

and part of the mine in which the accident occurred had to be closed up until the inspector could get there. That prevented development work being carried on in that mine. As to inquests on mining fatalities, I think special instructions should be issued that the inspector of mines should be present at such inquests and have the power to call witnesses and examine them, also that the representatives of the workers should be permitted to attend inquests.

MR. MORGANS: They are now.

MR. GREGORY: Under what provision?

MR. MORGANS: There is no objection to the representative of the workers attending the inquest.

MR. GREGORY: They have not the right to attend, and I shall give notice that we give that permission to attend such inquests. I again congratulate the Minister in bringing forward the Bill so quickly, and I hope when we are in Committee we shall be able to deal satisfactorily with the various amendments. There are 60 or 70 amendments of which notice has been given, and it makes it quite difficult to understand the amendments when considering them with the original measure.

Question put and passed.

Bill read a second time.

IN COMMITTEE *pro forma*.

Amendments proposed and adopted *pro forma*, for the purpose of being printed in the Bill before discussion.

Bill reported with amendments.

Ordered, that the Bill be re-printed with the amendments.

#### ADJOURNMENT.

The House adjourned at 10:12 p.m., until the next day.

## Legislative Council,

Thursday, 14th September, 1899.

Motion: Reports on Properties by Imperial or Colonial Officials; Ruling on point of order—Rural Lands Improvement Bill, second reading (motion withdrawn)—Permanent Reserves Bill, in Committee, Clauses 2 to end, reported—Adjournment.

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

PRAYERS.

MOTION—REPORTS ON PROPERTIES BY IMPERIAL OR COLONIAL OFFICIALS.

HON. F. M. STONE moved:

1. That, in the opinion of this House, it is undesirable that officials of the Imperial Government stationed in Western Australia, or of the Colonial Government, should be permitted to report on mining or other properties for the benefit of public companies or private persons. 2. That the Government be requested to transmit the foregoing resolution to the Right Honourable the Secretary of State for the Colonies.

He said: I may say I move this resolution with extreme regret, because I shall have to refer to a gentleman holding the highest position in this colony, and perhaps I shall have to make some remarks on what he has put his name to, which possibly may be somewhat strong. What has induced me to bring forward this motion is that Sir Gerard Smith has reported on a mining property in this colony belonging to the Peak Hill Goldfields Company, Limited. That report has been published in the newspapers of this colony, and that report has been read at a meeting of shareholders. It appears to my mind—and I think hon. gentlemen will agree with me when they have heard me read that report—that the gentleman to whom it was addressed obtained it for the purpose of influencing the share market in London with reference to shares held in that company. I need not detain the House further, but will put members in possession of the report to which I refer. It is addressed "Government House, Perth, June 30, 1899," and is as follows:—

Dear Mr. Darlington Simpson,—I understand that you are shortly leaving for England, and on your arrival will doubtless meet your colleagues on the directorate of the Peak Hill Goldfields Company, Limited. It may interest them, and possibly some of your larger shareholders, to hear my opinion on the posi-

tion and prospects of your company, from the point of view of one who has little or no scientific knowledge, but who is able to form a public opinion based upon some experience of the different goldfields, and very many of the different mines of this colony. I am only able to state what I saw with my own eyes, and to set down incontrovertible facts, from which all can form their own judgment. The Peak Hill Goldfields property presents features entirely different from any which I have yet seen throughout the colonies. It is situated on a high tableland some hundreds of feet above sea level, and is approached from below the high ground, or, more strictly, the range of hills on which it stands, by an ascent rather steep and rocky in parts, but on the whole of a gradual character, and in length about four miles. The scene on arriving on the tableland seemed to me one of great interest. Coming from a country below, doubtless auriferous in character, but one which is at present without visible signs of any gold-mining industry, the visitor is confronted with a wide plain over which at frequent intervals is spread (in the form of disused shafts and the dumps surrounding them) ample evidence of the industry which has been employed by the first prospectors and occupiers to prove the existence of gold over the entire surface of the plain, which I should estimate as nearly three-quarters of a mile in length. Standing at your general manager's residence, about centrally situated on one side of the company's property, the appearance of the plain is that of a basin-like formation—a shallow one—that is to say, with a very gradual and not deeply-marked depression within the centre of it, where your main shaft poppet heads are now situated. So far as the material forming the surface of the ground is concerned, it seemed to me composed of a dark brownish-red formation, having many of the characteristics with which we are all so familiar in the gold districts immediately round Kalgoorlie, and from the numerous places in which this is exposed in the old shaft workings before alluded to, and in other ways, the visitor is able to see for himself that it is fairly even spread over the whole plain in a varying thickness of from 3ft. to 4ft. I went round many of these dumps, and found that they were uniformly of this character. Most of the material, especially where it has been for some months exposed to air, is easily crushed in the hand, and in the great majority of cases, when being subject to such treatment, leaves traces of fine gold visible. I am not competent to enter upon any description of the workings underground, but having by your courtesy descended the shaft on the only lease, out of 24, on which active operations are proceeding I can say with certainty that nowhere where I went was there wanting abundant evidence that your mine is phenomenally rich in gold from the surface down to the lowest depth of 220ft., to which I was taken.

Having been invited to endeavour to extract some free gold from the walls or faces, not at

any spot indicated to me, but at any place I might select, I can only say that at each one of four places, widely separated from each other, upon which I experimented as an amateur miner, I was rewarded by extraordinary results in the massive lumps of gold I extracted from the kaolin formation. It was interesting to note that at the lower level this kaolin, in lieu of being of the varied colours which I have mentioned as evident on the surface, presented either a pure white or soft cream-coloured appearance, and was interspersed with bands of quartz easily dislodged, and which in their turn may be said to have been hung together with solid gold. If all the company's leases, or even a percentage of them, contain the same auriferous formation as that upon which you are now engaged—and the surface indications seem to point that way—the ultimate value of the company's property cannot be estimated upon any reasonable basis. One thing that struck me very forcibly was the facility and consequent economy of working which must attend your operations in such material as what I saw, compared with the many other more dense and more refractory formations throughout Western Australia. Passing now to the battery site and its appliances, I may say I have seen scores—I might say almost hundreds—

HON. R. S. HAYNES: There are not "hundreds" in the colony.

HON. F. M. STONE (continuing):

--hundreds of batteries in this colony, but none that have appeared to me more fully equipped or better adapted to fulfil the object for which it was designed. As far as the buildings, machinery, workshops, etc., are concerned, and the care and cleanliness evident in all its surroundings, it was in marked contrast to the condition of many batteries that I have inspected in this colony. You seem to have an ample supply of water, and if the present source should fail you, which is unlikely, you have other resources to fall back upon. I cannot close this brief account of my interesting visit to Peak Hill without tendering to you, as chairman of the company, and to all your officers, my thanks for your courtesy in affording me full facilities for forming an independent judgment on the merits of your property. I presume it is needless to remind you that I have no interests whatever in the property of your company. I am only interested to know and believe that the Peak Hill Company is destined to add very largely to the source of the wealth and general prosperity of the colony and, though you will join me in the hope that your company may be continuous and increasing, I can hardly expect that you will share with me yet another aspiration, namely, that time may show that there are a dozen more Peak Hills in Western Australia. If I am able again to visit the property, I shall expect to find that, by the aid of your excellent staff, all (from the general manager downward) men of exceptional energy and experience, your operations will have greatly enlarged in scope,

and that the brilliant prospects before you have been abundantly fulfilled.—With best wishes, I am, very truly yours (Signed) GERARD SMITH.

HON. A. G. JENKINS: Are the letters "M.E." there?

HON. F. M. STONE: Any hon. member who has had experience of mining companies, and has seen expert reports on which properties have been sold, and on which shares have often fluctuated, will agree with me that what I have read is an excellent report, so far as a mining expert is concerned.

HON. F. T. CROWDER: This mine is not going to be floated or sold.

HON. R. S. HAYNES: But the public are.

HON. F. M. STONE: I was coming to that, and the interjection of Mr. Haynes has just taken the words out of my mouth. When a letter like that is read at a shareholders' meeting, the public will be gulled into buying shares in the company, and it is unfortunate, very unfortunate, that a gentleman holding the position of Sir Gerard Smith in this colony should have been dragged into writing such a letter, which may perhaps have disastrous effects.

HON. F. T. CROWDER: What do you mean by "dragged"?

HON. F. M. STONE: The hon. member asks, what do I mean by "dragged"; but anyone who knows the gentleman, or those gentlemen who are connected with the Peak Hill company, will know what I mean.

HON. F. T. CROWDER: I do not; I would like to know.

HON. F. M. STONE: The hon. member would like to know, and I am sorry he does not, but perhaps he will live and learn. Many of us do know those who are connected with the company, and I am sorry to find that Sir Gerard Smith has been associated with a lot of adventurers. I use that word advisedly, because it is known in this colony how this mine has been worked, and it is with extreme regret that I have had to use the language which I am now using. Still I think it is my duty, and I think it is the duty of the House, when a gentleman in such a high position as Sir Gerard Smith puts his pen to such a report as that—a report which goes forth to the world stamped with the stamp of Government

House, and the name of the Government—it is our duty, with no uncertain voice, to say that we will not, so far as we are concerned, allow such proceedings to take place. Even if it were the case of an official in a lower position, I feel sure the House would condemn his action.

HON. R. S. HAYNES: Hear, hear.

HON. F. M. STONE: Whether the official be in the Imperial service or in the Colonial service, the House will assert the principle that such officials shall not be allowed to make reports of this nature.

HON. F. T. CROWDER: The principle may be all right; but you should not have dragged in the Governor's name.

