

baronet said it would not be necessary for him to enter into the details of the Bill; hon. members would observe that it empowered justices to deal with foreign merchant seamen, in cases of assault, disobedience, desertion, and other misconduct, in the same way as he believed they were empowered to deal with seamen under the British flag. The Bill also provided that all expenses incidental to the apprehension, confinement, and removal of any seaman, under and by virtue of the power and authority conferred by the Bill, shall be paid by the parties who instituted the proceedings, and not by the Colony. He hoped the House would agree to the motion for the second reading of the Bill, the details of which might hereafter be dealt with in Committee.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) said he had much pleasure in supporting the motion. The Bill was an exact transcript of part of the Victorian Act applicable to the subject.

MR. CAREY said that Bunbury and the Vasse were equally interested with Albany in the question under consideration. Some years ago, from fifteen to twenty of these whalers visited the Vasse every season, and of course proved a great benefit to the town; but latterly a vessel was hardly ever seen there, for the reason, no doubt, assigned by the hon. baronet who had brought in the Bill. He had known of cases in which almost all the crew of a vessel had deserted, but the police were powerless to deal with the men, and the masters had no remedy at law. The Bill, he thought, was a desirable one, and it would have his hearty support.

MR. BURT said that as vice-consul for two European powers, he fully concurred in the principle of the Bill, which he regarded as a very necessary piece of legislation.

Motion for second reading agreed, and its committal made an Order of the Day for Friday, 28th June.

KANGAROO ORDINANCE, 1853, REPEAL BILL.

This Bill was read a third time and passed.

The House adjourned at ten o'clock, p.m.

LEGISLATIVE COUNCIL,

Thursday, 27th June, 1878.

Steam Tenders—Immigration—Incorporation W. A. Bank Shareholders Bill: second reading; Select Committee—Transfer of Land Act, 1874, Amendment Bill, 1878: in committee—Customs Ordinance, 1860, Amendment Bill, 1878: in committee—Jetties Regulation Bill, 1878: second reading; in committee—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

STEAM TENDERS.

MR. SHENTON laid on the Table plans and specifications relative to the construction of steam tugs, or tenders, and some further information with regard to the estimated cost thereof, furnished by Messrs. Browne & Co., of Gravesend, which he thought would be useful in dealing with the question of providing a steam tug for service at Fremantle.

IMMIGRATION—EUROPEAN AND CHINESE.

IN COMMITTEE.

MR. CROWTHER, in accordance with notice, moved "That the House do now take into consideration the question of immigration." In the speech with which His Excellency the Governor had opened the present Session, the House was informed that, having reason to believe that the system of assisted immigration which had been in operation for the last three years was not conducted in conformity with the intentions of the House, or in the interests of the Colony—and in that expression of opinion he (Mr. Crowther) fully concurred—His Excellency had inquired into the matter, with the result that he had suspended all further immigration until the wishes of the House on the subject were made known. Various attempts had been made, from time to time, to introduce a suitable class of immigrants into the Colony, but, from some cause or other, very little success had hitherto attended these efforts. A system of purely assisted immigration was adopted about six years ago, and that did not answer. In 1873 another attempt was made to induce people from the Sister Colonies to come over—more particularly miners and gold-prospectors—and, with a view to en-

courage this class of immigrants, a bonus was offered for the discovery of a payable goldfield. But this likewise failed, and in 1874 a system of free immigration was introduced, on the recommendation of a Select Committee of that House, and the system had been in operation from that time to this, with the result pointed out by His Excellency the Governor. And he must confess, as he had already intimated, that he fully agreed with His Excellency that the system had not been conducted in conformity with the intentions of the House, and certainly not in a manner beneficial to the interests of the Colony. From papers on the subject laid before the House by His Excellency the Governor, it would be seen that among our last shipload of immigrants we had re-introduced at least one convict; and, to his (Mr. Crowther's) own knowledge, there were two others of the same class who went home last year intending to spend what little means they had saved in the Colony, and then returning out again as free-immigrants. Now a system of immigration which admitted of such abuses as these must be regarded as very objectionable, to say the least. It appeared from papers presented to the House, that, by the *Lady Elizabeth*, which arrived here in March last, we had the distinguished privilege of welcoming to our shores some half-a-dozen more criminals; and the Colony was further indebted to her ladyship for an introduction to a gentleman described by the immigration agent as "partly deranged, and likely to get worse;" to another said to be "in a consumption, and unfit for work;" and also to a poor widow described by the immigration agent as "not a healthy person" and who was accompanied by her daughter, who is "deformed." Now, no one would maintain that these were the class of immigrants which the Colony required and for whose introduction it had expended large sums of money, and offered concessions in the shape of free grants of land. Had the most ordinary care been exercised in the selection of our immigrants, such people as 'these could not' possibly have been sent out, and, with this fact before him, His Excellency, it appeared to him (Mr. Crowther), had exercised a very wise discretion in discontinuing a system

