proper to express an opinion about individual cases such as the member for Geraldton drew attention to. The magistrate in question possessed the right of appeal, and no doubt would exercise it. If he (the Attorney General) expressed an adverse opinion about the case, it would mean that the magistrate's appeal would be of no benefit to him; and on the other hand the board might resent any pronouncement of judgment before the appeal was heard. The Government would not accept the Commissioner's classification without careful consideration. His views did not coincide in many respects with the views held by the Public Service Commissioner, but this was not the arena to fight out the difference. Members had his assurance that no steps would be taken hastily or without careful consideration.

Vote put and passed.

Vote, *Supreme Court* £16,415—agreed to.

This concluded the votes for the Department.

On the next Division in the Annual Estimates (Public Works)—

Progress reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at 11.40 o'clock, until the next Tuesday.

Legislative Council.

Tuesday, 3rd December, 1907.

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The PRESIDENT took the Chair at 4.30 o'clock p.m.

Prayers.

PAPERS PRESENTED.

By the Colonial Secretary: 1, Report of the Department of Land Titles to 30th June, 1907. 2, Report of the Aborigines Department to 30th June, 1907. 3, Report of the Harbour and Light Department to 30th June, 1907. 4, Roads Act, 1902; (a.) By-laws of Irwin Road Board. (b.) By-laws of Greenmount Road Board. (c.) By-laws of Balingup Road Board. 5, By-laws of Municipality of Fremantle.

QUESTION—RAILWAYS INQUIRY, AGRICULTURAL LINES.

Hon. J. W. WRIGHT asked the Colonial Secretary: Having regard to his answer of the 26th November with reference to the granting of a Royal Commission to inquire into the working of the Railway System, will the Government advise His Excellency the Governor to issue a Royal Commission to inquire into the construction of the Goomalling-Dowerin, Wagin-Dumbleyung, and Katanning-Kojonup Railways?

The COLONIAL SECRETARY replied: The Government have no objection if Parliament so desires.

QUESTION—RAILWAY STATION, NEWCASTLE.

Hon. V. HAMERSLEY asked the Colonial Secretary: 1, Have the Government received a communication from

the Newcastle Municipal Council asking that the Railway Station be connected with the telephone exchange at that centre? 2, If so, what was the nature of the reply?

The COLONIAL SECRETARY replied: 1, Yes. 2, The matter has not yet been dealt with.

BILL—POLICE ACT AMENDMENT.

Pearl Stealing—Second Reading.

Hon. M. L. MOSS (West) in moving the second reading said: This is a small Bill which comes from another place, where it was introduced by Mr. Male, the member for Kimberley. It is to remedy, to some extent, the trouble which arises in connection with the pearling industry, of the stealing of pearls that are procured by persons carrying on the pearling business in the neighbourhood of Broome. The Bill seeks to hedge round the pearling industry with that same security that Parliament in 1902 provided in connection with the mining industry in respect to the suspected unlawful possession of gold. Hon. members know perfectly well that with regard to commodities such as gold or pearls the men working in mines or on one of the pearling boats may be in possession of one of these commodities, yet if the ordinary principle is to be applied, namely that the prosecution has cast upon it the onus of proving the guilt of the person in possession of the commodities reasonably suspected to be stolen, it becomes almost impossible to secure a conviction. Therefore in 1902 it was provided in regard to gold that:—"Any person who is charged before any resident or police magistrate with having on his person, or on any animal, or in any cart or other vehicle, or in his possession on any premises of which he is the tenant or occupier, or reputed tenant or occupier, any gold reasonably suspected of being stolen or unlawfully obtained, and does not prove to the satisfaction of the magistrate that such gold was lawfully obtained, is liable, on summary conviction, to a fine not exceeding fifty pounds, or to imprisonment, with or without hard labour, for any term not exceeding six months." And three sections of that Police Act Amendment of 1902 farther provided for the punishment of accessories and generally contained the necessary machinery to deal with the new offence that was created by the section which I have just referred to. I doubt very much whether this legislation actually prevented the stealing of gold, because it was since the passage of that Bill that all those disclosures took place when the Gold Stealing Commission sat in Perth, Kalgoorlie, and other places; but there is no doubt a stringent law of this kind minimises, to a certain extent, the evil which existed in connection with gold mining. Of course a heavy penalty of this kind will make men halt, at any rate, at being found openly in possession of these commodities, when they know perfectly well that the responsibility is cast upon the possessors of those commodities of giving a satisfactory account of how they have become possessed of them. All this Bill seeks to do is to add to the Police Act, 1902, wherever the word "gold" appears, the words "or pearl." This will cast upon persons employed on the pearling boats, when they are found in possession of these valuables, the responsibility of satisfying the resident magistrate—and I emphasise the word resident magistrate because in this connection the justices of the peace are not permitted to try these offences—that they came honestly and properly by them. I think it is proper we should amend our criminal law in this way. If a person has become possessed honourably of such property it is easy for him to satisfy the magistrate. On the other hand if the ordinary rules of criminal procedure are to be followed and the prosecution is compelled to prove that these men became dishonestly possesed of these commodities, in a large majority of cases one cannot get a conviction. I think Parliament would do well to see that the persons engaged in the pearling industry, when they pay the men the wages they are entitled to, get the legitimate profits of their enterprise. The Bill only seeks to make people a little more honest than apparently some of those engaged in the industry have proved in

