

increase in greater proportion than the regular rate, for it was proposed to give him £175 next year instead of £160. The Government were aware he was a good officer, and a hard worked officer; and it was proposed to lighten his labors by giving him the assistance of a probation clerk. As to the Storekeeper, "A" store, if it was the general wish of the Committee that this officer's salary should be raised, as suggested, from £112 to £120, the noble lord would have no objection in doing so.

MR. STEERE and MR. SHENTON expressed themselves in favor of the proposed increase, and, on the motion of the COLONIAL SECRETARY, the amount was increased from £112 to £120. One or two other trivial alterations were made in the vote, and, eventually, a sum of £2,768 was granted for the Customs Department.

Progress was then reported, and leave given to sit again another day.

DOG BILL.

On the motion of MR. STEERE, this Bill was recommitted, and some verbal amendments introduced, and agreed to *sub silentio*, the third reading being made an Order of the Day for September 6th.

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

LEGISLATIVE COUNCIL,

Wednesday, 6th September, 1882.

Bonus for Gold Discovery—Free Railway Passes to Members of Council—Competitive Examination for Civil Service Appointments—Salary of Assistant Colonial Secretary—Loan Bill, 1882: second reading—Legislative Council Act Amendment Bill: third reading—Excess Bill, 1881: third reading—Dog Bill: third reading—Trespass, Fencing, and Impounding Bill: in committee—Immigration: Report of Select Committee; further consideration of—Consideration of Message No. 7: Refund of Duty to Messrs. Joubert and Twopeny—Stamp Duties Bill: second reading—Brands Act Amendment Bill: further consideration of; in committee—Adjournment.

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

PRAYERS.

BONUS FOR GOLD DISCOVERY.

MR. MARMION, in accordance with notice, asked the Colonial Secretary, "Whether the offer of a reward of £5,000 for the discovery of Gold in this Colony is still in existence, and, if so, what are the conditions attached? Also, whether it is the intention of the Government to introduce a Mining Act during this Session of Council, and, if not, to inform the House under what regulations mining for gold would be prosecuted until such an Act is in force?" The hon. member said he had been requested by several persons who were concerned in gold prospecting just now to bring this matter under the notice of the Government. Many of these persons entertained very sanguine anticipations that we are on the eve of very important discoveries, and they were naturally desirous of knowing whether the offer of a bonus of £5,000 made by the Government some years ago was still in force. He thought it would be as well that, if so, the fact should be publicly announced, as no doubt it would tend to give a great stimulus to parties who were devoting a considerable amount of time, labor, and expense, with a view of testing the auriferous character of the country.

THE COLONIAL SECRETARY (Lord Gifford) replied:—"The offer of a reward of £5,000 for the discovery of gold is still in existence, and the conditions are those advertised in the *Gazette* of September 3rd, 1872:

"WESTERN AUSTRALIA.

"Colonial Secretary's Office,
Perth, 2nd September, 1872.

"WHEREAS Gold in small quantities has been found in various parts of Western Australia, it is hereby notified, for general information, that the Local Government of Western Australia offer as a reward for the discovery of a workable Gold-field, within a radius of three hundred miles from any declared Port in the Colony, the sum of £5,000, upon the following conditions:—

"1. That such reward be not payable until Ten thousand ounces of Gold, either alluvial or crushed from quartz, and obtained from such Gold-field, be entered and cleared at a Customs House at some Port in Western Australia, and actually shipped to Great Britain within a period of two years from the date of the registration in

"the Office of the Colonial Secretary of the exact position of such Gold-field.

"2. That the Governor of the Colony for the time being, in Executive Council, do finally adjudicate and determine to whom alone, or, if there be several claimants, to whom and in what proportions, the above reward shall be payable and paid.

"By Command,

"FRED. P. BARLEE,

"Colonial Secretary.

"It is not proposed to bring in a Mining Act this Session, as the Governor is advised that, under the general authority of the Crown, he can, in the event of gold being discovered, make such temporary regulations as will meet the requirements of the case."

MR. MARMION suggested that the same notice should be inserted in the *Government Gazette* of the present day—say for a month. He noticed that one of the conditions attached to the reward was that the workable goldfield for which a bonus is offered shall be within a radius of 300 miles from a "declared port." He thought it would be as well that some understanding should be arrived at as to what is a "declared port;" a goldfield might be discovered at Roebuck Bay or the Fitzroy.

THE COLONIAL SECRETARY (Lord Gifford) said of course it was in the power of the Governor, in the event of a goldfield being discovered within the prescribed radius of any port, to "declare" such port.