of immigration which admitted of such abuses, until at any rate the Legislature had an opportunity of considering the question of its continuance. Now, it was very evident that the Colony could not get on without immigration; that was a proposition which no one would contravene, and what appeared to him necessary was that—in the event of the House deciding to continue the introduction of British immigrants—some other measures should be adopted which would ensure that in future the immigrants sent out shall be such as we have stipulated for. In addition to any steps which might be taken with a view to introduce a desirable class of immigrants from Europe, he thought it would be well if the Colony tried the experiment of introducing Chinese and Coolie labor, and to that end he would, before concluding his remarks, move a resolution. As to the quality of the labor and the class of immigrants which it would be desirable to introduce from the East, he would be inclined to leave that matter entirely in the hands of His Excellency the Governor, who had had a great deal more experience in those countries than any member in that House had. While on the subject of immigration, he might avail himself of the present opportunity of referring to a regulation adopted a few years ago, and which was still in operation, having reference to the payment, out of the public funds, of a bonus of £6 towards the passage of every *bond fide* immigrant who may chose to come here from the neighboring Colonies, or to the person who undertakes to introduce such immigrants. This was a system which he was afraid was open to some abuse. For instance, if a contract to construct a railway here were taken by parties in the other Colonies, the contractors might bring all their workmen over with them, and claim from this Government a sum of £6 towards the passage of each of these men, who, when the railway was completed would probably return whence they came from. He did not think it was ever the intention of the House that this sort of thing should happen; but such might be the case, if the existing regulation remained in force. With these few introductory remarks, he now begged to move the following resolution, which he com-

mended to the favorable consideration of the Committee: "That this House, "having taken into consideration the "question of immigration, resolves that "an humble address be presented to His "Excellency the Governor, praying that "he will be pleased to place a sum of "£2,500, or thereabouts, on the Esti- "mates, for the introduction of nominated "immigrants from Europe; and such "other sum, not exceeding £4,500, as to "him may seem advisable and expedient, "for the introduction of Chinese or "other laborers from the East, the com- "bined grants not to exceed £7,000."

MR. SHENTON said the resolution would have his support, as it was contemplated that the immigrants which it was proposed to introduce from home should be nominated by their friends here, or by appointed agents at home, and that the money should not be expended in the indiscriminate introduction of any class of people who might chose to avail themselves of a free passage. As a rule, nominated immigrants had heretofore proved by far the most desirable class of immigrants, and if the agents at home exercised some discrimination in selecting applicants thus nominated, the Colony would have no cause to regret the expenditure of money in this direction. At present there were two members of that House in England who, he believed, were prepared to nominate, on the spot, a number of families who they knew would make good colonists and prove a desirable acquisition to the population. With reference to the proposal to expend £4,500 in the introduction of Chinese or coolie labor, he thought that, with proper care in the selection of the immigrants, it would prove very beneficial to the Colony, more especially, perhaps, to the northern settlements,—though the benefits which the introduction of that class of labor would confer would not be confined to that portion of the country. He had spoken to several of his constituents on the subject, and they had expressed their readiness to employ these people in the capacity of gardeners, shepherds, and agricultural laborers, if they were of a class that could be so employed.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said he had attentively listened to what had fallen from

the hon. member for Greenough and the hon. member for Toodyay on the subject under the consideration of the Committee; and, in the views which they had enunciated, the Government entirely concurred. Owing to the very undesirable class of immigrants which were being introduced into the Colony, the conclusion had been forced on His Excellency the Governor, two or three months ago, that it would not be desirable to continue to expend money on the introduction of further supplies of immigrants such as we were then receiving; and he (the Colonial Secretary) did not think he was wrong in assuming that the House fully endorsed the view taken of the matter by His Excellency, and approved of the independent action he adopted—the House not being in Session—in temporarily suspending immigration till further orders. With reference to the proposal to introduce Chinese labor, he thought it very desirable as a tentative measure. That class of labor, he believed, had never been tried here as yet; but, in Colonies where the experiment had been made, the result had proved very beneficial, and he saw no reason why the same result should not attend its introduction here, more especially in the northern portion of the Colony, where the climate was prejudicial to the health and comfort of European laborers. The hon. member for Greenough had drawn attention to the regulation with respect to the payment of £6 per head made in the case of immigrants introduced here from the neighboring Colonies, and had expressed an opinion that it was not desirable that this regulation should apply in the case of contractors introducing laborers for the purpose of railway construction. In that opinion he entirely concurred. He understood that the present contractor for the Geraldton railway had introduced several of his laborers on this condition, which he (the Colonial Secretary) considered was unfair to the Colony, and must surely be contrary to what had been the intentions of the House when the regulation was adopted.

MR. BROWN rose, with a great deal of pleasure, to support the resolution before the Committee. The hon. gentleman opposite (the Colonial Secretary) was somewhat in error in saying that Chinese labor had not as yet been tried