the past, and as the same provision has been extended to gold mining I have no doubt the House will consent to its farther extension to the pearling industry. Mr. Sholl may be able to give some information as to whether the suspicion is well founded that stealing is going on to any extent. It is due to the House that I should explain that is was originally intended Mr. Pennefather should move this second reading, but he was compelled to leave Perth for a little time, and so I have undertaken the responsibilty of filling the gap. I can say that there is a great deal of suspicion that people engaged in the industry are not getting all they are legitimately entitled to. Probably if this law is passed one or two convictions may have a wholesome effect and may secure to these people the profits they are entitled to receive.

Hon. R. F. SHOLL (North) : I have not been consulted in regard to this Bill, and I did not come prepared to speak upon it ; but I know from my own experience, though conditions are now very much different to what they were in my time, it is most difficult to detect pearl-stealing on the North-West, particularly now when luggers take their supplies from a schooner, and go out for a week or so and bring back their find. In the circumstances it is very easy for the employees to obtain probably a valuable pearl. The trouble is, though an employer may find his employee has a pearl he cannot swear to it, he cannot go and claim it, because the man may say he got it from someone else. The object of this Bill is to place the onus of proof on the employee discovered to be in possession of the valuable pearl, so that to a certain extent it may curtail thieving. We know that the people engaged in the industry are put to a great expense in fitting out luggers. They pay their men high wages, and these men are sent out for a week at a time, and they come back and bring their pearls and shells and replenish their stores. It is a simple thing for the employee to obtain the best gems. I have heard, and I think there is a good deal of truth in it, that the trade in pearls on board the Singapore boats is extensive. Pearls are stolen and sold to Chinamen on board, and if we can protect the men who have to run all the risks to get what they are entitled to, then we should do so. It is only an act of justice to those engaged in this industry. The Bill will do no harm if it does not do good ; but I think it will do good. I do not think it will be an absolute check, but it will be a check on the pilfering of pearls from those who stand all the risk of loss or gain by their enterprise.

Hon. W. KINGSMILL (Metropolitan-Suburban) : I think the Bill will do a good deal to check the very severe loss which those who have put their money into pearling in the North-West of this State, have been suffering for some years past. I have just been informed from a very reliable authority that this loss is of great magnitude. The loss estimated to take place by pearl stealing amounts to no less than fifty per cent. of the total production of pearls, and that represents an annual value of between £50,000 and £60,000, so that members will see in passing the Bill they will be putting into the right pockets to receive it, if the Bill acts as it should, a sum of £50,000 or £60,000, which is now diverted by illicit means into the pockets of those not entitled to receive it. I have had some little experience myself in the North-West, and I know from the testimony of those engaged in pearling what a severe loss these men are put to, and have been put to for some years past. There is an extremely narrow margin of profit in the pearling industry, and any step to make that margin of profit wider means the preservation to the State of an industry, which I think all will admit, has done a great deal to this State. As members know, and those interested in the North-West for years past must realise that the pastoral industry which has now assumed such a great and profitable industry, was in the first place rendered possible by the existence of pearls on the coast. The pioneers who first went there earned the money by which they took steps to pioneer the pastoral industry by pearling on the coast. It is the duty of Parliament to take as drastic a step as possible

to remedy this state of affairs which leads to the evil which exists in the prosecution of this illicit trade. Very often circumstances arise, and have arisen in the past, which lead to most fatal termination. No doubt members will recollect only a few months ago a man in the trade known as snide pearl buying was murdered by some persons selling pearls in Broome. Such a state of affairs is regrettable, and should be remedied at the earliest possible moment.

Hon. J. W. Hackett: Does this Bill deal with pearl buying?

Hon. W. KINGSMILL: No; but it strikes at the root of the evil by dealing with the stealing of pearls, placing the onus on the person in possession of the pearls to prove how he became possessed of them.

Question put and passed.

Bill read a second time.

In Committee.

Clause 1—agreed to.

Clause 2—Amendment of 2 Ed., No. 21:

Hon. J. W. HACKKETT: How would Section 2 read as amended?

Hon. M. L. MOSS: After the word "gold" in the section, the words "or pearls" were inserted.

Clause passed.

Title—agreed to.

Bill reported without amendment; the report adopted.

BILL—LAND AND INCOME TAX ASSESSMENT.

Received from the Legislative Assembly, and read a first time.

BILL—LAND AND INCOME TAX.