FREE RAILWAY PASSES TO MEMBERS OF COUNCIL.

MR. CAREY, in accordance with notice, asked the Colonial Secretary, "What decision, if any, had been arrived at by the Government relative to an Humble Address presented by the Council to His Excellency the Governor, in September, 1880, on the subject of the privilege of Free Passes to the Members of the Legislature upon the Railways of the Colony?" The hon. member said he understood the Government had recognised the principle of free passes so far, that they had offered the privilege to the Fremantle members; if so, he failed to see why the same privilege should not be extended to other members. He was informed that the two gentlemen who represented Fre-

mantle had refused to accept the offer made to them, feeling that, if the privilege was to be granted at all, it ought to be granted in the terms of the resolution and the address adopted by the House two years ago.

MR. MARMION said the privilege had only been offered to him and his colleague during the Session of Council.

THE COLONIAL SECRETARY (Lord Gifford) replied that His Excellency the Governor had not considered it expedient to give any order authorising the Railway Department to issue free passes to members of the Legislature.

COMPETITIVE EXAMINATIONS FOR CIVIL SERVICE APPOINTMENTS.

MR. CAREY, in accordance with notice, moved the following Resolution:—"That in the opinion of this Council all future appointments in the Civil Service of this Colony shall, as far as practicable, be open to competitive examination; and that before any appointment is made, notice shall be given in the *Government Gazette* at least one month previous to appointments being made, to the effect that applications for such appointments will be received by the Government." The hon. member said the subject was one in which the whole community was interested, and it appeared to him, and to a great many other people, that the time had arrived when, as far as practicable, the system of competitive examination should be adopted here. In England, as hon. members were aware, all appointments, whether military or civil, were open to competition, and, in the neighboring colonies, the same system was in operation as regards civil service appointments; but here, in this Sleepy Hollow, we were content to jog along in the same old style, and kissing by favor still went a long way as regards our public appointments. He thought most hon. members would agree with him that there ought to be but one way of obtaining admission into the public service, and that was through the gate of competitive examination. Our own Government recognised the principle so far as advertising for candidates for appointments in the Telegraph Department went, and, for his own part, he failed to see why the same

principle should not be extended to other branches of the public service. Dissatisfaction undoubtedly existed at present as to the manner in which appointments were made, and he might instance one case out of many as illustrating how the present system worked. Hon. members would remember that some time ago Mr. Alfred Burt was appointed Registrar of Land Titles, and there could be no doubt that the officer so appointed was in every respect well fitted for the post, which he held for some time, but eventually he was supplanted by an officer appointed from home. He did not know that he need enter into any details as to how these competitive examinations ought to be conducted: he was aware we were not in a position to appoint a paid board of examiners, but he thought it might be done by a board of Government officials. So far back as 1879, a committee, of which His Honor the Speaker was president, was appointed by Governor Ord to investigate the present system of the classification of clerks, with a view to ascertaining whether a more desirable one could not be adopted, with benefit to the public service; and that Committee recommended that "every candidate for employment in the civil service of the Colony should be required to produce a certificate of good moral character and sound bodily health, and to pass a satisfactory examination in the ordinary branches of English education." This was one step towards the introduction of the competitive system, which he wished to see developed. He believed the noble lord, the leader of the Government, was prepared to meet his wishes in this respect to a certain extent, so far as it is at present considered desirable to do so.

MR. SHENTON did not think the hon. member could possibly have been more unfortunate in his selection of the case put forward as illustrating the working of the present system of making appointments, than by referring to the Registrar of Titles. In the first instance, this was an appointment which was vested in the Secretary of State, and, in the next place, he believed he was correct in stating that the gentleman at present holding that position was a barrister, and in every respect qualified to pass an examination equal to the standard of any

competitive examination likely to be adopted here with regard to persons entering the public service.

MR. STEERE asked whether it was proposed to extend the principle of competitive examination to cases of transfer or promotion—which would virtually be fresh appointments—or merely to the first entrance of candidates into the public service?

MR. CAREY said the resolution contemplated all future appointments on entering the service, and he would have no objection to alter the wording of the resolution so as to limit its application to such appointments.

THE COLONIAL SECRETARY (Lord Gifford) moved the following amendment: "This Council is of opinion that the population and circumstances of the Colony are not at present such as to render expedient the full institution of a system of competitive examinations for the Public Service. The Council, however, would be glad if His Excellency would take steps for adopting such a system so far as the condition of the Colony will admit of it, with advantage to the public service."