in this Colony. Some twenty or twenty-five years ago, a large number of Chinese were imported—a large number compared with the extent of our population at that time—and very valuable laborers they proved to be, as trustworthy servants as were ever brought into the country. Even now, the remnants of the number were to be found in the Colony—married, settled down, and having become good citizens and useful settlers. He did not mean to say that, generally speaking, the Chinese were a desirable class to encourage as settlers, but it must be admitted that our attempts to obtain a suitable class of laborers from the mother country and Europe had proved a failure, and that our only prospect of satisfying the requirements of the Colony in this respect was by turning our attention to the Chinese and kindred races. He had observed what had fallen from the hon. member for Greenough with reference to the £6 allowed by the local Government towards the passage of persons imported from the neighboring Colonies to this as laborers, and the objection he entertained to contractors, who introduced workmen for a special purpose, such as the construction of a railway, participating in the concession referred to. He could not agree with the hon. member, or with the Colonial Secretary, on this point, for he really failed to see why contractors should be debarred from receiving this *bonus* any more than other persons. What would be the case, otherwise? Supposing a contractor from “the other side,” or in this Colony, undertook to construct the proposed railway from Fremantle to Guildford, and the Eastern Districts, and that he required, say, three hundred laborers for the work, what would be the result? Either the present labor market would be entirely depleted, and men could not be had for ordinary employment, or he would have to import labor from outside; and, such being the case, he (Mr. Brown) thought it would be to the advantage of the Colony to give contractors the benefit of this concession of £6, for it would cost the country a great deal more to have to import the labor itself. He hoped hon. members would give this subject very careful consideration before they agreed to the suggestion that contractors should be

debarred from participating in the privilege extended to other parties.

MR. CAREY could not but endorse the remarks that had just fallen from the hon. member for Geraldton. In the districts which he represented, where a large number of men were employed at the timber stations, the proprietors, who frequently undertook contracts, had occasion to import labor from the neighboring Colonies; and he thought it was to the interests of this country that it should thus be supplied with imported labor at a cost of £6 instead of having to pay three times that amount for it. These men, as a rule, were a much more desirable class of immigrants than we could obtain from England, being already “colonised” and used to the kind of work which they were wanted for. He therefore hoped the existing regulation would continue in force, for he had himself seen the good results which accrued from it. With reference to the resolution before the Committee, he was glad it had been brought forward, for he thought it was necessary we should, to some extent, have immigration of some kind or other, and possibly the nominated system would meet all our present requirements so far as British immigrants were concerned. As to the proposed introduction of coolie labor, he thought that such labor would be of great value to the Colony.

MR. HARPER said the resolution was one which would receive his cordial support. In the district which he represented, they had had some little experience of Chinese labor. Some years ago, they were able to import that class of labor, but for want of more constant means of communication, they were unable to keep up the supply. These men were imported from Singapore, generally, at a very low rate compared with the pay of Europeans, though quite as good, if not better,—in many cases, certainly better—men; their employers had much more control over them, and the men themselves were, as a rule, more steady with their work than the Europeans. But owing to the difficulty of keeping up a constant supply, the settlers had not benefited to that extent by the introduction of this class of labor which they might otherwise have done. These men generally signed agreements at

Singapore, stipulating for two years' service, at about seven dollars a month, but when their term of service expired, finding that higher rates of wages obtained among Europeans, and knowing that their own labor was quite as valuable as that of our own race, they demanded the same rates of pay—a demand which there could be no necessity to comply with were the supply of Chinese labor constant and regular. If some systematic means of keeping up the supply were adopted, these men could be obtained from Hong Kong at about twenty-two shillings a month, instead of what we were paying at Singapore; and he thought if the settlers could get them at that rate, they would prove so infinitely superior to European labor that very few indeed of the latter class would be required. No doubt there were other parts of the Colony, besides the north, where Chinese labor would prove of great service,—provided always a regular supply be kept up. The great inducement which operated in bringing these men to Australia was, no doubt, the existence of goldfields,—that was the great attraction; but he did not think any difficulty would be experienced in introducing them here, without going to the immense expense which the introduction of European labor entailed.

MR. MARMION said he agreed, generally, with the remarks which had fallen from the hon. member for Greenough, and that a sum of £2,500 should be placed on the Estimates for the introduction of nominated immigrants from the United Kingdom, which he thought would suffice to meet the Colony's requirements in this respect for the forthcoming year. With reference to Chinese immigration, he was in a position to fully endorse what had fallen from the hon. member for Roebourne with reference to the supplying of this class of labour at Singapore, where he thought we should concentrate our efforts for some time to come, rather than go to Hong Kong, as greater facilities were afforded at the former place for obtaining the class of men we require. There was more traffic and consequently more regular communication between this Colony and Singapore than there was with Hong Kong. While prepared to support the motion for placing a sum on the Estimates for the

introduction of Chinese labor, it must not be concluded from this that he was altogether favorable to this kind of immigration. He quite agreed that these men would fill up a gap now felt in the labor market, and he believed that, so far as work was concerned, they were fully equal to the class of European labour we could obtain, and would meet our requirements as well in that respect; but there was another point to be considered, namely that in introducing Chinese or Malay coolie labor, we introduced an element which was antagonistic to the introduction of immigrants from the United Kingdom. These men would enter into competition with European labour, and of course prevent the encouragement of that class of immigrants which the country chiefly required for the purposes of settlement, and for increasing the population, and thereby increasing the prosperity, of the Colony. He did not mean to say that the introduction of coolie labor would not, possibly, tend to increase the prosperity of those already in the Colony, but the fact must not be lost sight of that in proportion as we encouraged this class of labour so would we be discouraging the introduction of European labour. He had some practical knowledge of the cost of bringing these people from Singapore to this Colony, and he believed he was right in saying that the extreme cost of introducing a Chinese coolie from that settlement would be from £4 to £5, including the necessary provisions on board ship during the voyage. It might cost about £1 more to bring them from Hong Kong, as there was not so much backward trade between this Colony and that port. He was well aware that His Excellency the Governor, having for some time exercised the functions of administrator of the Government at the Straits Settlements, must, possibly, know more about this matter than himself, or any other member in the House; and if we intend to grapple with the question in earnest, he considered the Colony was fortunate in having in Governor Ord a gentleman fully qualified by experience to deal with the subject. There was one point in connection with this question of Chinese immigration which—although he was aware the majority of hon. members would not endorse his views—he thought