To impose a Tax.

Received from the Legislative Assembly, and read a first time.

The COLONIAL SECRETARY moved—

That the second reading of the Bill be made an Order of the Day for the next sitting of the House.

Hon. R. F. SHOLL: I think this matter might be postponed. This is most indecent haste. I do not think it is decent to hurry an important Bill like the Land and Income Tax Bill before the House, when the Bill in print has not been placed on the table.

The COLONIAL SECRETARY: This is only a motion to fix the date for the second reading.

Question put and passed.

BILL—BRANDS AMENDMENT.

In Committee.

Resumed from the 27th November.

Clause 10—Amendment of Section 50:

Hon. C. A. PIESSE moved an amendment—

That the clause be struck out.

It was not necessary to amend Section 50 of the original Act, as Clause 51 provided that if the justices before whom any person was brought were of opinion there ought to be a prosecution for an indictable offence they could commit the defendant to take his trial for an indictable offence. In the case of the accidental tearing-out of a sheep's earmark, the owner would under the clause be liable to six months' imprisonment.

Hon. G. Randell: For what offences was a man liable to a fine of £50?

Hon. C. A. PIESSE: For numerous offences, including defacing an earmark. This was a monstrous penalty.

Hon. R. F. SHOLL supported the clause. This was a country of large areas, and the clause, though possibly unsuitable in the South, would be useful in the North by preventing the ticking of West Kimberley from East Kimberley. It might pay a man to run the risk of a fine, but he would hardly run the risk of imprisonment. It was exceedingly difficult to frame a Bill to suit the whole State, and the last speaker was referring only to the southern portion.

The COLONIAL SECRETARY: Section 50 of the Act made any person guilty of an offence liable to a fine not exceeding £50; and Section 51 gave justices power to commit the accused.

This clause represented a middle course. Especially in the North it would be most expensive to commit for trial every man deserving a short term of imprisonment. There it was better for the accused that he should be summarily dealt with. The hon. member (Mr. Piesse) quoted the extreme case of a bullock tearing its ear. No sane justice would even fine an owner for that, much less imprison him. There must be evidence of fraudulent branding. Cattle-duffers would take the risk of a fine or take the risk of committal, which, being highly expensive, would be seldom resorted to by the justices.

Hon. E. McLARTY agreed with the Colonial Secretary. Bitter experience convinced him that the clause could not be too drastic. Circumstances differed materially in different parts of the State. On rare occasions an earmark might be accidentally obliterated; but the fact would be obvious. There was far too much cattle-stealing in the North. Suppose an owner of cattle with a certain mark on one ear. If a small block of land was taken up adjoining the run, and the new-comer adopted the same mark and put it on both ears, it was easy for him to steal his neighbour's bullocks and brand them like his own on both ears. He (Mr. McLarty) had lost hundreds of cattle. The term of imprisonment might well be seven years.

Hon. C. A. PIESSE: One of the offences rendering the accused liable to six months' imprisonment was making an earmark on the off ear of any female sheep or the near ear of any male sheep, except as provided by Section 12. Did any sheep-owner present know of an earmarking on their stations without errors committed by even the most careful man? There should be two classes of offences. Let the cattle-stealer be punished severely. But under the clause, if an accident happened and any person chose to be nasty, the sheep-owner must submit to the indignity of being accused of an offence carrying six months' imprisonment—a grave injustice even if he were discharged.

Hon. R. F. SHOLL: Surely the clause was not inserted to provide imprisonment, except in extreme cases, and especially in districts far removed from civilisation and police supervision. The clause was not likely to be enforced in the Southern District.

Clause put, and a division taken with the following result:—

Ayes	16
Noes	2
Majority for	14

AYES.	NOES.
Hon. G. Bellingham	Hon. J. A. Thomson
Hon. E. M. Clarke	Hon. C. A. Piesse (*Teller*).
Hon. J. D. Connolly	
Hon J. M. Drew	
Hon. J. T. Glowrey	
Hon. J. W. Hackett	
Hon. V. Hamersley	
Hon. S. J. Haynes	
Hon. W. T. Lotou	
Hon. R. D. McKenzie	
Hon. E. McLarty	
Hon. W. Patrick	
Hon. R. F. Sholl	
Hon. C. Sommers	
Hon. J. W. Wright	
Hon. J. W. Langsford (*Teller*).	

Clause thus passed.

Clauses 11 to 13—agreed to.

Postponed Clause 2—Amendment of Section 5, Saving of existing brands:

Hon. V. HAMERSLEY: The wording of the clause did not allow persons who had been using certain brands for a large number of years to continue to do so after December, 1908. The clause, if amended as suggested, would read, "All stock branded with a brand registered under any Act hereby repealed shall be deemed to have been branded under this Act, and such brand may continue to be used by the registered owner as being registered under this Act until the 31st day of December, 1908, but no longer, and shall be deemed to have been registered under this Act, but shall not be transferable except with the permission in writing of the Minister." The words, "except with the permission in writing of the Minister," only referred to the last five words of the section, namely, "but shall not be transferable." It would be a great hardship to prevent those persons who had really made their brand a trade mark from continuing to use it after December, 1908. Brands now registered should be left intact, for it was unreasonable to expect that brands

which had become well known should be altered.