HON. F. M. STONE: It is with extreme regret that I feel obliged to drag in the name of Sir Gerard Smith; but if Sir Gerard Smith had not put his name to this report, there would have been no necessity to drag his name into the discussion. I have thought this matter over, and I could not have brought it before the House without bringing in the name of Sir Gerard Smith. I was obliged to read the report to show to hon. members the reason which induced me to bring forward the motion; otherwise hon. members would have been completely in the dark. I could have referred to this report in a vague manner, and without reading the whole of it, but I do not think that such a course would have been right in submitting this motion; and, having brought the motion forward, I take the responsibility on myself of having had unfortunately to refer to the name of Sir Gerard Smith. I cannot see how the House can vote against the principle of the motion; indeed, I think hon. members are bound to vote in favour of it.

THE COLONIAL SECRETARY: I do not see that.

HON. R. S. HAYNES: No; the Ministers do not. They have done it before, themselves.

HON. F. M. STONE: I regret to hear the remark of the leader for the Government, because we have had unfortunate transactions in the past where officials have reported on mines—

HON. R. S. HAYNES: And have afterwards taken billets with the companies.

THE COLONIAL SECRETARY: Those were experts.

HON. F. M. STONE: I do not care whether they were experts or not; their reports were "ear-marked" by the Government stamp, even in this very case.

HON. R. S. HAYNES: I have previously had the subject before the House.

HON. F. M. STONE: I regret to hear the leader of the House say there is no principle in the matter.

HON. F. T. CROWDER: The leader of the House is quite right, too.

HON. F. M. STONE: If we are to allow Government officials to report on what may turn out afterwards to be a swindle, the Government become a party to the swindle; and by allowing these reports to bear the Government official mark, become a party to inducing people to believe that the Government have authorised the official to report and that the Government agree with the report made. Leaving outside the question altogether the unfortunate letter I have read, no hon. member can object to the wording of the motion.

HON. F. T. CROWDER: I do not object to that, but you brought in the Governor's name, and that is what I object to.

HON. F. M. STONE: The hon. member will have an opportunity of speaking, and perhaps he will give us reasons for objecting to the name of the Governor being brought in.

THE PRESIDENT: The Governor's name cannot be brought into the debate in the way in which it is being brought in. The hon. member must speak to the motion before the House.

HON. F. M. STONE: I spoke of Sir Gerard Smith, and it was Mr. Crowder who referred to the name of the Governor. I have purposely kept the Governor's name out of the discussion, and have only spoken of a high official in the colony, and of Sir Gerard Smith. Through this letter being read at a meeting of shareholders and published, the name of a high official is being dragged through the mud.

HON. F. T. CROWDER: What is the "mud" the name has been dragged through?

HON. F. M. STONE: The "mud" is the association of this high official with a lot of mining adventurers in a mining speculation.

HON. F. T. CROWDER: It is the best mine in the colony.

HON. F. M. STONE: I feel sure none of us who highly respect the office of this official like to see what I have described, and I trust this is the last time this or any other colony will see such a proceeding. I do not propose to say anything more on the subject. I regret extremely I have felt it my duty to refer to the name of Sir Gerard Smith; but there it is, and it has gone forth to the world. It has been placed before the shareholders' meeting, and influencing the shares, as it must have done, I should have been wanting in my duty to the colony and to this House if I did not submit the motion standing in my name.

HON. J. W. HACKETT (South-West): I may say I shall not vote against the motion, for the simple reason that there seems to be a semblance of principle underlying it, a principle which this House would not be willing to condemn; but it seems to me that the motion ought not to have been brought forward, and I shall conclude my remarks by moving that we do proceed to the Orders of the Day. I had not read the letter which Mr. Stone has laid before the House, nor had I heard its contents until from him to-day; but I must say that, taking the letter as it stands, if that is all the hon. member has on which to found one of the most serious votes of censure which I have ever heard in any House of Parliament on the leading gentleman in this colony, and the foremost representative of Her Majesty's Government, I should think the time would have been better occupied in considering the legitimate business before the House.

HON. R. S. HAYNES: This is legitimate business.

HON. J. W. HACKETT: I was astonished to hear the deductions which Mr. Stone made from this letter. I know nothing about this mine, excepting I am assured it is one of the most valuable properties in Western Australia. His Excellency has paid a visit to the mine, and in a matter in which he is solely his own judge, he bears testimony to its merits. So far as I can discover from the terms of the letter, his personal recommendation given to the mine was, as he so expressed it, solely conceived in the

interests of this colony, and to forward those interests as far as possible. Why should we go behind his assertion?

HON. F. T. CROWDER: We have a right to believe the assertion, too.

HON. J. W. HACKETT: Yes; why should we go behind His Excellency's assertion and assume he means something very different? Mr. Stone, in terms which I am sure he will regret sooner or later, referred to this as a deliberate swindle, and said that the object of the letter was to gull the public and to seduce persons into a bad bargain.

HON. F. M. STONE: I said that was the effect of the letter, but I did not say it was written for that purpose.

HON. J. W. HACKETT: Then the hon. member should not have brought the name of Sir Gerard Smith into the matter at all, but should have let the effect of the letter lie with the people who made use of the effect. So far as we can see, the object of the writer of the letter was simply to push forward the interests of Western Australia; and to charge him, as the hon. member has done in no vague terms, with corrupt and improper motives, is one of the most extraordinary attacks—

HON. F. M. STONE: The hon. member will pardon me. I do not think the hon. member has any right to say I have charged Sir Gerard Smith with "corrupt and improper motives," because I used neither the words "corrupt" nor "improper." The hon. member has no right to attribute to me what I have not said, and what I never intended to say.

HON. A. P. MATHESON: And the deduction could not possibly be made.

HON. J. W. HACKETT: The question is entirely in the hands of hon. members, and if the remarks of Mr. Stone do not in their minds mean a charge of corruption and improper conduct against Sir Gerard Smith, then I am willing to withdraw and apologise.

HON. F. T. CROWDER: The House is with you (Mr. Hackett).

HON. J. W. HACKETT: I appeal to the House whether I go one inch too far in attributing, at all events, that impression to the words of the hon. member? Three or four times he took care to repeat that the object of this letter was to lead the public astray, and to induce them to invest in a mine more or less worthless.

HON. F. M. STONE: I said the effect of the letter.

HON. J. W. HACKETT: As to that, I do not want to labour the question, but I think before a question of this gravity is brought before the House (my hon. friend will not quarrel with that phrase), before insinuations of the grave and startling character which we have heard from the hon. gentleman's lips are made in the Legislative Council of Western Australia, it is well for him to ask himself the question whether it is not possible an honest and proper meaning may be imputed to this letter, and to give Sir Gerard Smith, who is entitled to it even though the Governor of the colony, the benefit of the doubt, and consequently to put himself into communication with that gentleman, place the doubt before him, and see what answer he is prepared to give.

HON. D. McKAY: You cannot deny the letter is beneficial to the company.

HON. J. W. HACKETT: If the company are working a valuable mine, which will help the colony forward, I hope it will be beneficial. I hope the company will develop the mine, and bring employment into a part of the colony which is seriously in need of it.

HON. F. T. CROWDER: Has the hon. member read the *Sunday Times*?

HON. J. W. HACKETT: I deeply regret the matter has been brought forward. I see no reason for it. I think Sir Gerard Smith has been treated unfairly in the way it has been brought forward behind his back, without his being able to give a reply, and without any inquiry to ascertain whether there was any solid foundation for the assertions made. I move that we proceed with the Orders of the Day.

#### POINT OF ORDER.

HON. R. S. HAYNES: I rise to a point of order. I submit that under rule 123 the hon. member cannot move the motion. Rule 122 says:—

A motion, that the Council do now divide, that the Council do now adjourn, that this debate be now adjourned, shall always be in order, if made so as not to interrupt a member speaking; and on being moved and seconded without discussion shall be immediately determined.

Rule 123 says:—

A member who has spoken to a question cannot speak to any amendment thereon until

such amendment has become the main question; nor can he during the debate move or second the previous question, or the adjournment of the debate, or the adjournment of the Council, or that the Council do now divide.

It would be most unfair for the hon. member, having spoken to the general question, to endeavour to stop all further discussion by moving the closure of the question. The object of moving the closure of the motion is that there shall be no more discussion. The rules are clear on that. The hon. member has stated he will vote against the motion, therefore his vote may be claimed on a division. He said, "I will later on move that the Orders of the Day be proceeded with." The hon. member did not say, "I do move," but "I will." He might have done so at once, instead of which he discussed the question, and then moved that the Orders of the Day be proceeded with.

HON. F. T. CROWDER: It had not arisen then.

HON. R. S. HAYNES: And there was no motion before the House. The hon. gentleman having spoken, I submit with great respect that the contention I raise is a good one, and you (the President) will decide accordingly. I press the objection, and urge that the hon. member is out of order in proposing such a motion.

THE PRESIDENT: The motion made by the hon. member is under Rule 100:

A question may be superseded, (I.) By the adjournment of the Council, either on the motion of a Member, That the Council do now adjourn, or on notice being taken, and it appearing that a quorum of Members is not present. (II.) By a motion, That the orders of the day be now read. (III.) By the previous question being proposed and affirmed.

I take it that the hon. member is in order in making that motion, and that it does not stop the debate. It is simply whether the original question shall be put or whether we shall go on with the Orders.

HON. R. S. HAYNES: I understood the hon. member would stop further discussion.

THE PRESIDENT: No.