The debate was then adjourned until Friday, September 8th, when it was further postponed until Monday, September 11th.

SALARY OF ASSISTANT COLONIAL SECRETARY.

THE COLONIAL SECRETARY (Lord Gifford) in accordance with notice, moved, "That in the event of the office of Assistant Colonial Secretary becoming vacant, the Council is of opinion that the salary attaching to that office should revert to its former amount of £400 per annum."

Motion agreed to.

LOAN BILL, 1882.

THE COLONIAL SECRETARY (Lord Gifford) moved the second reading of a Bill to raise on loan the sum of £260,000, to be expended as follows: for the further extension of the Eastern Railway, £200,000; for the Northern Telegraph Line, £50,000; and for the extension of Fremantle Jetty, £10,000. The noble lord said he did not think it was incumbent on him to detain the House at

any length in submitting this Bill for its affirmation, for he believed there was a consensus of opinion in favor of undertaking the works in question. Hon. members were aware, as regards the telegraph line to Roebourne, that a proposition was put forward last Session to have this work undertaken on the land grant system, but that the scheme fell through, and, the Government feeling the absolute necessity there was for establishing telegraph communication with the Northern Territory—not only with a view to afford us a means of communication with the settlers up there, but also with the ulterior object of having a second sea cable brought to our North-West coast—thought it right to raise the necessary fund by loan. He had estimated that the rate of interest on the proposed loan would be four per cent. (amounting to £10,400), on the same basis as our last loan was floated, and, as he had already informed the House, the Government did not anticipate that this extra charge would involve the necessity of any extra taxation, but that they would be able to meet it out of general revenue. The present Loan Bill did not differ in any particular from the last one, as regards the conditions under which it was proposed to raise the money, with one slight exception, having reference to the mode of payment of interest. It had been found necessary, for stock exchange purposes, to specify the exact date on which the interest upon the debentures shall become due, which date would be fixed by the Crown Agents; it being considered that this would lead to our getting a better price for the loan. With regard to the works upon which it was proposed to expend this money, hon. members were in accord as to the desirability of carrying out the two principal undertakings, namely, the railway to York and the telegraph to Roebourne; but, as regards the other work in contemplation,—the extension of the jetty at Fremantle, a Select Committee of the House was now sitting to consider and report upon the most advisable plan of expending this money, and, under the circumstances, he considered it would be premature on his part to express any opinion upon that work. There was very little doubt, if we were going to make Fremantle a port of call for ocean-going

mail steamers, it would be necessary not only to spend £10,000 in improving the jetty accommodation, but that Sir John Coode's scheme of harbor works, which involved an expenditure of a quarter of a million, would sooner or later have to be considered. It would be for the House to decide whether or not this £10,000 should form the nucleus of a loan to carry out that elaborate scheme of harbor improvements recommended by Sir John Coode, or whether it should be expended upon the present jetty. From all he could gather, he believed that they would not get into any great depth of water unless they extended the jetty farther than this £10,000 would take it; but he would not offer any further remarks upon this matter until the Select Committee had presented their report. He now moved the second reading of the Bill.

MR. SHENTON thought it would be very advisable, in view of the floating of this loan, that the Crown Agents should be instructed to watch the tone of the money market, and, when an opportune moment arrived, to place the whole loan upon the market, and not a portion of it. If this plan were adopted, he was sure there would be more competition than if a moiety of the loan were submitted, as large capitalists would not trouble themselves with a small loan, and we would be likely to float it on more favorable terms if we put the whole amount in the market at once. Another suggestion he would offer was this: that the money not actually required for the purchase of rails, rolling stock, etc., should be invested in the Colony, where we would obtain at least double the rate of interest that we would at home, as our local bankers allow four per cent. on fixed deposits, so that this would virtually enable us to borrow the money at par, until we actually required it.

The Bill was then read a second time.

LEGISLATIVE COUNCIL ACT AMENDMENT BILL.

Read a third time and passed.

EXCESS BILL, 1881.

Read a third time and passed.

EASTERN RAILWAY EXTENSION BILL.

Read a third time and passed.

DOG BILL.

Read a third time and passed.

TRESPASS, FENCING, AND IMPOUNDING BILL.

The House then went into Committee for the further consideration of this Bill.