Hon. J. A. THOMSON: As the previous speaker had said, a great injustice might be done to people who were registered under the Act prior to 1904 if the clause were passed. It would be all right if those who had registered their brands prior to 1904 were assured that their old brands would be retained. The clause should be struck out. People who had been registered and had, as it were, established a trade mark prior to the Act of 1904 should be allowed to retain that brand. Personally he would suffer considerable injury if he had to change his brand, for the one he now had was just beginning to become known.

Hon. W. T. LOTON: What was the special reason for doing away with brands which had been registered by people for the last 30 years?

The COLONIAL SECRETARY: It was sought to amend the section because under the 1881 Act there were a large number of brands taking all shapes and sizes, while under the 1904 Act it was provided that all brands must consist of two letters and a numeral.

Hon. W. T. Loton: That was only for cattle and horses, but this included sheep.

The COLONIAL SECRETARY: Yes, as to earmarking sheep. Under the 1904 Act it was provided that, "All stock branded with a brand registered under any Act hereby repealed shall be deemed to have been duly branded under this Act, and such brand may continue to be used by the registered owner as if registered under this Act." This year, for the first time, a register of brands had been issued, but it only contained brands registered under the Act of 1904, and not those registered under the Act of 1881. He had obtained samples of brands registered under the Act of 1881, and many of them were very similar to one another. For instance, there was one consisting of two noughts with a little diamond above them, while the next one also had two noughts with nothing above. The third one had two noughts with a connecting bar, while the following one was O G with a connecting bar. It would easily be seen how liable to become mixed were the last two brands when used on cattle or horses. Then there was a brand registered consisting of an O with a cross bar, while the next was also O with a cross bar, having a small dot in the centre. Originally these brands were distinct, but in a fire brand on cattle or horses the distinction would soon cease to exist. The amendment set out that after December 1908 an application would have to be made to register the brands. The old brands could be registered with the consent of the Minister, but not otherwise. [*Hon. C. A. Piesse*: This clause did not say so.] It was provided by the clause. When brands were very much alike different ones would have to be allotted. At present no brands were tranferable, and if the owner of stock were to die his brand died with him. In time to come therefore all the brands would cease to exist. This clause gave power for the transference of a brand with the consent of the Minister, but under Section 5 of the Act 1904, none could be transferred. A person recently applied for the registration of a brand Q O Q. Being struck with the peculiar letters, the department instituted inquiries and ascertained that a run in the Kimberleys, adjoining the lease of the person applying, had registered as its brand O O O; and as there was so little distinction between Q O Q and O O O, the registration of the new brand was refused. Brands consisting of a heart, a cross, an X, or other simple design, with a letter or numeral, such as were usually adopted when the older brands were registered, were so easy of imitation that it was in the interests of stock-owners and against the interests of would-be cattle-duffers that these brands should be superseded. The clause was essential, and he hoped the Committee would pass it.

Hon. J. M. DREW supported the clause as printed. If owners of brands registered years ago gave the matter sufficient thought, they would see the advantage of the clause. Under the law, the brands on impounded stock must be advertised in a newspaper; but owing to some peculiar combinations adopted as brands in the old days, it was not often possible for the brands to be reproduced in print

or even accurately described so as to be recognisable by an owner when advertised; with the result that stock was frequently sold because the real owner could not recognise the published brand as his own. Though one might not like to lose a trade-mark, still twelve months' notice of discontinuance should be sufficient.

Hon. V. HAMERSLEY: On the Minister's own showing, the new order of things was as liable to alteration as the old. That a man should apply for a brand Q O Q, very similar to an existing brand O O O, was no argument in favour of the proposed alteration. If, as the Minister held, permission might be given to continue using old brands at the discretion of the Minister of the day, there might not be so great objection to the clause; but the wording of the amended clause precluded this. A future Minister might interpret the discretionary power as relating only to the latter part of the clause prohibiting the transfer of brands.

Hon. S. J. HAYNES understood the desire was to have the discretionary power made applicable to the former as well as the latter part of the clause. He therefore moved an amendment—

That after the word "longer," in line 4, the following be inserted, "except with the permission in writing of the Minister."

Hon. J. W. HACKETT: Would the Minister explain whether the words at the end of the clause, "with the permission of the Minister," referred only to the prohibition against transference of brands or to the whole clause?

The COLONIAL SECRETARY: The proviso applied to the whole clause; and as possibly hardship might be inflicted by the withdrawal of old-established brands, he would agree to the amendment, particularly as under the Bill earmarks came within the definition of brands. While little hardship or injustice could be done by the substitution of new brands for old, he recognised that in the case of earmarks a change might be unfair. In riding through a mob of stock, an earmark was more easily distinguished than a brand.