#### DEBATE RESUMED.

HON. R. S. HAYNES: I join with my hon. and learned friend, Mr. Hackett, in wishing this motion had not been brought before the House. At the same time, inasmuch as the resolution is before the House, I feel I am called upon to do

what I consider to be my duty, and that is to support it. I hope that whatever members say upon this subject they will address themselves to it in a fair and moderate manner, always remembering that the persons who will be affected by the motion, if it passes, are not present. I hope they will see that no improper inferences are drawn from anything before the House. It seems to me if we do that, no one can be injured. I for my part will be careful in anything I say, seeing that what I say is warranted by facts before the House, and that they cannot be gainsaid. I will not enter into any controversial matter at all. The question before the House is whether or not officers in the Imperial service or officers in the Colonial service, resident in the colony, shall report upon gold mines or other ventures for the purpose of floating them, or for any other purpose whatever. That is the question, and I fail to understand the hon. the Colonial Secretary when he says there is no principle at stake in the motion, and I really hope the hon. gentleman did not read the notice of motion. I say, again, that on this motion I shall endeavour to speak as fairly as I possibly can, and not take a strong view on one side or the other. I am only dealing with the principle which, I take it, the motion involves. The motion says:

That, in the opinion of this House, it is highly undesirable that officials of the Imperial Government stationed in Western Australia, or of the Colonial Government, should be permitted to report on mining or other properties for the benefit of public companies or private persons.

THE COLONIAL SECRETARY: What is the application to the present case.

HON. F. T. CROWDER: There is no application at all.

HON. R. S. HAYNES: If the hon. member cannot see it, he must be very dense. Of course there are none so blind as those who do not wish to see. On that principle only can I understand the hon. member's remarks. The letter read by my hon. and learned friend, Mr. Stone—

HON. C. A. PIESSE: It may have been a private one.

HON. R. G. BURGESS: It is not a report.

HON. R. S. HAYNES: The letter may have been a private one, and if it were a private letter written privately and for private purposes, I would be one of the

last in the world, and I am sure my hon. and learned friend Mr. Stone would be the last man in the world, to move any motion condemnatory of any person; but if any member responsible for his actions will get up and tell me the letter was written privately and not for public purposes or use before directors, I will join issue with him.

HON. F. T. CROWDER: It was done for the good of the colony.

HON. A. P. MATHESON: It says so in the letter.

THE COLONIAL SECRETARY: It is not an official letter.

HON. R. S. HAYNES: I do not understand what an official letter is. I understand a letter to be a document sent by some person or by someone on his behalf. All I can say is, that if it were a private letter it would be improper for any person here to interfere, and if it were a private letter written to a gentleman in London, and that gentleman in breach of good faith published it, I should think the person who published it did an outrageous action. If, as suggested, it was a private letter and there was a breach of faith in publishing it, I hope the hon. member will withdraw his motion; but I would ask members to be conscientious and say whether that letter was written for private information or public use? What was the use of writing to the person to whom it was addressed, who knew more about the mine than the writer of the letter? It was absurd. If you apply common tests, can such a proposition as that be maintained? The letter is what my hon. and learned friend called it—a report upon a mining property. Several reports have passed through my hands, perhaps hundreds, and I have never seen a report from a mining expert differ materially from that under review, except that perhaps they are generally not so fulsome.

HON. C. E. DEMPSTER: He is not a mining expert. It would be only his opinion.

HON. F. T. CROWDER: How do you know the reports were paid for? I have a better opinion of the Governor.

HON. R. S. HAYNES: I do not know whether they were paid for. I am speaking of reports that have passed through my hands. I wish to put the thing fairly and calmly, and I consider this a

matter in which we should not lose our temper. I regret having to take this stand, but I do not like to be contradicted by propositions which cannot be maintained. Any person who is cognisant of the reports of mining experts can come to no other conclusion than that this is what is called a report upon a mine. A report is an account of the area, position, and the work done upon a mine, the system of working, and the machinery upon the mine. That is all a mining expert can report upon. In what respect does that letter differ from a mining expert's report?

A MEMBER: One is paid for and the other is not.

HON. R. S. HAYNES: Then there is no distinction; because one is given for money and another for nothing, and they say what is given for nothing is worth nothing.

HON. C. E. DEMPSTER: A man has a right to express an opinion upon a mine or anything else.

HON. J. W. HACKETT: Except the Governor.

HON. R. S. HAYNES: Except a person holding a position in the Imperial or Colonial Government.

HON. A. G. JENKINS: Supposing it had come from a warden, what would have happened?

HON. R. S. HAYNES: Supposing a Judge in the Peak Hill case, for instance, had given a report. I regret exceedingly that this Peak Hill has been the subject of the report, because most serious litigation is now in progress with respect to a portion of this mine. What would be thought of a Judge of the Supreme Court who wrote to one side that the property was excellent, and there was every prospect of its yielding a good return?

HON. F. T. CROWDER: You are straining the point.

HON. R. S. HAYNES: In the face of that, you would expect to win your case. I say no officer, either of the Imperial Government stationed in this colony or our own Government, has a right to report upon private properties, and I will give you the reason why a report should not be given. If a director publishes a false or fraudulent balance-sheet or prospectus, the directors are personally liable to any person who has been misled. If a mining expert im-

properly report on a mine, and persons are thereby induced to take shares in a worthless venture, that expert is liable for damages.

HON. F. T. CROWDER: Can you bring one case forward?

HON. R. S. HAYNES: Yes.

HON. F. T. CROWDER: Where?

HON. R. S. HAYNES: There was a case heard in England in which a Kalgoolie expert had heavy damages awarded against him, and I think Mr. Jenkins knows the case to which I am referring. Mr. Crowder will see that I have chapter and verse every time.

HON. F. T. CROWDER: That is one case out of a thousand.

HON. R. S. HAYNES: I do not care if it is one case out of ten thousand. I say that, in law, a person reporting on a mine is liable if another person is misled by the report. Supposing, for instance, that the Minister of Mines were to report on a claim?

HON. C. E. DEMPSTER: He would be an authority; he holds the position.

HON. R. S. HAYNES: I do not join issue on the statement that the Minister of Mines would be an authority.

HON. A. P. MATHESON: He sank a well.

HON. R. S. HAYNES: Well, say the Colonial Secretary were to report on some shipping venture?

HON. W. T. LOTON: He would be an authority, too.

THE COLONIAL SECRETARY: And why should I not report?

HON. R. S. HAYNES: Until this motion pass, the Colonial Secretary has a right to report, but this motion, if passed, would prevent his reporting, and that, I submit, with great respect, is the object of the motion.

THE COLONIAL SECRETARY: Why should I not report?

HON. R. S. HAYNES: If ever there were a good reason for the motion, it was shown in the question just asked. If the Colonial Secretary desired to report on such ventures, he ought to resign his position as leader of the House.

THE COLONIAL SECRETARY: Why should I not report on anything?

HON. R. S. HAYNES: Because this House is going to give expression to the principle that officials of the Crown shall not give such reports. I will give the

hon. gentleman another reason, and that is: it is improper for a Government official to use his official position for the purpose of inflating or depreciating the value of shares.

THE COLONIAL SECRETARY: That is another thing altogether.

HON. R. S. HAYNES: I say that the attaching of the name of a member of the Executive to a prospectus has the effect of increasing the value of shares. If the attaching of the name have not that effect, why is the name wanted?

HON. C. E. DEMPSTER: If it be done with that object.

HON. R. S. HAYNES: If a person point a gun and fire, and another person be shot, the law does not ask with what object the gun was pointed. Even in criminal law, a man is liable for the effect of his act, and the law presumes he intended to do that which is the probable consequence of his act. There are some hon. members who—I will not say for certain reasons—but who seem to have an idea that some person will be foolish enough at a future time to use their reports, and on that basis only can I understand hon. members opposing the motion. It would seem that these hon. members are aspiring to a position in the Government, and that they would wield that position so profitably as to make large fortunes in supplying reports, written or otherwise, on ventures.

HON. F. T. CROWDER: Give your opinions?

HON. R. S. HAYNES: My friend, Mr. Crowder, seems to take a great interest in this question, and I do not know why. Has he a company for which he hopes to get the report of some officer of the Government? I think it is indecent on the part of the hon. member to interrupt.

HON. F. T. CROWDER: You must not attribute motives to me, you know.

HON. R. S. HAYNES: Perhaps it is unnecessary; but I do attribute motives to the hon. member, though they are honourable and good. But let that pass. This is not a question of either myself or of any hon. member, but a question of principle; and I regret that I have not the report of the proceedings of the State Parliament of British Colombia, where a Minister was severely handled for reporting on some venture, and, if I remember rightly, the matter was dealt



with just as severely in the Imperial House of Commons.

HON. F. T. CROWDER: They could not do it.

HON. R. S. HAYNES: Whether the member thinks it could or could not be done, the report I read was published in the *Times*, and the action of the Minister was never defended for a moment.

THE COLONIAL SECRETARY: We do not know all the circumstances of that case.

HON. R. S. HAYNES: I regret we have to refer to the Peak Hill mine, because this mine was floated under very peculiar circumstances. The prospectus on which this mine was floated had attached on it a *fac simile* of our *Government Gazette*, and we know it is a felony in this colony for any private person to print or publish the *Government Gazette*. This is important to remember, though it may appear a small matter; and, at any rate, it is a most serious matter in connection with the formation of a company.

THE COLONIAL SECRETARY: What have we to do with that?

HON. R. S. HAYNES: I will tell the hon. member. It is very easy to use a coat-of-arms, and set forth that a document is printed by the authority of the Government Printer, leaving out a few words which materially alter the effect of the others; and I give my opinion as a lawyer, and I say that the proceeding was highly improper, if not criminal. But that was not all, for attached to this prospectus was a report written by an officer high in the Government service, who was lent for the purpose by the then Minister of Mines. That report of the officer was written upon Government paper with the heading "Department of Mines," and a *fac simile* of that was also used in the prospectus, so that the official stamp and the Royal Arms were dragged all round London. It was disgraceful. It is not only now that I say that, for I have said it before, and on that occasion I used stronger terms than I do now as to the Minister of Mines—whom I personally greatly respected—and the action which he took, and this House was entirely with me. In another place, a resolution was passed forbidding public officers to give these reports, and when the Colonial Secretary

asks why he should not give reports, I refer him to that resolution, which was supported by the Premier. My friend, Mr. Matheson, on the occasion to which I have referred, also took exception to the Minister of Mines for being associated in the formation of a smelting company, and the Minister (Mr. Wittenoom) defended himself on the ground that he did it as a matter of public policy, and for the good of the colony.