Clause 30.—Justices of the Peace, in special sessions assembled, may appoint one or more convenient place or places for establishing, erecting, and maintaining a Public Pound, and also proper persons to be the keepers thereof:

MR. BURT pointed out that according to the wording of this clause Justices could only appoint places for establishing pounds, while in "special session" assembled. It might happen that a fresh pound might be required, or the site of a pound removed, at other times than when the Magistrates were assembled in petty sessions, but according to this clause the court would be *functus officio*, except when in special session, and could not sit again until they sat in the same capacity. He would therefore move that between the words "may" and "appoint," the words "from time to time, when sitting in such special session" be inserted.

This was agreed to, and the clause as amended put and passed.

Clause 31.—Public pound to be kept in good repair by keeper, who shall also keep all cattle impounded therein supplied with sufficient food and water:

MR. STEERE asked how a pound-keeper was to be punished if he neglected to comply with the requirements of this clause? There was no penalty provided here.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) did not know that a poundkeeper who left undone those things which he ought to have done could be punished in any other way than by dismissal—a punishment within the power of his employers to give effect to.

MR. STEERE thought a man ought to be liable to be punished in some more severe way than that, if he neglected to supply impounded stock with sufficient food and water, or knowingly permitted cattle affected with a contagious or infectious disease to be kept in the same enclosure with cattle not so affected.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) said, if it was the wish of

the Committee that a clause should be introduced providing a penalty in the case of poundkeepers neglecting to do their duty, he would introduce a penal clause to that effect on the recommittal of the Bill.

MR. RANDELL thought provision was already made for this in the Bill. The 38th clause enacted that "if any person (other than a Justice of the Peace acting as such) shall omit to do anything by this Act directed to be done, or do anything hereby forbidden, and for which a penalty is not hereby provided, he shall, on summary conviction thereof by a Justice of the Peace, be liable to a penalty not exceeding £5."

The clause was then agreed to.

Clause 32.—Justices to frame table of fees, &c.:

Agreed to, *sub silentio*.

Clause 33.—Duties and powers of poundkeepers:

MR. BURT asked if any provision was made whereby a poundkeeper, in the event of his not being able to dispose of unclaimed impounded cattle by sale, would be empowered to destroy such cattle?

THE ATTORNEY GENERAL (Hon. A. C. Onslow): There is power given to destroy cattle (found trespassing) in case the expense of impounding them is too great; but there is no power given to destroy cattle, when they are impounded.

Clause agreed to.

Clauses 34 to 39:

Agreed to without discussion.

Clause 40.—"Any person aggrieved by any order or conviction made by a Justice or Justices of the Peace under this Act, may appeal to the Supreme Court or the next Court of General Sessions of the Peace nearest to the place where such order or conviction was made.

"1. Notice of appeal shall be given in writing, signed by the appellant or some person on his behalf, and the grounds of appeal shall be specified in such notice.

"2. Such notice shall be given to the Justice of the Peace making such order or conviction within twelve hours after the

- "making thereof and be accompanied by a deposit of Ten pounds to answer costs.
- "3. The Court hearing such appeal shall hear and determine the matter of such appeal, and shall make such order thereon with or without costs to either party as to such Court may seem meet, and shall, if necessary, issue process for enforcing such order."

MR. BURT thought the Committee would agree with him that the time within which such notice of appeal shall be given—twelve hours—was too short altogether. A man might deem it necessary to consult a lawyer before he gave notice of appeal, and, if he resided in a country place where there was no lawyer residing, he would have no chance of having legal advice, if he had to give his notice within twelve hours after the order of conviction was made. He thought the period of grace ought to be extended to a week, and he would therefore move that the words "twelve hours" be struck out, and "seven days" be inserted in lieu thereof.

This was agreed to.

MR. BURT said he noticed by the first sub-section that an appellant had to state the grounds of appeal in his notice. Now, as a general rule, no doubt it was a very desirable thing that the grounds of appeal should be specified in the notice, but in a country like this, and especially in the bush, where no legal advice was available, a man would in all probability be utterly at a loss to formulate the grounds on which he appealed from the decision of the Court; and, in requiring him to do so, we were in reality taking away with one hand a privilege which we granted with the other. He failed to see any occasion, or good reason, for requiring the grounds of appeal to be specified in the notice under this Act any more than under any other of our local statutes.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) could not help thinking that the grounds here would apply more generally to the appeal itself than the hon. member seemed to think. He did not suppose it would be necessary that the thing should be done in legal or technical phraseology, so long as the

grounds upon which the appeal was made were set forth in plain and simple language, showing the reason why the appellant objected to the conviction. It would prevent, to a certain extent, frivolous appeals. If, however, the hon. member would provide that the grounds of appeal, if not specified in the notice, should in some other way be furnished to the respondent before the appeal came on for argument in the higher Court, the necessity for this provision here would be obviated. It was quite true that under other local statutes it was not necessary—and more the pity it was not necessary—to state the grounds of appeal in the notice, but the result was a very lax system of procedure, and appeals were constantly coming into Court without the Crown having any previous knowledge of the ground upon which the appeals were founded. There ought at any rate to be some provision made under which the grounds of appeal should be made known to the respondent.