Hon. F. H. PIESSE: The amendment would entirely meet the case, and he would now withdraw his objection to the clause. He trusted, however, that a farther provision would be made that no charge be insisted on for a transfer of brands.

Hon. J. M. DREW would like some explanation why, if it were wise in some cases to grant permission to retain old brands, they should not be retained in all cases. What grounds could be urged to justify a distinction? Was it a good argument for the retention of a brand that a man was a large stock-owner? The registered brand of a small stock-owner might be as valuable to him as in any other case; so it would be unjust to sanction legislation which in the future might be used for political purposes.

Hon. E. McLARTY: The answer to Mr. Drew was that where brands were so much alike it was very difficult to distinguish them on the animal, and some exception was necessary. As was pointed out there some people secured brands as similar as possible to those of adjoining stations, and it was right that the registrar should have power to refuse to register such brands. But surely it was not intended to do away with all the old registered brands? A man would find it extremely difficult to muster 15,000 or 20,000 stock scattered all over the country and have them rebranded. That would be disastrous, and while there was good reason why all brands should be re-registered, stock-owners should be allowed to register brands that they had been using for so many years. The amendment would overcome the difficulty.

Hon. J. A. THOMSON: It was understood the object of the amendment was to have new registration of all brands in existence prior to the 1904 Act. There would be no hardship on the poor man because he would not be called upon to pay any re-registration fee, but if it were necessary to have a fresh brand it would be an injustice to thousands of poor small farmers in having to purchase new branding irons.

Hon. J. W. HACKETT: How would Section 5 read if amended?

The COLONIAL SECRETARY: The section if amended would read:—

"All stock branded with a brand registered under any Act hereby repealed shall be deemed to have been duly branded under this Act and such brand may continue to be used by the registered owner as if registered under this Act until the thirty-first day of December, 1908, but no longer, except with the permission in writing of the Minister, and shall be deemed to have been registered under this Act, but shall not be transferable except with such permission."

Under Section 5 no brand was transferable. The clause sought to amend that so that brands could be transfered with the consent of the Minister.

Hon. J. M. Drew: Why with the consent of the Minister?

The COLONIAL SECRETARY: As some brands were peculiar and as it was so difficult to distinguish them, in some cases the brands would not be re-registered; but there were some cases where the old brands were very valuable and it would be an injustice to take them from the owners.

Hon. J. M. DREW: The existing system was either right or wrong. If wrong it should be reformed, but there should be no power on the part of the Minister to grant exemptions. Why should one party be allowed to use an old brand and another party not? Apparently it was intended that one party might be granted the use of his old brands and another party refused the same permission. If it were necessary to bring in legislation it should be made to apply all round. No latitude should be given to any person.

Hon. V. HAMERSLEY: It would not be right to compel an aged stockowner to start off again with fresh brands. The brands should continue at any rate during that man's lifetime. It was already provided that the brand would die out with the death of the owner or with the sale. The brand should not be transferred to a new owner unless it complied with the regulation as to size and lettering. The new owner would come into the property with the new brand. The new regulations had seriously hampered sheep owners. Some had lost a number of sheep. However, the amendment might be the means of overcoming the difficulty, though it placed a great deal of resposibility on the Minister. Personally he would rather see an alteration in the direction he had already indicated providing for exemption from advertising in the *Government Gazette*. We were interfering too greatly with Section 5 by making this amendment.

Amendment put and passed.

Hon. S. J. HAYNES farther moved—

That in line 5 the words "the permission in writing of the Minister" be struck out and "such permission" inserted in lieu.

Hon. W. T. LOTON: With old brands registered it would not be necessary to re-register, because they were deemed to have been registered under the Act. Was it requisite to register the old brands or would they be deemed to be registered under the clause?

The COLONIAL SECRETARY: All stock branded under the old Act would be registered under that Act until the 31st December, 1908, with the approval in writing of the Minister, and would be deemed to be registered under the Bill.

Hon. J. W. Hackett: Without being registered?

Hon. W. T. Loton: Any brand the Minister allowed to be continued would be already registered under the Act?

The COLONIAL SECRETARY: With the consent of the Minister.

Amendment put and passed; the clause as amended agreed to.

Title—agreed to.

Bill reported with amendments.

BILL—AGRICULTURAL BANK AMENDMENT.

Second Reading.

Debate resumed from the 26th November.

