary or an officer appointed under this Act under which he is authorised to return to the colony, shall not be deemed a prohibited immigrant.” Clause 8 sets forth the liability of the master and owners of a ship from which immigrants have been illegally landed. This is about one of the best clauses of the whole Bill, striking, as it does, at the root of the matter. But for this clause, I have no doubt there would be great difficulty in making this Bill effective. The clause provides that “the master and owners of any vessel from which any prohibited immigrant is landed shall be jointly and severally liable to a penalty of not less than one hundred pounds, and not more than five hundred pounds, for each prohibited immigrant so landed.” The clause further provides that “The vessel may be arrested and sold by order of the Supreme Court in satisfaction of any such penalty.” In view of a provision like this, masters and owners will take care that persons they bring to this colony are not liable under this Bill. Clause 9 provides that “A prohibited immigrant, unless allowed to enter the colony under the fifth clause of the Bill, shall not be entitled to a license to carry on any trade or calling, nor be entitled to acquire a lease or any beneficial interest in land, or to vote at any Parliamentary or municipal election, or to be inscribed on any roll of the persons so entitled; and any license, lease, beneficial interest, or franchise granted or acquired in contravention of this clause shall be void.” The Attorney General will, no doubt, be better able than myself to explain this clause; but, at any rate, a prohibited immigrant will be liable to be turned out of the colony, and will not have any opportunity of carrying on a trade. Clause 10 provides that the Government may contract with the master, owners, or agent of any vessel for the conveyance out of the colony of any prohibited immigrant who may have made his way in, and Clause 11 sets forth that “every person who in any way wilfully assists any prohibited immigrant into the colony shall be deemed to have contravened the provisions of the Act.” Clause 12 provides that “every person who

“wilfully assists into the colony any prohibited immigrant of the class described in sub-clause (f) of Clause 3 (any prostitute and any person living on the prostitution of others) shall be liable to imprisonment with hard labour for any period not exceeding twelve months.” Clause 14 empowers the police and others appointed under the Bill to prevent the entry of prohibited immigrants, and Clause 15 enables the Governor to appoint officers under the Bill. Clause 16 does not appear in the Natal Act because, I suppose, it is not necessary in that colony. Such a clause, however, appears necessary in Western Australia, having regard to the importance of the pearl fishing industry in the North-West part of the colony. The clause gives the Governor power to make regulations for the registration of persons employed in the pearlshell industry, and for their employment, their landing, and the length of time and the conditions under which they may remain on shore, and, generally, for preventing their entering in any portion of the colony beyond the limits mentioned in the Bill. The persons so employed are, by Clause 19, confined to that part of the coast of Western Australia situate to the northward of the twenty-seventh parallel of S. latitude. That means that at Sharks Bay, or north of Sharks Bay, immigrants will be admitted to work the fisheries, but will only be allowed to land at certain times and under certain restrictions. Power is given in the Bill to the Governor to make regulations having the force of law. I do not suppose that anyone would contend that the pearlshell industry ought not to have the services of Malays and other coloured people, and the conditions of the industry are in a great measure met by this Bill, which allows employment to these coloured people, but prevents their coming southward into the colony. Clause 20, which provides for the repeal of the Chinese Immigration Restriction Act, 1889, and the Chinese Immigration Restriction Act, 1893, I propose to ask hon. members, when in committee, to strike out with a view of inserting another clause. On looking more closely into the matter, I find there is no necessity to repeal the Chinese Immigration Restriction laws. In view of the present Bill, those laws may not be of great

necessity, but as they are on the statute book, I do not see any reason for repealing them. The Bill now before the House does not deal with Chinese immigration alone, but is a general measure dealing with everyone coming into the colony. This is the Bill which has been referred to by the Secretary of State, Mr. Chamberlain. It has been found to work very well in Natal, and I have had reports from the Government of that colony to the effect that it is admirably serving its purpose there. I need hardly say that one of its provisions is that relating to the liability of shipowners who bring what are described as prohibited persons in the colony. Its provisions find much favour with the Governments of the other colonies of Australia. I may be hardly justified in giving any information as to the action intended to be taken by them, but I think I can assure the House that everyone of them will pass a Bill similar to this, and almost identical with the Natal Bill, which has some very great advantages. It does not give offence to any class of people, whether subjects of Her Majesty or aliens. It is general in its terms, and applies to every person coming to this colony from any other part of the world. If the Government of the country consider it desirable to insist upon an answer to the questions proposed in the educational test, they may do so; but they need not do so unless they so desire it, because it goes without saying that the questions will not be asked in the case of one of our own race, nor do I suppose that the test will be applied to any but the persons whom we all have in our minds. I believe that the Bill will serve its purpose; that it will have the effect of altogether preventing the influx of undesirable persons into the colony; and that we will be able to do this without offering any violence, either to our own feelings or to the feelings of Her Majesty's subjects in other parts of the world. Of course we all know how difficult it is to deal with this matter. For myself I feel that I am unable to speak as freely as I might if I were not in the responsible position which I hold; but we must all recognise—as I think we do with great pride and pleasure—that we belong to a grand and mighty empire; that we have the protection of the flag of old England;