HON. A. P. MATHESON: To acquire an income; he said so.

HON. R. S. HAYNES: I say again that such action is most improper. Now that the matter has once more come before the House, I am not directing my attack against anybody, though I do say that the letter which has been read to the House should not have been written. I will not use strong language, but such a letter ought not to have been written by an officer of the Imperial Government or of the Colonial Government. So strong is my view on this matter that I think the House should place on record their objection to such a proceeding, and that is the only reason I support the motion. I will not deal with particulars at all; I do not wish to throw out any suggestions whatever, nor to attribute any improper motives to the writer of the letter. Far be it from me to do so; but even if the letter were written from the most laudable motive, it is still wrong.

HON. F. T. CROWDER: No.

HON. R. S. HAYNES: No doubt we shall have a report from a high official on the Gas Company presently. Mr. Crowder is right in saying "no," but, at the same time, I am right in saying that the penning of such a letter was wrong, and therefore I support the motion. Members are now called on to adopt a principle, for if the motion be lost, any member of the Government, or any officer of the Government, will have a perfect right to say that a motion was moved in the Legislative Council and rejected, and that, therefore, officers of the Imperial Government, members of the Ministry, or officers of the Colonial Government have a right to report on mining ventures.

A MEMBER: It is well known they do it now.

HON. R. S. HAYNES: Ministers are not allowed to do it now.

HON. F. T. CROWDER: You must trust Ministers.

HON. R. S. HAYNES: One hon. member says that Ministers have a right to give such reports, and other members say there is no such right.

HON. J. W. HACKETT: I rise to order. According to our standing order number 76 it is provided—

At the expiration of one hour from the meeting of the Council, or sooner if the previous business be disposed of, the Orders of the Day shall be called on by the Clerk, without any question being put, unless the Council shall otherwise direct.

HON. R. S. HAYNES: As the hour has elapsed, I move that the Orders of the Day be not called on until the conclusion of the debate on the present subject.

THE PRESIDENT: Under the Standing Orders, the Orders of the Day must be gone on with unless the Council direct that the notice of motion be proceeded with. It is moved that the notice of motion be proceeded with.

Question—That the notice of motion be proceeded with—put and negatived.

THE PRESIDENT: After the Orders of the Day have been dealt with, it will be competent, if the House wish, to go on again with this motion.

Orders of the Day read.

#### RURAL LANDS IMPROVEMENT BILL.

##### SECOND READING.

THE COLONIAL SECRETARY (Hon. G. Randell), in moving the second reading, said: I would like to explain I have not been able to give all the attention I should have liked to this measure, and, on that account, I must apologise somewhat to hon. members for any shortcomings there may be in placing them in possession of the leading features of the Bill. It will be remembered that there has been a considerable cry in this colony from time to time, for the taxation of absentees, especially absentee landholders; and a very considerable feature in the Bill, though I do not say it is the whole feature of the Bill, is that absentees will be reached if the measure becomes law.

HON. R. G. BURGESS: And everyone else all over the colony.

THE COLONIAL SECRETARY: The hon. member says everyone else too. I believe every landowner who has a quan-

tity of unimproved land in his possession would also feel the pressure of this Bill—if I may be allowed to use the word “pressure”—in respect of the fines to be inflicted upon a person who has had his land 10 years without effecting any improvement. It is a question whether the fine is one that will press upon him, for the amount is only 1d. in the pound—

HON. R. G. BURGESS: That is a good deal.

THE COLONIAL SECRETARY: A penny in the pound under 5,000 acres, and 0½d. in the pound over 5,000 acres. It is a well known fact there are large areas in this country in possession of individuals who make no use of them, and who will not sell at reasonable prices, but are waiting for what is generally termed the unearned increment.

HON. R. G. BURGESS: “Hope deferred maketh the heart sick.”

THE COLONIAL SECRETARY: I am not sure the hon. member is not in sympathy with the Bill to a certain extent.

HON. R. G. BURGESS: Yes; a common-sense Bill, but not this one.

THE COLONIAL SECRETARY: I am quite sure he will not allow his individual interests to interfere with the interests of the country.

HON. R. G. BURGESS: I am not pleading my private interests. I rise to a point of order. Is the hon. member not out of order in imputing motives?

THE COLONIAL SECRETARY: Not if they are good motives. I am sure if the hon. member is satisfied the principle of the Bill is good, he will support it. I understood the hon. member to tell me the Bill would not affect him at all, and therefore if we find him opposing the Bill it will be in the interests of the State. For my part I can see no objection to the Bill.

HON. R. G. BURGESS: You do not know the country.

THE COLONIAL SECRETARY: I have been over a good deal of it, but not so much as the hon. member, whose business takes him over a great portion of the country, and whose practical knowledge enables him to judge perhaps better than I can the value of the land. If the land is not worth the improvements desired in the general interests of the country, one would think it would be almost better to

give it up and let someone else have a chance to see if they can make anything out of it. It has repeatedly been the case that land condemned for years has subsequently been found to be useful and productive. I know the hon. member is fully aware that land condemned by the earlier settlers up to a comparatively recent date is now giving a satisfactory return.

HON. R. G. BURGESS: This does not refer to cultivation.

THE COLONIAL SECRETARY: That land was lying for a long time in an unimproved state, because it was thought to be unfit for cultivation, but it has been found to be fit for cultivation and is now cultivated.

HON. R. G. BURGESS: Where?

THE COLONIAL SECRETARY: I believe in the district adjoining that of the hon. member.

HON. R. G. BURGESS: That never was despised.

THE COLONIAL SECRETARY: Land which was before despised has been brought under cultivation. I think it is an objectionable thing for persons to hold immense areas of land and let them lie waste.

HON. R. G. BURGESS: What would you call immense areas? Very few hold many thousands.

THE COLONIAL SECRETARY: Fifteen thousand acres would be a large area, comparatively speaking. The Bill does not refer to the pastoral districts.

HON. C. E. DEMPSTER: The Bill refers to the whole country.

THE COLONIAL SECRETARY: I was under the impression that the pastoralists were exempted.

HON. C. E. DEMPSTER: You read the Bill.

HON. R. G. BURGESS: The Minister who introduced the Bill could never have read it.

A MEMBER: See Clause 2.

HON. R. G. BURGESS: The Bill is absurd. The Minister had better withdraw it.

THE COLONIAL SECRETARY: I shall not withdraw it. I was certainly under that impression.

HON. R. G. BURGESS: So is the Minister who introduced it.

THE COLONIAL SECRETARY: "Rural land" means rural land of one hundred or more contiguous acres owned

for an estate of freehold by one person." That meets the case. There is very little freehold held by pastoralists. Only small quantities are held as freehold. The paragraph continues—"or by more persons than one in succession, as joint tenants, co-partners, or tenants in common, and not being held for religious or charitable purposes." In thinking pastoral lands were exempt, perhaps I was misled by the remembrance I had of the Land Bill, or by the Bill having been altered in another place from the draft which was originally in my hands. However, it will be open for an hon. member to move an amendment that pastoral lands in the North-West, or in other parts, if necessary, shall be protected from the operation of this Bill. I believe the principle here involved is a right and just one, in the interests of the country, namely, that persons who have large quantities of land, not freehold, should be called upon to do some improvements upon them. That is the principle underlying the whole of the Bill. I do not think I need go very particularly into the various clauses which go to make up the Bill and are intended to carry it into operation. If the House reject the principle of taxing unimproved lands, whether held by absentees or others, there is no necessity to talk about the machinery of the Bill.

A MEMBER: Absentees are all right.

THE COLONIAL SECRETARY: The Bill also says the land must be held for 10 years before this fine is inflicted. Clause 4 says whenever 10 years shall have elapsed from the alienation by the Crown of any rural land in fee simple (except where it is bounded by natural boundaries, if I may use that term), it will have to be fenced, and certain improvements will have to be effected. As I have already stated, absentee owners of land will have to pay 50 per cent. in addition to the fine inflicted upon the local owners. The first payment is to be made on the 1st March, 1903, and on or about the 31st of December, 1902, the owner will have to make a certain return setting forth the particulars required in Clause 5. The owner's valuation may be taken by the Minister if he chooses to take it, but if he does not, a valuation officer may be appointed under Clause 7. Clauses 8 and 9 direct the procedure to be taken

by the valuation officer, etc. Clauses 10 and 11 provide for appeals, and Clauses 12 and 13 set out the mode of appeal and proceedings thereon, and for a statement of a case by the Justices. Clause 14 states that when an order has been made by the Court it will be binding on both parties. Clause 15 provides in certain cases for fines becoming a debt to be recovered and a fine will have precedence over all other claims upon the estate, whether it be rents, mortgages, or debts of any other description. Clauses 17 and 18 provide that the Minister may let land and so on. Under Clause 19 the Minister may apply to the Supreme Court for power to sell in certain cases. Clause 20 provides for the application of the proceeds of such sale. Clause 21 provides for fines to be appropriated to the upkeep of roads boards. That is a clause in the Bill to which I would like to call the attention of hon. members. The fines imposed will be expended on the roads of the district in which those fines are collected, and that is a feature of the Bill which will commend itself to those members who live in the country.

HON. R. G. BURGESS: Introduce a clause in the Roads Act and that would do away with the necessity for this Bill altogether.

THE COLONIAL SECRETARY: I know the hon. member has said clauses are inserted in different Acts of the colony, but are not put into force. That is not the fault of the law itself, but of the administration, and if local roads boards do not enforce the powers given them—

HON. C. A. PIESSE: They are very unwise powers.