worthy of consideration, namely that the passage-money of these men should be refunded to the Government by those who employed them. As he had already said, they were not the most desirable class of immigrants to introduce into the Colony for the purposes of colonisation, and he thought that those who benefited by their labour should be required to pay to the Government the cost of their passage—not all at once, perhaps, but by instalments extending over the period of their service. It must not be forgotten that in the course of that time these men imbibed all the notions of Europeans, and considered themselves entitled to the same rate of wages as Europeans, and unless their demands in this respect were satisfied they became discontented and wanted to return to their own country. If all these men were saving and provident, and could pay their passage back, the Colony would be relieved from all difficulty and responsibility with regard to them; but it was possible that many of them would be penniless when the term of their engagement expired, and not being able to find employment they would either become a burden upon the Colony, or the Government would have to pay their passage back to their own homes. He therefore thought it would be but fair that those into whose service they first entered should refund the cost of bringing them here in the first instance, and not call upon the Government to pay their passages to and fro. With reference to the remarks of the hon. member for Greenough, relating to the regulation which provides that the sum of £6 be allowed towards the passage of each *bonâ fide* immigrant introduced from the neighboring Colonies, and the suggestion that this regulation should not apply to contractors importing labor, he (Mr. Marnion) could not agree in that suggestion. He thought it not improbable that contractors in those Colonies tendering for the construction of railways here would reduce the amount of their tender in consideration of this concession. Immigrants thus introduced should, however, in his opinion, be subjected to the same regulation as other immigrants introduced solely at public expense, with reference to remaining in the Colony for a term of three years, or otherwise refund the cost of their passage hither.

Mr. HARPER said the hon. member for Fremantle seemed rather inclined to confuse Chinese with Malays. From his (Mr. Harper's) experience of Malays, he thought they would be about the very worst class of immigrants we could get. The hon. member also seemed to think that the Chinese were an improvident race; on the contrary, they were the most thrifty and provident class of men he (Mr. Harper) had ever met. As to the Government paying their passage back, he had never heard of such a proposal being mooted in any other Colony that had introduced Chinese labor. He believed that in those Colonies the majority of these men were introduced by persons of their own race, who were paid so much by the Government for each immigrant introduced; and if these men wanted to return to their own country they had to do so at their own expense.

Mr. CAREY was somewhat surprised that the hon. member for Fremantle, when he advocated that the Government should pay the return passages of these coolies, did not go a little further, and insist that the Government should also defray the passage money of European immigrants desirous of returning home.

SIR L. S. LEAKE said he did not rise to oppose the resolution before the Committee, but he would remind hon. members that as yet they had not the Estimates for the coming year before them, and as they did not know what expenditure it would be necessary to provide for, he thought it would be as well to be a little careful until they had some idea of the ways and means. Possibly the Government had considered this matter, and made the necessary provision for giving effect to the resolution; but the House was in utter ignorance, as yet, on this point, and until the Estimates were placed before them, hon. members would do well to be careful how they swelled up the public expenditure. While agreeing in some measure with the Commissioner of Crown Lands on the question of "roads, railroads, and immigration," he thought it worthy of consideration, as they were likely to have a Loan Bill introduced in the course of the Session, whether it would not be better to provide for the immigration vote in that Loan Bill. He would also,

in the interest of morality, call the attention of the House and the Government, in the event of Chinese immigration being encouraged, to the necessity of making provision for the introduction of both sexes.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said he would be glad to hear hon. members express their views on the question mooted by the hon. member for Perth, namely, whether the immigration vote should be provided for by loan or out of current revenue.

MR. SHENTON thought this was a matter upon which members would not be able to give an opinion until they were in possession of the Estimates, and had some information with reference to the all-important question of ways and means, with regard to which they were at present entirely in the dark.

MR. BROWN said the question of whether the vote for immigration should be provided for out of current revenue or by means of a loan had not seriously engaged his attention, but, so far as it had, he was of opinion that as a general rule the cost of immigration should be defrayed out of current revenue. He could, however, quite understand that circumstances might arise—the state of the revenue itself, for instance—which would in every way warrant a departure from that rule. Whether such circumstances existed at the present time could only be known to the Executive, for the reason that the House was not yet in possession of the Estimates, and hon. members were not aware whether or not the revenue would stand this strain during next year. Nor was the House aware what steps the Government intended taking with respect to meeting the interest and sinking fund in connection with the proposed loans for railway construction and roads improvement. He would suggest that the resolution be amended in such a way as to leave the question of whether the immigration vote should come out of current revenue or be provided for by loan, in the hands of the Government. To that end he would move, as an amendment, the insertion in the resolution of the words “or take steps to raise [the amount of the proposed grant] by loan.”