that our liberties are guarded by the mother country; that, if it were not so, we would be absolutely at the mercy of every foreign country in the world; that we, speaking for this country, would not be able, at the present time, to prevent invasion by any of the great powers—even by those whose citizens we object to receive here on equal terms with our own. We must acknowledge that our strength lies in the fact that we are British subjects, and that we have all the rights and privileges of British subjects, and are entitled to the protection of the mother country. That being so, I am sure that we shall thoroughly sympathise with the views and opinions of those persons who are guiding the destinies of Great Britain; and that we shall not, if we can help it, do anything that might result in the severance of the integrity of the whole empire. The position is a difficult one; but I think that the wise words which I have read from Mr. Chamberlain cover the whole ground; and he has not hesitated for a moment to say that it is our duty and privilege to try to keep ourselves as free as we can from the disadvantages which would follow the ingress of persons alien in colour, in sympathy, and in civilisation, to our own countrymen. He has not hesitated to say that it is our duty to try to protect ourselves as far as we can from those influences. I have given this Bill a great deal of my personal attention, and I do not think much fault can be found with it. It looks simple, and some may think it not sufficiently far-reaching in its provisions; but I am quite certain that it will do more than any other Act that we have ever placed upon the statute book to give effect to the views entertained by so many of us in this colony. I beg to move its second reading.

MR. ILLINGWORTH: This matter is of such vast importance to this colony that it cannot profitably be discussed further on the present occasion. I move that the debate be adjourned till this day week.

Put and passed.

MOTION—LEAVE OF ABSENCE.

On the motion of **MR. ILLINGWORTH**, leave of absence for one fortnight was

granted to the member for Coolgardie (Mr. Morgans).

VISIT OF MEMBERS TO BUNBURY SHOW.

THE PREMIER (Right Hon. Sir J. Forrest): There being a general feeling amongst hon. members that the House should adjourn over Wednesday, in order that members might visit the Southern districts, he would be glad to join with them in this excursion; but, at the same time, he must point out that the year was fast slipping away, and a large amount of business had yet to be done, as no one desired to sit beyond Christmas. His only wish in the matter was to act in accordance with the general inclination of hon. members; and he would endeavour to meet their wishes in the same way if the same request were made to him in regard to visiting the Boulder municipality. Personally, it would be very pleasant to him to visit his old friends and constituents at Bunbury; but he did not think the House would be justified in losing more than one day for this purpose, in present circumstances. The Commissioner of Railways could probably arrange for members to leave Perth on Wednesday morning, and come back the same night. A considerable number of members being desirous of visiting Bunbury, he would be happy to fall in with their views, if supported by the general feeling of the House. If, on the other hand, there was any objection to an adjournment for one day, he would be willing to sit on Wednesday, as usual.

MR. LOCKE: If members left for Bunbury on Wednesday, they would not be able to return in time for the sitting on Thursday. The House should adjourn over Wednesday and Thursday.

MR. WOOD moved that the House, at its rising on Tuesday next, do adjourn until Thursday next.

MR. LEAKE supported the motion.

MR. ILLINGWORTH: While not desiring to set himself up against the general feeling of the House, said it would be useless to attempt to do business on Thursday. Members, after the trip, would not be in a condition for work, and the adjournment, if it took place at all, should be till the following Monday.

Question put and passed.

ADJOURNMENT.

The House adjourned at 9:45 p.m. until the next day.

Legislative Council.

Tuesday, 16th November, 1897.

Papers Presented—Underground Surveyors Bill: first reading—Return: Cost of Artesian Boring—Dog Act, 1887, Amendment Bill: in committee—Cemeteries Bill: first reading—Aborigines Bill: first reading—Hawkers and Pedlars Act Amendment Bill: first reading—Local Inscribed Stock Bill: first reading—Width of Tires Act Amendment Bill: first reading—Excess Bill, 1896: second reading: in committee; debate on report—Adjournment.

The PRESIDENT took the Chair at 4:30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

- By THE MINISTER OF MINES: 1. Report of Postmaster General for 1896. 2. Interim report of the Commission of Inquiry on Coolgardie Water Supply Scheme. 3. Receipts and Disbursements for quarter ending 30th September, 1897. 4. Lunatic Asylum, report for 1896. 5. By-laws of various municipalities.

Ordered to lie on the table.

UNDERGROUND SURVEYORS BILL.

Introduced by THE MINISTER OF MINES, and read a first time.

RETURN--COST OF ARTESIAN BORING.

HON. A. P. MATHESON, in accordance with notice, moved for a return showing (1.) The total cost, including wages, superintendence, and all plant for boring, of the two bores put down by the Metropolitan Waterworks Board in Wellington Street, Perth; (2.) The average cost per foot of the departmental boring done by the Public Works Department in