THE COLONIAL SECRETARY: Then the hon. member should move to have the clauses amended so that the law could be carried into execution. Clauses 23 and 24 deal with occupiers and owners. I do not think I need say very much more about the Bill. I have only to repeat that, if the present Bill does not commend itself to the members of the House, they have their remedy in rejecting the measure. If we admit the principle—and in my opinion the principle is a good one—the second reading should be passed; or even if you admit that it is only partly good, there is no reason

why members, with their experience on the subject, should not endeavour to make the Bill one that will be useful to the country and workable. I hope members will not lightly throw out the Bill. It is a very serious step to move that the Bill be read this day three months or this day six months, unless it is mischievous in its tendency, and I do not see how this Bill would be. If the machinery of the Bill is defective, I ask the hon. member's assistance in making it effective, and I shall be pleased to give him any assistance I can in that direction. But the Bill has for its object the establishment of a principle which has been asked for by, I think, thousands of people.

HON. R. G. BURGESS: Democrats and federalists.

THE COLONIAL SECRETARY: Yes. They may be none the worse for that. It has been asked for on all hands, and not only by federalists. No doubt it has been asked for by residents near towns and by politicians of all shades.

HON. R. G. BURGESS: By whom?

THE COLONIAL SECRETARY: I have heard it asked for in the Houses of Parliament repeatedly, and the Government have been challenged and rebuked many times for not compelling owners to make use of the land they have held in fee simple, in some cases for 50 years. I move the second reading of the Bill.

HON. A. P. MATHESON (North-East): I have listened with interest to the remarks which have fallen from the Colonial Secretary, and I may say I have been astonished to gather from the number of interjections that this Bill does not meet with the approval of those who are usually found the staunchest Government supporters.

HON. C. A. PIESSE: I am not against the Bill.

HON. A. P. MATHESON: I entirely approve of the principle of the Bill, and the Government are to be congratulated on having shown sufficient strength of mind to bring forward a Bill which, at any rate in principle, is not accepted by a large number of their supporters. I do not wish hon. members to misunderstand me when I say I approve of the principle of the Bill. I am prepared, when the Bill gets into Committee, to listen with the utmost interest, and to be thoroughly well instructed as to the par-

ticular objections which agricultural and pastoral members may have to raise to certain clauses. I am quite prepared to agree that the Bill is scandalously drafted, as is shown at the very commencement, in Clause 3. In that clause I will call the attention of the Colonial Secretary to a very glaring defect. The Bill, I understand, is intended to provide that a certain company shall be exempt, and an ordinary person would imagine that the Government or the draftsman of the Bill would have taken some pains to ascertain what the correct name of the company might be. As a matter of fact, the company exempted by the Bill is a company that has no existence; indeed, I will go further and say that it is a company which never has existed.

THE COLONIAL SECRETARY: It may be an error.

HON. A. P. MATHESON: It is not an error, but a gross piece of carelessness on the part of those who drafted the Bill. The position is that in 1889 a company was formed in London, called the Hampton Land and Railway Syndicate, and it was formed to take over a concession granted by the colonial branch of the Imperial Government—I believe that was the case—for the construction of a railway, and developing pastoral lands on the Hampton Plains. In 1894 the Hampton Land and Railway Syndicate sold their property for a very large sum of money, amounting to £300,000, to a company called the Hampton Plains Estate, Limited. The purchase money was £80,000 in cash, £170,000 in shares, and £50,000 in first mortgage debentures. I would ask the Colonial Secretary to which of these two companies is Clause 3 intended to apply?

THE COLONIAL SECRETARY: I could not inform the hon. member.

HON. A. P. MATHESON: It is a matter of very great importance. In the original Bill, as it appeared in another place, the Midland Company were associated with what are called in the Bill the Hampton Plains Company, and I gather the intention was that as soon as the original grantees—if that is the right word, for I mean the people to whom the concession was originally granted—disposed of any portion of their property, that portion came within the operation of the Bill. If it is intended by

the words "Hampton Plains Company" that we shall understand the Hampton Estate Company, Limited, which was formed in 1894, they are not the original grantees, and, therefore, it seems to me a superfluous thing to put them in the Bill. If on the other hand the original syndicate were in the minds of the Government, that original syndicate have already sold the whole of their property to another company, and, therefore, the clause is needless. Having called attention to this particular defect in the Bill, I do not propose to deal with any other clauses, because I gather there are a number of hon. members who each intend to devote their special attention to a number of the provisions.

THE COLONIAL SECRETARY: Does the description in the clause not sufficiently designate the land?

HON. A. P. MATHESON: The question is to which company the clause refers; to the original company or the company who bought from the original company, because the title in the Bill does not refer to either.

THE COLONIAL SECRETARY: I believe the present company is intended.

HON. A. P. MATHESON: If the present company be intended, why have they this particular privilege, not being the original grantees?

THE COLONIAL SECRETARY: The privilege refers to the land itself.

HON. C. A. PIESSE (South-East): At the outset I may say I am not going to object to the second reading of the Bill, but hope to have the opportunity of inserting clauses when in Committee, which will make the measure workable.

HON. R. G. BURGESS: Make it a new Bill altogether.

HON. C. A. PIESSE: I daresay that in making these amendments, we shall have the assistance of the legal members of the House.

HON. A. B. KIDSON: No you will not; be sure of that.

HON. C. A. PIESSE: All right, then, we may be able to do without that assistance.

HON. A. B. KIDSON: We have given up drafting.

HON. C. A. PIESSE: I take it that the Colonial Secretary will only be glad to meet the wishes of hon. members, so far as suggested alterations are con-

cerned, provided the alterations are of such a nature as to make it advisable they should find a place in the Bill. I should be sorry to see the Bill thrown out. For many years, as the Colonial Secretary has pointed out, an endeavour has been made to provide for a tax on absentees, and I am sorry that the Bill does not go a little further in one sense, although, in other ways, the Bill goes too far. Indeed, it appears to me a "milk-and-water" Bill, after all, and to recall the mountain, the labour of which brought forth a mouse. The principal cry of the colony in the past has been to get some control of these large unimproved estates, such as those in the Ovens district, which can be seen any day on the way to Beverley.

HON. R. G. BURGESS: The Government have been buying estates and cannot sell the land.

HON. C. A. PIESSE: Many of these estates have been improved to an extent of more than 3s. per acre, and the object is to tax absentees, with a view of having the estates cut up.

HON. R. G. BURGESS: Estates have been cut up, but cannot be sold.

HON. C. A. PIESSE: In many instances the estates have not been cut up, and some of them very large, especially at the Ovens.

A MEMBER: What would you call a large estate?

HON. C. A. PIESSE: The hon member asks what is called a large estate. I maintain that often 400 or 1,000 acres of picked land, which lies unimproved, is a loss to the colony.

HON. R. G. BURGESS: What do you call "unimproved"? Producing sheep?

HON. C. A. PIESSE: Producing sheep is better than producing kangaroo rats and rubbish, as some of the estates are at present; some of the land is not carrying a sheep to the acre. There are splendid estates, one in particular, between York and Northam, which is not improved to the extent it ought to be.

HON. R. G. BURGESS: Name it?

HON. C. A. PIESSE: The Hammer-sley Estate.

HON. R. G. BURGESS: That cannot be touched under the Bill.

HON. C. A. PIESSE: As I said, the Bill is only a "milk-and-water" Bill, after all, for the reason that it does not

go far enough. The measure is full of pitfalls, and it will be our duty to endeavour to make it workable. The second clause, in which improvements are defined, will require a lot of amendment, and so will the schedules. To compel an owner to fence land, and not allow him anything whatever for the cost of that fencing, would be an injustice to start with. We all want to see the Midland Railway Company's land brought into the market, but fancy compelling that company to fence that area and not make them any allowance whatever for the cost! And fancy asking holders in the North to fence their lands! If owners are forced to fence, they must be allowed the cost of fencing as an improvement. I cannot understand why in this and previous land legislation, fencing has never been regarded as an improvement. Every hon. member who knows anything about land, knows that the moment a good fence is erected, the owner uses his land for all it is worth, and every encouragement ought to be given to holders to erect good fences. In Committee I will move that the second schedule be amended by striking out the word "subdivision" and inserting "fences" in lieu thereof, so as to make fences count as an improvement. All amendments I intend to make I will give notice of, and no doubt the Colonial Secretary will give hon. members time to consider the measure thoroughly.

HON. S. J. HAYNES (South-East): I will support the second reading of the Bill. There has been a cry that absentee land owners should be taxed, especially those who do not improve their land, and, in any course I take in Committee, I shall be guided, to some extent, by the remarks which fall from the agricultural and pastoral members.

HON. R. G. BURGESS (East): The Colonial Secretary has tried to explain this measure, but I really could not understand the explanation, and I am afraid that hon. member had never seen the Bill before. He told us the Bill only referred to agricultural lands, and the Minister of Lands told me the same thing the other day, but I have looked through the measure very closely, and I cannot see that it refers solely to that description of land. I am sure the Commissioner of Crown Lands must see now

the mistake he is labouring under, as must also the Minister whose hobby it was to bring in the Bill. I am going to oppose the Bill because it is unworkable and impracticable for this colony as a whole. If it only referred to the agricultural part of the country, it would be a different thing. I happen to know a little of the country and have travelled about in the last two years. I have travelled in the agricultural districts, where they have no railway, and I have seen what the effect of the Bill will be upon people where they have these large blocks of land. In one place I went over a large number of blocks of land, and, from what I could see, the Bill would inflict an injustice upon the people there. I quite approve of the principle of taxation to make people improve their land, but here we have a Bill that refers to the whole of the colony. I will refer to the Northern district and also to the North-East, but more particularly to the northern portion of the colony, in which I have held land. I know of one settler in the Northern district who has about 3,000 or 4,000 acres of land, and under this Bill that man would have to fence land inside his paddock, which would be a nuisance to him, or he would be liable to be fined 1d. an acre. He would fence in that land and get a certificate, and then he would have to pull the fence up again, for it would be useless. Would any man of any sense compel a person to erect a fence along a line over which he would have to drive stock? Where I was living in the North, the first thing we did was to buy 200 acres on the river, when we wanted the bed of the river to lay our wool out on. People were compelled to buy these lands because the Government said they wanted that property for a watering place for something or other. Is it not absurd for a Minister to bring in such a Bill as this, and leave the House to put it into shape? I will also refer to the southern portion of the colony. People holding 10,000 or 20,000 acres have bought 200 or 300 acres, and perhaps they have made a large tank, and under this Bill they would have to fence in these 200 or 300 acres or pay a penalty. Is not that a nice law to bring in? Is it not a nice thing to inflict such injustice upon people in the colony? We give land away in

the colony and try to settle people, and then those who introduce these liberal land regulations bring in a Bill to tax people on the land.