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): The suggestion

made by the hon. member for Geraldton is, I think, an admirable one, and if the hon. member for Greenough can see his way clear to amend his resolution as proposed, I think it would meet with the views of the House generally.

MR. CROWTHER said he did not altogether agree with the proposed amendment. While the grass was growing the steed might be starving, and while we were getting the consent of the Secretary of State to raise a loan for immigration purposes, the Colony might lose the opportunity of obtaining many suitable immigrants. If, however, the hon. member for Geraldton chose to press his amendment, he would not oppose it, but he was not prepared himself to alter his original resolution.

MR. PEARSE said it was his intention to oppose the amendment. He failed to see any necessity for resorting to a loan for immigration purposes; there were plenty of men already in the Colony out of employment.

MR. SHENTON thought it would be absurd for such a small sum to be raised by a loan; and to incorporate it in the railway Loan Bill might jeopardise that measure, and cause the Secretary of State to reject it altogether.

MR. CAREY said he also would oppose the amendment. There seemed to be an inclination on the part of some hon. members to embody everything in the proposed Loan Bill; and he supposed the next thing would be to tack the whole Estimates on to that measure.

MR. BROWN pointed out that the resolution, as amended, did not render it incumbent on the Government to provide the immigration vote by means of a loan; it was left to their discretion whether to do so or not. The only question was whether the current revenue would bear the charge; if it would, he certainly would prefer it to a loan.

MR. MARMION: Surely it must be within the province of this House to place this amount on the Estimates if it thinks fit. I think it would be very undesirable to tack it to the proposed loan Bill, which, as pointed out by the hon. member for Toodyay, might result in the Bill being disallowed. Surely a considerable portion of the vote for the current year must yet remain unexpended, in view of the recent suspension of im-

migration; and as it is not intended to introduce any large number of immigrants, the unexpended portion might go to the credit of the ensuing year. I am altogether opposed to the amendment, and to leaving a question of finance optional with the Government which it is within the province of this House to decide for itself.

MR. BROWN said no doubt the question was one peculiarly within the province of the House to settle, and, as there appeared to be a feeling averse to the amendment on the part of the elected members, he was quite prepared to withdraw it.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser): I do not see that the House runs any risk in leaving the question open, or that it has any occasion to dread or mistrust the course which the Government may adopt in this matter.

MR. BROWN: No mistrust of the Government, but of the finances.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) pointed out that, according to the return (laid on the Table) showing the estimated expenditure of the current year, as approved by the Legislative Council, and the probable actual expenditure, the latter would exceed the former by a sum of £12,863. That excess would, of course, be somewhat lessened by the fact that the whole of the grant for immigration purposes would probably not be expended this year.

MR. BURT thought it would make the loan Bill look ridiculous if it included such a small amount as was contemplated in the resolution before the House. When the Secretary of State saw it, he would naturally remark: "The idea of these people going in for a loan of £100,000, when they cannot afford to pay for the introduction of a handful of immigrants without having resort to borrowed money."

MR. HARDEY concurred in this view. He thought it was a very poor look-out indeed, if the Colony could not provide for immigration out of current revenue. As to the allowance of £6 in the case of immigrants introduced from the neighboring Colonies, he failed to see why the contractors should not have the benefit of the concession as well as other parties. With regard to the quality of the labor

recently introduced from England, it was scarcely worth having at any price, and he certainly thought it would be a very wise plan to limit ourselves to nominated immigrants. As to Chinese labor, he thought it was as good a class of labor as we could have at the present time; but he certainly could not approve of the proposal that the Government should be called upon to pay the return passages of discontented immigrants of this class.

MR. S. H. PARKER was pleased to observe, from the Governor's despatch on the subject of immigration, that His Excellency had come to the conclusion that it would not be advisable to expend money on the introduction of further supplies of immigrants such as we had been receiving, and he (Mr. Parker) was still of that opinion, and that any money, whether provided out of current revenue or raised by means of a loan, expended on immigration just now, would be money thrown away. The majority of the immigrants heretofore introduced had been utterly useless to meet the requirements of the local labor market, and those among them who were worth anything at all cleared out of the country as soon as they could. It had always appeared to him that if we wished to retain these men in the Colony we must initiate public works, and, when we did that, it would not be necessary to provide immigration out of public funds; labor would then flow in without any interference on the part of the Government. In the present condition of the Colony, he was averse to the expenditure of any money for the purposes of immigration.

Amendment withdrawn, and the original resolution put and carried, without a division.

INCORPORATION OF W. A. BANK SHAREHOLDERS BILL.