Hon. C. A. PIESSE (South-East): I moved the adjournment of the debate because, to my mind, the Bill needs amendment. Certain disadvantages exist owing to the application of the Act at the present time. I wish to commend

the management of the bank; one cannot say too much of the able manner in which the bank has been conducted in the past, and any references I have to make will be in regard to the law and not on the management. We all know what good work has been done by Mr. Paterson, and in spite of having two trustees to assist him we look upon him as the principal mover in the management of the affairs of the institution. In touching on this measure the other day Mr. Throssell referred to the difficulty that persons, who hold large estates, have in getting assistance from the bank. In other words he as much as said that at the present time the system is one of helping those who had not shown the same thrift as their neighbours, and refusing a man who was able to get to a certain standard by his own ability. This is exactly the position. Owing to the conditions imposed, certain men who have reached a certain stage by hard work and perhaps better knowledge than that possessed by their neighbours, have been debarred from taking advantage of the Act. Many of them would like to borrow money for stocking purposes, but the regulations laid down by the Act, while not altogether refusing them, limits the amount to such an extent that it renders the provision useless to the borrower. Not only does it limit the amount but the time of repayment. That, I think, should not be left to the management; it should be fixed in the Bill as Parliament has fixed the time for the repayment of money borrowed for clearing purposes, extending the repayment over a number of years. The time for the repayment of money borrowed for the purchase of stock I would not extend for the same period as money borrowed for the purpose of clearing; but a longer period than two years should be given by the bank, for at present the advantages are not sufficient to enable people to go to the bank and borrow money, mortgaging their holdings for such a small amount as £200, with the possibility of having to repay the money in two years at the outside. The Bill should be amended, or regulations framed, by which people should be allowed to borrow larger amounts and have a longer period for repayment. There would be no danger to the bank because in every instance the security taken is the security of the farm and not the security of the stock. In these circumstances it is regrettable that many people are deprived from taking advantage of the bank; they do not want the money for clearing purposes but to buy stock. It is time we did something to amend the Act or the regulations to enable people to take advantage of the bank.

Hon. J. W. Hackett: How many years do you propose?

Hon. C. A. PIESSE: I would make it six or seven years if the security were good; at any rate I would make it longer than the present period. Then people are only allowed to borrow such a small amount. People cannot borrow money from other lending institutions and compete with their neighbours who are obtaining money at five per cent., with a fairly long time for repayment. Outside institutions make it compulsory that the money shall be repaid in 12 months and they charge eight per cent. interest. There is one other matter I should like to mention; it was referred to in a sense by the Colonial Secretary. He stated that a certain number of people were refused loans; I do not think the amount came to more than £16,000. I want to point out that these people who were refused loans had paid one per cent. to the bank with their applications. I know in some cases where it has become a hardship.

The Colonial Secretary: There were 116 applications refused last year and the amount involved was £15,900.

Hon. C. A. PIESSE: These people paid to the bank £159 with their applications. They are poor people and they had trouble to scrape up the amount to forward with their applications. They have to send one per cent. with every £100 applied for. These people applied to the bank believing they would get assistance. When the bank's officers visited the farms they have discovered that the farms are not in a satisfactorily good locality to enable the loans to be recommended, and the result is the loans are refused and the one per cent. sent in is

retained. I think some arrangement should be made whereby a certain portion of the one per cent. could be returned. I know a man who applied for £300, and he had a hard job to obtain the £3 to send in with his application; the inspection of the farm did not amount to more than £1, in fact I think the inspector visited two farms in the one day. One half the deposit should be refunded. An amount of £160 has been paid to the bank by people who, in every instance, paid the money in good faith, thinking they would get assistance, but they have been refused help. I do not say the bank was wrong in refusing the loans, because the bank has refused the money on the reports of their officers, and the work of the bank has always been carried on in a calm and thoughtful manner; but the people should not be asked to forfeit the one per cent. deposit. I think one half the amount should be returned. It does not sound much to hon. members, but it means a lot to these poor people. I have drawn attention to this matter, and I trust the management of the bank, with their usual thoughfulness, will look into the matter and see if some arrangement cannot be made, by which a portion of the deposit can be returned to the applicants. I want also to endorse what has fallen from Mr. Throssell as to advances to Midland settlers. I would go a step farther and advance to men who will probably occupy portions of large estates which have been cut up. We should concur in the cutting up of these large estates. There is considerable difficulty in making the principles of the Agricultural Bank Act apply, but I think it might be overcome. It is a pity with such a large settlement as has taken place on the Midland line, covering some three million acres of land, that these settlers should be debarred, by circumstances they cannot control themselves, from assistance being rendered to them by the Agricultural Bank.

Hon. J. W. Hackett: Why does not the Midland Company start their own bank, they promised several times.

Hon. C. A. PIESSE: I did not know they had ever promised to start their own bank, but it seems to me a pity, as the country is languishing for capital, that these persons shoud be debarred from obtaining money to assist them in carrying on their settlement. If one class of persons can obtain money from the bank I think all persons should be allowed to borrow money at a reasonable rate, and then we shall soon have sufficient produce grown to supply the people of Western Australia. The proposition is surrounded with much difficulty, and I cannot see my way out of it, but something surely can be done if thought be given to the matter. I trust this question will be looked into, and that the settlers on the Midland line will have the same privileges that the settlers on Crown lands now enjoy. I support the Bill because I think it is a good one. We cannot go wrong in lending the money, and ample security is always taken by the management. We shall not have many more of these Bills coming before us as the repayments from settlers will keep the bank going practically for all time. Money is now coming in and it can be circulated again, and Parliament will, therefore, not be troubled with more Bills to increase the amount of the bank. I have much pleasure in supporting the second reading of the Bill.