**THE COLONIAL SECRETARY:** The land is given away under compulsory improvements.

**HON. R. G. BURGESS:** How could a man with 20,000 acres as a pastoral lease in the North improve that land? The only way to improve it would be to let the grass grow for two years. If the hon. member had to bear the losses these men bear, he would not endeavour to pass such laws as this and try to persecute these men. I am surprised at any legislator introducing such a Bill. It shows there is some lack of interest in the land settlement of the country: at any rate as regards pasturage. It demonstrates that the pastoralists are not considered at all. The whole of this is a hobby. I am not objecting to the principle of the Bill at all, but it is a sort of hobby to make people grow corn in the North, where they go without rain for two years.

**HON. W. T. LOTON:** Freehold land; not pastoral land.

**HON. R. G. BURGESS:** There are freehold lands in the northern part of the colony. A person would have to fence his property in, and would that be reasonable or just?

**HON. W. T. LOTON:** Exempt the northern districts.

**HON. R. G. BURGESS:** How about the South-East? Surely the hon. member must know something about the country.

**HON. W. T. LOTON:** No; I do not know anything about the country.

**HON. R. G. BURGESS:** It seems the hon. member has forgotten about some of it, at any rate, with all his knowledge. Mr. Piesse in speaking of this Bill referred to those large estates which he thought wanted cutting up. The Commissioner of Crown Lands has gone over some of that land and valued it, and I know of a block of 3,000 acres in the eastern district, valued by that Minister himself, which has been for sale for some time, and the last time I was in the office not one acre of it had been taken up. It shows there is no demand for this land, and if the provisions of this Bill are carried into effect, it will mean that people will have to sacrifice their property. Persons can get the *Gazette*, from which

it will be seen that land on several estates has been sold. A lot of the land the Government want to tax is poison land. Those who want these lands thrown up are democrats. Some years ago there was a cry for taxing the land. I said, "Go from York to Northam. There is plenty of land. You can go and buy a lot of land to-morrow at £1 an acre." They very soon stopped that absurd cry. A Select Committee has been sitting, and I think Mr. Hackett, who has had a good deal of the work of the country in his hands, asked a certain man whether he knew that land was offered at £3 an acre.

HON. J. W. HACKETT: It was Sir John who asked.

HON. R. G. BURGESS: I beg your pardon. It is all the same.

HON. W. T. LOTON: Sir John said it could be bought for £1 an acre.

HON. R. G. BURGESS: It can be bought for less. From York to Northam there is pretty good land. Mr. Piesse has spoken of a very nice grant. There is a grant of 2,600 acres of good land, with a railway running through it, and the man told me he bought the 2,600 acres for £2,000. A good many, including, I believe, Mr. Loton, know where I live, and that hon. member is aware there is some pretty good land there. Twenty thousand bushels of wheat were grown there. A block of 900 acres adjoining my own land was sold for £1,000, and some of that is cultivated, and it is all fenced. These facts show that in this colony there is something not so good as Mr. Piesse and others make out. I would ask the hon. member whether he has made his fortune out of such land. Can members point to any one who has made a fortune out of the land? Men have been working 40 or 50 years, and is it just to put taxes upon people who are working or slaving? We have not the eight hours principle in operation there. Can the hon. member say he is trying to do justice? Where does the cry for splitting up large estates come from? It comes from the democrats. What was their contention the other day? It was "tax the land." If this Bill were carried into effect, how long would the land pay? It would be all sold very soon. That is the opinion, not only of members of this House, but of members of the other

House who have had great experience, and whose opinions are respected.

HON. C. A. PIESSE: I did not indorse the cry of breaking up these estates. I said the object of bringing this legislation forward was to try and break up the estates.

HON. J. E. RICHARDSON: You said you would vote for the Bill.

HON. C. A. PIESSE: I said I would vote for the Bill.

HON. R. G. BURGESS: I say this cry was taken up, and the best evidence the Select Committee could get from the country will prove my assertion. There are members who have that evidence before them to show that the land of this country is not such a wonderful thing. This is a sweeping Bill which will operate all over the colony, and is really the production of a lot of faddists, and some day I mean to show the whole absurdity of this class of legislation. I do not want to flatter myself, but I have had to live on the land, and have made something of it, and in the course of my life, I have wandered pretty well all over the colony, at any rate, over a greater part of the colony than many hon. members. Before ever gold was discovered, I was in that part of the country where the goldfields are now, and, at that time, roads were made, and improvements effected, and yet we are told by gold-mining representatives that the goldfields people have done everything, whilst the earlier settlers have done nothing. As a matter of fact, very great work was done by the little band of settlers in the earlier days, and, as I said just now, it is only because some faddist has taken up the cry, that it is now sought to tax these people who had to bear all the pioneer hardships. We are now being asked to join federation, and we all know what that means. Hay can now be bought in South Australia at 10d. a bag, and if hay became that price in Western Australia, what would land be worth in this colony? The Colonial Secretary told me that I was personally concerned in this proposed taxation.

THE COLONIAL SECRETARY: No, I did not.

HON. R. G. BURGESS: If I have any land, I for one would work all night before I would let the Government tax me for land which ought to be improved, and which was not improved. And yet



the Government bring in these rotten Acts—these miserable paltry Acts, to tax the people and make them give land away. Mr. Hackett is a gentleman who has a great interest in this country, and we have to thank him very often for the able manner in which he, through his leading articles, supports the people of the country; and I hope that, when he comes to speak on this question, he will not forget some of these articles. It is of no use the Government bringing in Bills of this kind, which members could only support for the sake of supporting the Government.

HON. A. B. KIDSON: Lots of members do that, you know.

HON. R. G. BURGESS: Sooner than do that I would resign, go before my constituents and oppose the Government, and in this way show the good faith of my antagonism to this legislation. If land is so much wanted, how is it that it is not taken up under easy terms of purchase? Where estates have been sold in my district, the operation has not been altogether a success, and this non-success shows there is no necessity for the Bill. Indeed, the very fact that the Bill is not coming into operation until 1902, shows that there can be no pressing necessity, because if it were really wanted, it would be provided that the law should come into operation at once.

HON. C. A. PIESSE: The delay is to give the land owners time.

HON. R. G. BURGESS: From York to Beverley there are only about two estates to which the Bill would apply, although I know the Colonial Secretary speaks of the low flats of the Canning. I know estates on Peel's land bought at 1s. and 2s. an acre, and it is said that this land is not worth fencing.

HON. W. T. LOTON: Quite right too.

HON. R. G. BURGESS: I hope Mr. Loton will support me in my opposition to this measure. There is land near my place, which I showed Mr. Hackett two or three years ago, and which will hardly keep a sheep to the acre. Some 1,500 or 1,600 acres of that land has been taken up by a really good young settler, who has nearly 200 acres in crop this year. Behind this land, he has a lot which I would not take if he were to give it to me, because it is covered with a prickly poison plant, rendering it utterly useless.

HON. J. E. RICHARDSON: That land would come under this Act.

HON. R. G. BURGESS: Yes; and I was talking to the young fellow about it the other day, and he, not knowing much about the prickly poison, talked about fencing this land; but the fencing would be utterly thrown away, because the land is as thick as it can grow with the poison, and there are lots of that kind of country on the Williams river. In one place there were 145,000 sheep, and now there are only 80,000, and I take it that that is because they have been fenced in, and not allowed to wander in search of good herbage.

At 6:30 p.m. the PRESIDENT left the Chair.

At 7:30, Chair resumed.

HON. R. G. BURGESS (continuing): I will make a few more remarks, and then move that the Bill be read this day six months. I will try to point out, in as few observations as I can, the mistakes I consider to be made in introducing this Bill, the neglect of those who had to draw up the measure, and the want of thought for those people who are scattered over this large colony. As I have already pointed out, those in the North and some in the South-East were not even thought of when the Bill was introduced. I spoke to the Commissioner of Crown Lands, who thought the Bill only referred to agricultural land, and no doubt he informed the leader of this House to the same effect, as that hon. gentleman, from the remarks he made, was of that opinion. It shows very little attention has been paid to these matters, particularly with regard to people settling on the land, notwithstanding all the fuss in talking about it. I hope that members, when voting, will remember the northern lands to which I have already referred. I have pointed out the Bill will have the same effect upon leaseholders in the South-East, and that the measure will be unworkable and impracticable. The idea of the Bill is to burst up large estates, and I would not dispute that for one minute, but, as I have already pointed out, these lands have been bought under the Lands Purchase Act, and they are all over