MR. BURT moved the second reading of a Bill to incorporate the shareholders of the Western Australian Bank, and for other purposes. He said it would be within the knowledge of the House that a Bill with the same object in view was passed two years ago, and sent home for the royal assent. From a despatch laid on the Table this Session, from the Secretary of State for the Colonies, hon. members would observe that objection was made

to the Bill because it was not altogether in conformity with the regulations issued by the Colonial Office respecting the incorporation of banking companies in the Colonies. It was true that the Bill was not entirely in accord with these regulations; at the same time it was, in all its material provisions, an exact transcript of a similar Bill passed by the local Legislature, and assented to by Her Majesty, to incorporate the shareholders of the National Bank. Precisely similar provisions were also found in the Act incorporating the shareholders of that bank in South Australia, and in Victoria, and, he believed, also in New South Wales; therefore, why there should have been any objection to the same provisions appearing in the Bill to incorporate the shareholders of the W. A. Bank in this Colony he was at a loss to know. Hon. members who had read the Secretary of State's despatch on the subject would be aware that the Bill sent home two years ago had been placed before some clerk or other in the Treasury, who was supposed to examine its provisions and to see that they were in conformity with the Colonial Office regulations. This had been done, and the gentleman to whom the Bill was thus referred was clever enough to discover some departures from those regulations in the measure, but the value and importance of those departures and of the substituted provisions would be discovered on reference to one of the main objections raised to the Bill. According to the regulations referred to, the directors or officers of a bank were not empowered to obtain advances on their own sureties to an extent exceeding one-third of the total advances and discounts of the bank:—in the bill sent home provision was made that discounts or advances made by the W. A. Bank to the directors or officers of the bank should not at any time exceed even one-tenth,—much less one-third,—of the total advances of the bank. This point alone showed that the Bill had not received that consideration at the hands of the Colonial Office which it was entitled to receive. The Imperial regulations limited the amount of the advances to be made to the directors on their own security to one-third of the total advances of the bank, but the Bill went even further and actually limited these advances to one-

tenth of the total advances. This was a fair sample of the objections raised at home to the passing of the Bill, and hon. members would see the value and weight of these objections. The Bill however was yet before the Home Government, and had not been presented to Her Majesty for her assent; and, inasmuch as the Bill would lapse about October next, he had deemed it advisable to introduce the Bill now before the House, and to incorporate therein the various alterations and conditions necessary to render it conformable with the regulations of the Colonial Office, with one solitary exception. Attention was called by the Home authorities to the fact that the eighth clause of the Bill provided that the bank should have a lien upon the shares belonging to any shareholder becoming indebted to the bank or making default in the fulfilment of any covenants contained in the deed of settlement, and that, for the purpose of sale, the bank was empowered to dispose of the shares forfeited by such default. The Secretary of State in his despatch, referring to this provision, said there was no corresponding regulation in the Colonial Office rules (respecting the incorporation of banking companies): but on reference to the 322nd. regulation, he (Mr. Burt) found that any banking company was empowered to accept, *inter alia*, shares in its capital or stock as a security for any debt *bonâ fide* previously due to the company, and hold such shares for such reasonable time as might be necessary to dispose of, and convert them into money. He really, therefore, failed to see how it could be said there was no Colonial Office regulation analogous to the provisions of the Bill in this respect. Moreover, these provisions were identical with those embodied in the National Bank Bill: and, supported as the conditions were by the regulation referred to (the 322nd), he proposed retaining that clause in the present Bill. With that exception, the Bill was entirely in conformity with the Colonial Office regulations, and he hoped that, having met with the approval of the House, it would also meet with the assent of the home authorities. When the first Bill to incorporate the shareholders of the National Bank in this colony (30th Vic. No. 9) was sent home, it was returned by

the Colonial Office for amendment in two particulars only, and these amendments were made in the Bill introduced and passed the following year (31st Vic. No. 9), which Bill, as amended, received the royal assent. As the provisions of the W. A. Bank Bill were identical with the provisions of that Bill in every respect, he thought hon. members would agree with him that he had some grounds for saying that it had not received that consideration at the hands of the authorities at home which it was entitled to receive, otherwise the objections which had been raised against it would never have been put forward.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) said he did not rise in any spirit of hostility to the Bill; he was sure if there was one feeling in the House with regard to the Bank which it dealt with, it was that the institution was one which had rendered a great service to the Colony for many years, and in the success and prosperity of which every one in the Colony took a deep interest. Although he did not propose taking any objection to the second reading of the Bill, he thought it would be necessary to refer it to a Select Committee. He noticed among the recitals in the preamble of the Bill an allegation that the reserve or guarantee fund of the corporation amounted to the sum of £30,000. That was an allegation which, in adopting the preamble, the House was asked to affirm, and to affirm in a most public and emphatic manner, and before doing so he could not help thinking that the House ought to have some information on the subject. He was not aware whether this recital was made in the former Bill; if it was so made, he could only regret it had then escaped his notice, and that the House should, somewhat hastily, have assented to a proposition without any evidence before it to justify it in doing so.

MR. BURT said he had no objection whatever to the Bill being referred to a Select Committee.

Motion for second reading agreed to.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) then formally moved that the Bill be referred to a Select Committee to consist of Mr. Brown, Mr. Burt, and the mover.

Agreed to.

TRANSFER OF LAND ACT, 1874, AMENDMENT BILL, 1878.

IN COMMITTEE.

Clause 1—Short title:

Agreed to.