Hon. J. M. DREW (Central): From my experience this Bill might be aptly described as a Bill to provide loans for certain selectors. The Central Province has derived very little benefit from the operations of the bank.

At 6.15, *the President* left the Chair.
At 7.30, Chair resumed.

Hon. J. M. DREW (continuing): Many eulogies are from time to time passed on the administration of the Agricultural Bank; but I contend the time is yet too early to form an opinion as to the wisdom or unwisdom of that administration. We find from the Bill and the particulars supplied with it that something like a million pounds has already been lent to the agricultural selectors of this State; and we find also from examination of the various returns that there are at present not more than half a-million acres under cultivation in Western Australia. When

we consider the large number of selectors in this State who have not appealed for assistance to the Agricultural Bank, and who have cultivated their lands in many instances to an extensive degree, we must conclude that there is not a sufficient result from this expenditure. My district has received little in the past, and I fear need expect little in future from this institution. It may be and no doubt is a splendid institution for the districts of Katanning, Wagin, Northam, and Beverley; but I do not think there would be much weeping and wailing in my district if the Act were blotted out of the statute book. Until a few years ago the amount of money lent in the Northampton district could be reckoned by tens and not by thousands. I believe it was the opinion of the manager of the Agricultural Bank that the Northampton country was not suitable for selection. But various areas were thrown open; the Bowes area, the Williams area, the Appertarra area, the Chapman area, and the Mount Erin Estate, with the result that last year our district produced the highest average yield in the whole country; and that was a district which up to a few years ago could obtain only a few hundreds of pounds altogether from the Agricultural Bank.

The Colonial Secretary: Did the people apply for more?

Hon. J. M. DREW: They applied repeatedly, and ultimately went to private financial institutions and secured assistance. Even now I am told that very little money reaches the district from that institution, and in fact the selectors have become so disgusted with it that many of them would not dream of applying for help from that quarter. With regard to the trustees, I certainly thought, after the bank had been placed under their management, that a different order of things would have arisen; but we never have a visit from the trustees. Last year one of the trustees was, I believe, in the district for a few days on a private visit; but he saw little or nothing of the country. Now I contend that the trustees should make personal inspections of the various agricultural areas, in order that they may be in a better position to judge as to the wisdom of granting assistance when application for assistance is made to the bank. In a recent copy of a newspaper I read that the Premier, I think it was in the course of a speech, stated that he had indemnified the bank for making certain advances. The bank had refused assistance to certain selectors, and the Lands Department came forward and indemnified the bank to enable it to give that assistance. It seems to me that is not a correct course for the Lands Department to take; and I should like the Colonial Secretary to state, if it is correct, by what authority and under what Act of Parliament the Lands Department indemnified the Agricultural Bank in the manner referred to.

Hon. J. W. Langsford: What is the indemnity worth?

Hon. J. M. DREW: I do not know; but I dare say the Government will be liable. I presume the deed of indemnity passed the Crown Law Department. But why, I ask, are the Lands Department going out of their way to indemnify a bank which for one reason only was placed beyond political control?

The Colonial Secretary: To what case do you refer?

Hon. J. M. DREW: I believe the paragraph had reference to the Stirling Estate. I read it, but did not preserve a copy.

Hon. G. Randell: The settlers applied to the bank, but could not get advances.

Hon. J. M. DREW: I think they applied, and the manager of the bank did not think the security was good enough. Then the Lands Department came forward and indemnified the bank. I have called for a return, which, I think, will surprise members. A short time ago Mr. Piesse interjected that the selectors in the Northampton district are now being helped; but I think the return will show that the total sum lent to the residents of the Central Province since the establishment of the bank does not amount to £50,000. Again, the Midland Railway Company are throwing open their lands for selection, and not one selector of those lands will be able to obtain assistance from the Agricultural Bank. I do not think the bank could render them assistance, for they have no security to offer.

They cannot get their deeds until they pay for the blocks. But I should like to see the Government, in order to permit of such assistance, endeavour to purchase under the Lands Purchase Act some blocks in the vicinity of the larger towns along the Midland railway. The Midland Company may be prepared to sell at a lower price to the Government than to anyone else, because the Government will see that the land is closely settled ; consequently the Midland Company will indirectly reap a great future advantage. I do not object to the Bill, and my remarks have been intended merely to draw attention to the unfair treatment which the Central Province has received and is receiving. I believe the cause is purely the want of knowlelge of the resources of that district ; but I hope the trustees will make periodical visits to that part of the State, so as to become personally acquainted with its resources.