the Eastern district. In some places 3,000 acres have not been sold yet, so that fact does away with the necessity of bursting up these estates. That must be a farce. A Bill of this sort is only playing with the world, letting it be supposed we have no land to settle on, and that we have to go and burst up these estates, whereas these estates are only a fraction of the whole. A great many are in favour of the Bill because the Midland Railway Company would come under its operation, but it has been pointed out the Midland Railway Company would not come under it for three or four years at least. In fact the Bill should not be required until March, 1903. Bring in a tax on this unimproved land, or, as I suggested, introduce an amended Roads Board Bill, and make it necessary for roads boards to tax that land, if it is necessary to break up these estates. There is no necessity to have this unworkable Bill. I do not think I need make any further remarks on the Bill, which, I have pointed out, is not actually needed, because land has been already cut up. This Bill is not what the people asked for. The Colonial Secretary may try to make out that people asked for this Bill, but what was asked for principally was that absentees should be taxed, and also those people who have large estates along a railway and have not improved them. I know of only two or three such estates that would come under the Bill at all at present. I do not believe in the whole of the district there are two estates that would pay the penalty. There are some places where lands are lying idle, but I think members may show that those lands are not worth fencing in. I am not going to run down the country, for there is plenty of good land, but there is also plenty of poor land. There is the Hampton Plains Estate, which is not very good for some purposes. The Government exempt that altogether. We know they tried all they could to leave the Midland Company out, because they were afraid it would injure their credit in London. Why do they come beating about the bush? The Dividend Duty Bill was intended to get money out of the people on the goldfields who are exporting all the gold, but the Government were afraid, and had not the courage to carry out that object. This Rural Lands Bill was asked for with the intention of taxing ab-

sentees, and why did not the Government bring in a Bill to that effect? Why did they introduce a measure which would work injustice to people all over this great country? The Bill as now drafted is absurd. It is very well for legal members to draft Bills, but I have not been educated to do that. I will make one additional remark. I am sorry to say there is a thin attendance whenever these land matters, which are important questions, crop up. When the Land Bill was introduced last year, there was a very poor House, and look at it now. I neglect my business, give up my time, and sit here, and it does not matter whether the subjects under discussion interest me or not, and I think members representing the land interest ought to be treated with the same respect as is shown to those who introduce other topics. I am sorry to make these remarks, but it is always the same. These questions of land settlement are of great importance, and I try to do what little I can in relation to them. When hon. members have any special knowledge of a subject, it is their duty to give the House the advantage of that knowledge; and it is to be regretted that Bills are not laid before members in a more perfect state. I move that the Bill be read this day six months.

HON. C. E. DEMPSTER (East): I rise to support the amendment submitted by Mr. Burges, because, I think, in the first place, the Bill in its present form would be most undesirable and oppressive, and would work very injuriously on those who hold land which is unfit for cultivation in any way. Why should holders of land of this description be compelled to expend even 1s. an acre, as provided in the Bill? Such expenditure would do the country no good, and would be altogether unnecessary. A great deal has been said at various times in regard to large areas being held by absentee owners, and a general wish has often been expressed that these owners should be taxed. If the number of blocks held in this way be taken into consideration, it will be found that very few are fit for cultivation. How many land owners are there who have not sense enough to know that it pays better to improve and cultivate than to leave land unimproved? If people will take the trouble to ascertain

the real truth of the matter, they will find that all those blocks which will pay for cultivation are being gradually brought under cultivation, and the proprietors, in almost every instance, spend every penny they can raise in the colony on improvements; and such a spirit ought to be encouraged. I set my face against a land tax of any description, and always have done so, because I consider it iniquitous and unjust, and a robbery on the part of the Government to sell land unconditionally, and then after the owners have for many years done everything they could with that land, to put on a tax, although the land may not have been enhanced in value in any way by the expenditure. It is proposed to tax the land to such an extent that holders would be glad to dispose of it, or throw it on the market, for others who could do no more with it than the original owners. This is an idea that has obtained in the other colonies, but it cannot apply to this colony, inasmuch as few holders here hold more than a few thousand acres, as against immense areas of beautiful country, sometimes as much as 300,000 acres of freehold land in the East. Yet here we clamour about "large land holders," and "bursting up the large estates," although the holdings amount to only a few thousand acres.

HON. F. T. CROWDER: Some holdings are as large as 15,000 acres.

HON. C. E. DEMPSTER: This is a very large acreage for this colony; and if we take into consideration the number of individuals amongst whom this land will be divided hereafter, the present proprietors of the land sometimes having families of five and six, and more sons, it will be seen that the individual possession will not be more than every newcomer is entitled to under the present regulations. In my opinion, those who support this Bill take a very unreasonable view of the matter. I shall not take up the time of the House longer, but I shall certainly support the amendment that the Bill be read this day six months, because this is an undesirable measure, which would work very injuriously against the interests of a great many land holders.

HON. J. E. RICHARDSON (North): After the very able and forcible manner in which Mr. Burges has brought this matter forward, I do not intend to detain the

House long. I shall support the amendment, more especially as the Bill affects all northern lands as well as southern lands. There are several blocks of land in the North which are all fenced in, but which are used for carrying stock.

THE COLONIAL SECRETARY: The Bill would not apply to those.

HON. J. E. RICHARDSON: The Bill applies to land all over the colony, and it would be very hard to make people there expend 3s. per acre on improvements.

HON. C. A. PIESSE: These lands could be exempted.

HON. J. E. RICHARDSON: But there are other large blocks all over the country, and if these are fenced, why should other improvements be compelled? The Bill ought to apply solely to absentee landlords; and no harm would be done by postponing this legislation for another year, when the Government could bring in a proper Bill.

HON. F. T. CROWDER: You could not have a better Bill than this.

HON. J. E. RICHARDSON: I do not see that it is fair to landowners, if they have fenced in their land, to be compelled to make improvements to the extent of 3s. an acre.

THE COLONIAL SECRETARY: It is only first-class land on which 3s. per acre has to be expended.

HON. F. T. CROWDER: This opposition is a matter of pocket.

HON. R. G. BURGESS: That is not so.

HON. J. E. RICHARDSON: But in many instances, even 1s. an acre would be a great hardship.

HON. F. M. STONE (North): So strong a case has been made out by Mr. Burges that I feel bound to support the amendment that the Bill be read this day six months. There is not the slightest doubt that if the Bill be passed, the results which Mr. Burgess has drawn attention to will be seen. A 100-acre block in the middle of a pastoral block of 50,000 acres will have to be fenced, and even if there were three 100-acre blocks in a pastoral block, each of these 100-acre blocks would have to be fenced.

THE COLONIAL SECRETARY: They must be contiguous.

HON. F. M. STONE: And as was pointed out, if the blocks were fenced, the fences would have to be pulled down again; and all this absurd position is

really the result of the way in which the Bill is drawn. An hon. member suggested that the legal members might assist in putting the Bill into shape; but the legal members have too much to do with framing bills. It seems to me that every time an absurd Bill is brought in, the onus is thrown on the legal members of making it into a workable measure; and I personally am getting tired of assisting in altering and framing Bills. It takes up a considerable portion of one's time, and it is the duty of the Government to see that the measures are properly drafted. This particular Bill will require altering altogether, in order to make it a suitable measure, because, in addition to the points I have called attention to, there are a number of others. One hon. member has suggested that some alteration might be made with regard to lands in the North, but in the wide range from Kimberley to Eucla there are hundreds of cases where blocks will be found in the middle of pastoral blocks. This Bill was brought in for the purpose of taxing absentees, and I cannot see why on earth the Government do not confine themselves to that one object, without bringing in residents of the colony, who have borne all the hardships, and worked and slaved here in years passed. These people have got all their outside blocks fenced, and there ought not to be any proposal to tax them in this absurd manner. I do not think we should attempt to alter this Bill in Committee, but throw it out altogether, and let the Government at some future time bring in a proper measure dealing with absentees.

HON. W. T. LOTON: There is not sufficient absentees to make it worth while.

HON. F. M. STONE: A Bill to tax absentees would have my hearty support, but I will not support a Bill introduced for the purpose of taxing absentees, while including persons who have no right whatever to be taxed.

HON. F. T. CROWDER: Members of this House will not tax themselves.

HON. R. G. BURGESS: Yes, we are taxing ourselves now.

HON. W. T. LOTON (Central): Hon. members have pointed out many objections which can be raised to the Bill, and there are just one or two points not touched upon I should like to deal

with. There is no doubt this Bill is a Bill of faddists. Last session there was a comprehensive Land Act passed, which surely ought to be sufficient to last for a few years, without adding to it this session by a Bill of this kind. It seems to me the Minister of Lands has in his mind a class of people for whom he wants to find employment as valuers, whose duty it will be to value the freehold of every individual in the colony. And who is to pay for this valuation? Why, the people are to be asked to pay for the valuation of a whole lot of land without any necessity at all. In connection with this valuation I would like to draw attention to Clause 6, which is a very nice little provision, setting forth that the Minister may accept the classification and valuation of the landholder himself. What does that leave the door open to? A land owner would naturally place his land at the lowest valuation, and the clause opens the door to a great deal of jobbery. The Bill bristles with absurdities, and is of no practical value. The legislation is not wanted, and if it were in force even next year, this demand for improved land causes people to improve to the fullest extent. The demand has been going on for years, and is increasing continuously.

HON. F. T. CROWDER: They do not improve it.

HON. W. T. LOTON: They do improve it. There are very few estates between Northampton and Katanning or Broome Hill that will be affected by a Bill of this kind. The bulk of the estates are improved to the extent required by this Bill; therefore, where is the necessity for the Bill? What is the good of putting the people of the country to the expense of having this land valued for the sake of having a lot of people at the beck and call of the Commissioner of Crown Lands? Without detaining the House further at the present stage, I shall vote against the Bill.

THE COLONIAL SECRETARY (in reply: I think Mr. Burgess said he agreed with the principle of the Bill, but objected to the way in which it had been brought in. Members connected with agricultural and pastoral pursuits, or at least the majority, have expressed opinions adverse to the Bill at the present moment, and one is bound to respect the

opinions of gentlemen who have extensive knowledge of the subject upon which they are speaking; though I must say I do not think a good case has been made out against the Bill. There are one or two imperfections from the speakers' own standpoint, but I fail to see that the Bill will not accomplish the object sought. It is thought the Bill will affect the northern stations extensively, but I dispute that. Nearly the whole of the country in the north is leasehold, and the Bill will not affect the occupiers at all. Mr. Richardson told us the blocks which are freehold are already fenced, and, if my reading of the Bill is correct, that is a considerable part of the improvements required.