Clause 2—"Whenever by transfer, or "by any other lawful mode, the whole "of the land comprised in any certificate "of title passes to any person other than "the registered proprietor thereof, it "shall not be incumbent on the Registrar "to make out a new certificate of title in "the name of such person, but such "person shall be deemed to be duly "registered as proprietor of such land "when a memorandum of the transfer or "other legal mode as aforesaid, and of "the name of the new proprietor, shall "have been entered upon the certificate "and upon the duplicate thereof, and "shall have been signed by the Com- "missioner."

MR. S. H. PARKER moved a verbal amendment, which was agreed to.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) moved that the following words be added to the clause: "For every such entry there shall be paid the fee of ten shillings."

Agreed to, without discussion.

Clause as amended ordered to stand part of the Bill.

Clause 3—In case of original Crown grants, registrar to make out in registrar's book a certificate of title to land comprised therein, and then deliver to the grantee the grant itself, endorsed with a memorandum of such certificate:

Agreed to.

Clause 4—"Section fifty six of the "said Act (38th Vic. No. 13), is hereby "repealed, and in lieu thereof it is here- "by enacted that upon production of a "permit to occupy, duly signed by the "officer appointed in that behalf by the "regulations in force for the time being, "respecting the sale and disposal of "Waste Lands of the Crown in Western "Australia, certifying that the person "therein named is entitled to an estate "in fee simple in land therein described, "together with an instrument dealing "with such land, signed by such person, "the registrar shall endorse upon such "permit such memorandum as he is by "the said Act required to enter in the "register book upon the registration of

"any dealing of a like nature with land under the operation of the said Act, and shall sign such endorsement, and shall endorse such instrument with the certificate of registration by the said Act required on the registration of a like instrument after a grant relating to land under the operation to the said Act has been registered, and so on from time to time with respect to any other dealings that may take place before the receipt by the registrar of the Crown Grant of the land comprised in the said permit; and every such instrument shall thereupon be held to be duly registered under this Act. On receipt of the Crown Grant of the said land, the registrar shall in addition to making out a certificate of title to such land and endorsing the grant as required by section three of this Act, endorse upon the certificate of title to such land made out in accordance with the said section, and on the grant, a memorandum of every dealing endorsed on the permit to occupy in pursuance of this section, and the Commissioner shall sign such endorsement, and the said grant so endorsed shall be issued to the person who shall appear to be entitled to the same."

THE ATTORNEY GENERAL (Hon. H. H. Hocking) moved, That after the word "Act," and before the word "on" in the twentieth line, the words "The Registrar shall file such permit and instrument in the office, and" be inserted.

MR. BURT said he considered that the old form of receipt from the Treasury was quite as good as this proposed "permit" to occupy, and he failed to see any necessity for altering it.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) said it was merely a departmental change, introduced with a view to the smoother working of the Act, by rendering the Commissioner of Crown Lands solely responsible, instead of enabling that officer to grant the "permits" and the Treasury to issue the "receipts."

Clause, as amended, agreed to.

Clause 5—Certificate of title shall be taken and held to be conclusive evidence thereof, subject to any reservations in the grant, resumptions made, and powers to take compulsorily exercised:

Agreed to, without discussion.

Clause 6—"Section twenty-one of the said Act (38th Vic. No. 13) shall be and the same is hereby amended, by omitting the words 'or in the name of such person as may have been directed in that behalf;' and section ninety-seven shall be and the same is hereby amended, by omitting the word 'trustee' in line sixteen of the same, and inserting the word 'bankrupt' in lieu thereof."

MR. S. H. PARKER (referring to the first portion of the clause) proposed that it be struck out. If this provision were enacted, one of the principal inducements which operated to make people bring their land under the Act would be taken away.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) said the Government had no intention, nor was it their desire, to interpose any obstacles in the way of the successful working of the Transfer of Land Act, nor did he agree with the hon. member for Perth (Mr. Parker) that the provision contained in the first part of the clause before the Committee would have that effect.

MR. BURT intimated that it was his intention to re-introduce his Bill (providing for the payment of a transfer duty under each system of conveyancing), and if he supported this section of the Government Bill he would expect the Government members to support his measure.

MR. BROWN was afraid, if this Bill and that introduced by the hon. member Mr. Burt, became law, it would put an end to the Lands Titles Department, and it would be "good-bye" to Torrens' Act and all its advantages.

Clause agreed to.

Bill reported.

CUSTOMS ORDINANCE, 1860, AMENDMENT BILL, 1878.

IN COMMITTEE.

On the Order of the Day for the further consideration of this Bill in Committee of the whole Council being read,

THE ATTORNEY GENERAL (Hon. H. H. Hocking) moved, That the Speaker do now leave the Chair.

Agreed to.

IN COMMITTEE.

Clause 8: "The master or owner of any boat laden with cargo from any ship in the port of Fremantle who shall commence to unload such cargo, or shall proceed to Perth, without having delivered to the landing waiter at Fremantle his permit or boat note, and receiving from such landing waiter permission to unload or proceed as aforesaid, shall, on conviction thereof, be liable to a penalty not exceeding £50":

MR. SHENTON pointed out that this clause might operate very harshly and injuriously unless some provision were made to admit of boatmen being able to deliver their "permits" to the landing-waiter at all hours. A boat laden with a valuable cargo might not, owing to the direction of the wind, be able to cross the "bar" during the Customs office-hours, and if detained in order to enable the boatman to deliver his "permit," a delay of several days might occur before the weather admitted of the boat crossing the bar, which would entail great hardship, not only upon boat-owners, but upon the trading community of Perth. He thought some provision should be made whereby the boatmen could deliver over their permits at any hour, and he would suggest that, after office hours, they should be delivered to the senior officer of the water-police on duty at the time.