The COLONIAL SECRETARY (in reply) : In regard to Mr. Drew's statement that certain loans were not granted to applicants in his district, I may say there is nothing in the Act to prevent money from being lent on lands in the Geraldton district. When he says that his district has not received enough money he is speaking in rather general terms. Can he mention any particular case of a loan applied for and refused ? [*Hon. J. M. Drew*: Scores.] It is no argument to say that less than £50,000 has been granted to any particular district. The security offered may not have satisfied the manager of the bank.

Hon. J. M. Drew : It satisfied the private banks.

The COLONIAL SECRETARY: That again is a rather general statement. The selectors may have offered to the private banks securities which the Agricultural Bank under the terms of the Act could not accept. To show whether the district has been rightly treated it would be necessary to instance cases, and to give particulars of each case. The fact that only £50,000 has been granted to a district is no proof that the people of the district have been unfairly treated by the management of the bank. I think, as a matter of fact, the trustees of the bank, including the manager, Mr. Paterson, are three gentlemen well acquainted not only with the South-Western District but with the Geraldton District. A man like Mr. Richardson, a very old resident of this State, and a former Minister for Lands, has certainly a good knowledge of all the agricultural lands of Western Australia. Mr. Hopkins has had experience as Minister for Lands, and has travelled about extensively ; and Mr. Paterson knows all the agricultural lands in the country. If a loan is applied for in any district, an inspection is made quite apart from the trustees, and whether the loan is granted will largely depend on the report of the inspector. If the hon. member has any particular case of hardship, he knows he has only to bring it forward and it will be investigated. I notice that Mr. Piesse is under some misapprehension. He seems to think that the capital of this bank, 1½ millions, is utilised like the capital of an ordinary bank ; that when loans are repaid, the money goes into the coffers of the bank and is lent out again to other borrowers. I explained in my introductory speech that this is not so. That is why an increase of capital is applied for every year. The repayments by borrowers go to redeem the debentures representing the money borrowed by the bank.

Hon. W. Patrick : The capital is always disappearing ?

The COLONIAL SECRETARY: Yes. When this Bill is passed the bank will have a capital of 1½ millions on paper only. I speak without figures ; but I think it has at the present time, of a capital of a million, approximately £600,000 out. The other £400,000, or portion of it, has come in, and has gone to pay off debentures. When the £600,000 comes in, it also will go to pay off debentures, and when the extra half a million to be granted by this Bill in due course comes in it will go to pay off debentures, and the House will be asked to provide more capital. I do not think there is any other point that needs elucidation.

Question put and passed.

Bill read a second time.

BILL—PERMANENT RESERVE RE-DEDICATION.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This is a Bill introduced to change the purpose of a section of a Class A Reserve, No. 378, being portion of Perth Suburban Lot 186, set apart for public buildings, and to dedicate such portion to the purpose of a church for the Seventh-Day Adventists, who at the present time have no site for a church, nor have they ever been granted a site. This is in accordance with the usual practice of granting a site to any church that applies for it. The reserve referred to is situated in Thomas Street, just off Hay Street, near the site of the Children's Hospital. I have a lithograph here to which members can refer if they chose. Those who know the locality will recollect the reserve at the corner of Hay and Thomas Streets. A small portion at the North-Western corner of that reserve, a portion of about a quarter of an acre in area, is to be taken off and granted to this denomination. I move—

That the Bill be now read a second time.

Hon. G. Randell: Does it give a frontage to Hay Street?

The COLONIAL SECRETARY: No; a frontage to Thomas Street.

Question passed; Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment, the report adopted.

ADJOURNMENT.

The House adjourned at 7.47 o'clock, until the next day.

Legislative Assembly,

Tuesday, 3rd December, 1907.

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The SPEAKER took the Chair at 4.30 o'clock p.m.

Prayers.

QUESTION—MINING SHIPMENTS, PHILLIPS RIVER.

Mr. HOLMAN asked the Minister for Mines: 1, What is the total tonnage of matte shipped from Phillips River during the past twelve months? 2, What was the value of the gold contents of same? 3, What was the total value of matte shipped?

The MINISTER FOR MINES replied: 1, 2,085.80 tons. 2, £16,786. 3, £92,345. I may add that 12,307 tons were treated for twelve months ending October, 1907; average copper extracted approximately 6¾ per cent., estimate a loss of ½ per cent., equals 7¼ per cent. as an average value.

QUESTION—PUBLIC SERVICE ACT, AS TO AMENDMENT.

Mr. WALKER asked the Premier: Is it the intention of the Government to bring in a Bill amending the Public Service Act?

The PREMIER replied: If time will permit, a short amending Bill dealing with the constitution of the appeal board will be submitted.

BILL—BUNBURY HARBOUR TRUST COMMISSION.

Introduced by *the Premier*, and read a first time.