HON. W. T. LOTON: Boundary fence does not count.

THE COLONIAL SECRETARY: I have read Clause 4, and it does not say so.

HON. W. T. LOTON: It is very badly drawn.

THE COLONIAL SECRETARY: The three shillings expenditure is on first-class land, whilst the expenditure on second-class land is only two shillings, and on third-class land the expenditure is one shilling.

HON. R. G. BURGESS: Poison land now is sold by the Government at one shilling an acre, and this is some of the same.

THE COLONIAL SECRETARY: The improvements mentioned in the second schedule are of such a nature that they apply as well to the pastoral districts as to agricultural districts. People can construct reservoirs, wells, tanks, dams, sheds, and so on. However, as I said before, we are all bound to respect the opinions of those who are to a large extent experts on this question. At the same time, two members in the House who are also capable of giving a good opinion upon the question, are in favour of the Bill going into Committee.

HON. R. G. BURGESS: Name them.

THE COLONIAL SECRETARY: It is not right to mention the names. One member has spoken on the subject, and the other has left, or he would have spoken partly, at any rate, in favour of the Bill.

HON. R. G. BURGESS: We cannot take that.

THE COLONIAL SECRETARY: I am sure the hon. member will take my word.

HON. R. G. BURGESS: I do not accept it.

HON. C. A. PIESSE: I am in favour of the principle of the Bill, but I am also in favour of amendments.

THE COLONIAL SECRETARY: I think I may gather from the speech of Mr. Burgess the Bill would not affect a large number of people, and that the fines to be derived from the operation of the Bill, if it became law, would not be of great consequence.

HON. D. MCKAY: Limit it to absentees, and then it will be all right.

THE COLONIAL SECRETARY: As has been repeated in this House, I think, times out of number, that would be interpreted to be class legislation at once, and I do not think you could bring in a Bill pure and simple to tax absentees.

HON. J. E. RICHARDSON: What about Clause 4?

THE COLONIAL SECRETARY: That is not taxing them only. I think if that clause were passed into law it would be very proper and just. There are people absent from the colony who have lands here which they are not utilising, and they are not contributing to the welfare of Western Australia in the slightest degree, but are waiting, as I said before, to take advantage of any improvement in the colony and realise a large price. I repeat they are doing nothing, either by living here or in any other way, to promote the welfare of this country, and I think it perfectly justifiable an absentee should pay a fine of fifty per cent. above that inflicted upon those residing in the colony. The best course I can adopt, after hearing the expression of opinion all round, is to ask leave to withdraw the Bill. I ask leave to withdraw the Bill.

THE PRESIDENT: Before I put that question, does Mr. Burgess withdraw his amendment?

HON. R. G. BURGESS: No, sir.

HON. J. W. HACKETT: Leave to withdraw is always given.

HON. R. G. BURGESS: At the wish of hon. members, I ask leave to withdraw the amendment, on condition that the Colonial Secretary withdraws the Bill.

Amendment, by leave, withdrawn.

Motion (for second reading), by leave, withdrawn.

## PERMANENT RESERVES BILL.

## IN COMMITTEE.

Consideration resumed from 12th September.

Clause 2—Certain reserves to be permanent until otherwise provided by a special Act. Schedule:

HON. J. W. HACKETT moved that the clause be struck out, and the following inserted in lieu thereof:

Notwithstanding anything contained in the Land Act, 1898, or any other Act dealing with land of the Crown, it is hereby provided—

- (1.) Whenever the Governor has reserved, or may hereafter reserve to Her Majesty, any lands of the Crown for the purpose of parks, squares, or otherwise for the embellishment of towns, or for the recreation or amusement of the inhabitants, or for cemeteries, or for any other public purpose, such lands may, subject to such conditions as may be expressed in the notice of such reservation published in the *Government Gazette*, be classified as of Class A, and if so classified shall for ever remain dedicated to the purpose declared in such notice until by an Act in which such lands respectively are specified, it is otherwise provided.
- (2.) Whenever the Governor has reserved, or may hereafter reserve to Her Majesty, any lands of the Crown, and such lands are not classified as Class A, he may classify such lands as of Class B, and on notifying such classification in the *Government Gazette*, such lands shall remain reserved from alienation or from being otherwise dealt with, unless and until the Governor shall cancel such reservation by notice in the *Government Gazette*, but in such case the Minister for Lands shall present a special report to both Houses of Parliament setting forth the reasons for such cancellation, and the purposes to which it is intended to devote the said lands, and such report shall be made to both Houses of Parliament within fourteen days from the cancellation thereof if Parliament be then in session, and if not, then within fourteen days after the commencement of the next session.
- (3.) All other reserves made under the provisions of Part III. of the Land Act, 1898, shall be classified as of Class C.

The object of the amendment was to divide the reserves into three classes, A, B, and C. Class A would consist of reserves of a very special character, such as the Park, the Perth Gardens, and municipal reserves, especially dedicated to the people, and others of that class, and

these could only be touched by Act of Parliament. Class B would consist of reserves not so important as those of class A, but which should be preserved from the hands of the spoiler (he meant the Commissioner of Crown Lands for the time being), who might otherwise make ducks and drakes of them. These reserves might be interfered with by the Governor-in-Council, but the Commissioner of Crown Lands had to send a special report as to why he touched them. That meant there was a check placed upon the Minister, inasmuch as he would have to report to both Houses of Parliament what he had done. The public would be able to take notice of it, and he would know he would be called over the coals if he acted improperly or inadvisedly. Class C would consist of all other reserves made under the provisions of Part III. of the Land Act, 1898. There was another paragraph to allow certain entry for the purpose of making roads, adjusting boundaries, and so on.

HON. A. P. MATHESON: What particular advantage would Parliament derive from receiving, under Sub-clause 2, the special report of the Minister of Lands, because there seemed to be no provision for Parliament to criticise or exercise any option in the matter. If Parliament were debarred from expressing an opinion, the report would seem to be superfluous.

HON. J. W. HACKETT: At present the Governor-in-Council, who really meant the Minister of Lands, could do what he liked, and his operations were almost unnoticed; but under this sub-clause he was bound to send in a special report, giving reasons for his interference with a reserve. If Parliament disapproved of any step taken by the Minister, the question would be raised in one or other of the Houses of Parliament, and the matter would reach the public. Interference with reserves would, so to speak, be given a prominent position in the eyes of the public.

HON. A. P. MATHESON: But there was no provision for the resolution of either House being effectual. In the case of by-laws which have to be laid on the table of the House, there is a special provision for Parliament to express dissent if desired.

THE COLONIAL SECRETARY: Not always.

HON. A. P. MATHESON: At any rate, ever since he had been in the House he had always called attention to the matter, and had such a provision inserted in the case of by-laws. On the last occasion when he called attention to the point, he was told that the Interpretation Act would render such action unnecessary; but the Interpretation Act would not apply to the present case, and, if there were no special provision, it would be a waste of time to have the special report sent on.

HON. J. W. HACKETT: If the object of Mr. Matheson were carried out, then there need only be the first sub-clause, under which the assent of the two Houses of Parliament was necessary.

HON. A. P. MATHESON: Then Sub-clause 2 was a farce.

HON. J. W. HACKETT: It was not a farce. No Minister would lightly tamper with a reserve, if he knew his conduct would be reviewed by Parliament, and also made the subject of comment in the public Press.

HON. A. P. MATHESON: The only desire was to call attention to the point.

HON. C. A. PIESSE congratulated Mr Hackett on the amendment proposed, which would put the matter of reserves on a much better footing than before. On the second reading he had suggested it would be wise if country reserves were so placed that they could not be altered without reference to Parliament; but he took it that Sub-clause 3 left these reserves as at present.

HON. J. W. HACKETT: But reserves under Sub-clause 3 could be put under the other sub-clause by the Governor-in-Council.

Amendment put and passed.

Clause 3—Governor by proclamation may add to schedule:

HON. J. W. HACKETT moved that the clause be struck out, and the following inserted in lieu thereof:

Nothing in this Act shall prevent the survey and declaration by the Governor of any necessary roads and streets through or over any such reserve; or, in the case of any such reserve being made before the land is surveyed, shall prevent the amendment of the boundaries and area in such manner as may be found necessary on survey, but so that the total area shall not be reduced by more than one-twentieth part thereof.

Amendment put and passed.

Schedule:

HON. J. W. HACKETT moved that the schedule be struck out.

Put and passed, and the schedule struck out.

Preamble and title—agreed to.

Bill reported with amendments, and report adopted.

#### ADJOURNMENT.

On the motion of the COLONIAL SECRETARY, the House adjourned at 8:30 p.m., until Wednesday, 20th September.

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### Legislative Assembly,

Thursday, 14th September, 1899.

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Municipal Loans Validation Bill, second reading; in Committee, reported—Sale of Liquors Amendment Bill, Legislative Council's Amendments—Truck Bill, Legislative Council's Amendments—Customs Consolidation Bill, Legislative Council's Amendments—Municipal Institutions Bill, in Committee, Clauses 276 to 331, Division; progress—Patents, Designs, and Trade Marks Bill, in Committee, reported—Police Act Amendment Bill, second reading resumed and concluded—Adjournment.

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THE SPEAKER took the Chair at 4:30 o'clock, p.m.

PRAYERS.

#### MUNICIPAL LOANS VALIDATION BILL.

##### SECOND READING.

THE PREMIER (Right Hon. Sir John Forrest), in moving the second reading, said: The object of the Bill, as far as the Government are concerned, is to validate a loan which the East Fremantle municipality desire to negotiate. It appears that the municipality have taken all the necessary steps required by the Municipal Institutions Act and by the amending Act passed last year; but