SIR L. S. LEAKE said it might be a very serious matter indeed unless some provision were made such as that recommended by the hon. member for Toodyay. A boat leaving a vessel full of valuable cargo, with the wind fair for crossing the bar, might, unless a permit were obtainable at the moment, be detained for a week. Up to the present it appeared the boatmen had been able to obtain these "permits," but merely as a matter of favor. He thought the suggestion made by the hon. member for Newcastle, that, in the absence of the landing-waiter, the water-police should be authorised to grant a "permit," was a very good suggestion, and one which the Government would do well to act upon.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the Government fully recognized the force of what had fallen from the hon. member for Toodyay,

and every endeavor would be made to give effect to what had been brought under their notice.

MR. SHENTON considered the matter one of such importance that unless the Attorney General was prepared to give the House a definite answer, he would move that progress be reported, in order to afford the Government an opportunity to see what could be done to meet this difficulty.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) fully recognized the force of the hon. member's remarks, but as no difficulty or inconvenience had been experienced heretofore he did not think they need be apprehensive of any occurring in the future. The hon. member might rest assured that if, in a case of urgent necessity, there being no landing-waiter available for granting a "permit," a boat crossed the bar without such permit, the Government would be prepared to take the attendant circumstances into consideration, and would not be inclined to act harshly in the matter. He was not prepared at present to propose any definite remedy for removing the difficulty of which the hon. member was apprehensive.

MR. SHENTON then moved that progress be reported, and leave asked to sit again on Monday, 1st July.

Agreed to.

Progress reported, and leave given.

JETTIES REGULATION BILL, 1878.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) moved the second reading of a Bill to empower the Governor-in-Council to make regulations for the use and management of jetties and other similar works, and to make other provision respecting the same. He said that in repealing certain Ordinances relating to boats and boatmen, they had repealed certain sections relating to the management of jetties, and as it appeared to him hardly proper to incorporate the repealed sections in the new Bill relating to boats and boatmen, he had framed the present Bill to meet the difficulties. That was the whole scope of the measure now before the House. It did not confer any additional power upon the Governor other than what he formerly possessed under the repealed ordinances.

Motion for second reading agreed to.

IN COMMITTEE.

The Bill passed through Committee without amendment or discussion.

The House adjourned at four o'clock, p.m.

LEGISLATIVE COUNCIL,

Friday, 28th June, 1878.

The business transacted was of a mere formal character, and elicited no discussion. [Vide "Votes and Proceedings," p. 87.]

LEGISLATIVE COUNCIL,

Monday, 1st July, 1878.

Incorporation W. A. Bank Shareholders Bill: Report of Select Committee—Police Force, Perth and Fremantle—Management of Jetties at Fremantle: Transfer of to Municipal Council—Grants for Roads—Dog Nuisance—Police v. Delaporte—Municipal Institutions Act, 1876, Amendment Bill, 1878: in committee—Third Readings—Foreign Seamen Offences Bill, 1878: in committee—Customs Ordinance, 1860, Amendment Bill, 1878—Adjournment.

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

PRAYERS.

INCORPORATION OF W. A. BANK SHAREHOLDERS BILL: REPORT OF SELECT COMMITTEE.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) brought up the report of the Select Committee appointed to inquire and report on the allegations contained in the preamble of a Bill to incorporate the W. A. Bank.

Report received and read, as follows:

"Your Committee have now the honor to report to your Honorable Council that we have inquired into the truth of the allegations contained in the preamble as to the amount of the reserve fund of the W. A. Bank, and have satisfied ourselves as to its correctness."

Report ordered to be printed.

POLICE FORCE, PERTH AND
FREMANTLE.

Mr. CAREY, in accordance with notice, moved—"That a return be laid on the Table of the House, before the Estimates for 1879 are brought forward, showing the number of officers and men added to the detective force since the date of the return called for on the 10th inst.; and a list of the cases that resulted in convictions through the instrumentality of the detectives, out of the 185 shown on said return as "detected:" also a return showing the number of officers and men stationed in Perth and Fremantle from the 1st April to 31st May in the present year; their separate duties and employment being shown; the number daily available and told off for town duty to be distinguished from those employed as orderlies, on escort, or patrol duty: also the number of horses attached to the police stables for the same period; and how employed? Also the average number of officers, men, and horses at Perth and Fremantle for the year 1865." The hon. member said that his object in moving for these returns was in order to remove or confirm a feeling of dissatisfaction which he said existed with regard to the manner in which the police department was conducted.

MR. MONGER seconded the motion. THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the Government was at all times desirous to afford hon. members every useful information connected with the public service, but he submitted that the information here asked for could not be regarded as such. Nor was he prepared at the present moment to give all the returns called for. If, however, the House expressed a wish that the whole of the detailed information sought for by the hon. member for Vasse should be forthcoming, and that it