MR. BURT thought that was quite reasonable, and, if the Bill came to be recommitted, it might be done.

The clause was then agreed to.

Clauses 41 to 43:

Agreed to without discussion.

Schedules agreed to.

Preamble and title agreed to, and Bill reported.

IMMIGRATION: REPORT OF SELECT COMMITTEE.

The House then went into Committee for the further consideration of the Report of the Select Committee on Immigration, with reference to which Mr. S. H. PARKER had submitted a series of resolutions (*Vide* p. 266 *ante*).

THE CHAIRMAN OF COMMITTEES said—although he had ruled the other day that the hon. member for Perth was not out of order in bringing forward the sixth paragraph of his resolution, when the question before the House was that of immigration—he wished to inform the Committee that the debate upon this clause ought to be confined to that aspect of it which related to the subject of immigration, rather than to the collateral question affecting an alteration in the Land Regulations; and, with a view to facilitate discussion, he would suggest that the hon. member should

withdraw that part of his scheme, and submit it hereafter in the shape of a substantive motion.

MR. S. H. PARKER said he would have no objection to that being done.

THE COLONIAL SECRETARY (Lord Gifford) moved, as an amendment upon the resolution submitted by the hon. member for Perth, "that an Humble Address be presented to His Excellency the Governor, praying that he will be pleased to carry out the recommendations of the Select Committee on immigration." The noble lord pointed out that the first part of the resolution introduced by the hon. member for Perth was identical with the proposals made by the Select Committee, with the exception that it recommended that the Government should adopt such steps as it may consider expedient for developing the present system of nomination, in the manner best suited to the requirements and the circumstances of the Colony. On the part of the Government he might state that they would do all in their power to carry out this recommendation, and, in doing so, it would probably be necessary to employ other agents than the present immigration agents, and possibly have to pay them for their service. The firm now conducting our immigration business made little or nothing out of it; on the contrary, he believed, they were very often out of pocket. It would therefore, probably, be necessary to have recourse to some additional agency, if the nomination system was to be developed, as seemed to be the wish of the House. With regard to the third paragraph of the scheme propounded by the hon. member for Perth, recommending that the principle of giving land to immigrants should not be reverted to, he must confess that he could not understand it, viewed in connection with the fifth clause, which recommended the adoption of the very same principle. [MR. PARKER: Only as regards immigrants who pay their own passages.] If the principle was a good one, why not extend it to all classes of immigrants? As to the fifth proposition, which recommended that a free grant of land should be given to every Tom, Dick, and Harry, who chose to apply for it, conditionally upon his having resided in the Colony for a

space of two years, he had already pointed out that a man might serve his probation in a workhouse or in gaol, and it would be rather hard upon the Colony if, at the expiration of his period of enforced retirement, he should be in a position to claim 25 acres of land in fee simple. The probability was, when he got his land he would sell it, and either clear out of the Colony or become a still greater burden upon it. With the exception of this recommendation, and the ultra-liberal doctrine introduced in the last clause of the hon. member's scheme, there was little in it beyond the proposals made by the Select Committee. The hon. member, in submitting his scheme, said the Select Committee had not been liberal enough as regards the maximum quantity of land which ought to be given to a family of immigrants, namely, 200 acres. He could hardly agree with the hon. member in that. Bearing in mind what had been stated by the hon. member for Greenough the other day, that land in his district yielded 35 bushels to the acre, he thought a family possessed of 200 acres of such land ought to be able to make a pretty good thing out of it. The same hon. member on another occasion said that a man could not do on less than a good square mile of land in this Colony, and talked in very doleful strains of funeral expenses; but he (the noble lord) did not think it was a wise policy thus to depreciate the value and capabilities of our land.

MR. S. H. PARKER said, as regards the report of the Select Committee, that Committee had undoubtedly done its work well, so far as it went, and he did not disagree in any way with the conclusions they had arrived at, so far as the development of the present nomination system was concerned. But he wished to still further expand our immigration policy. As to giving free grants of land to people brought out here at the expense of the Colony, he must say he disapproved of that principle, for, in his opinion, if acted upon indiscriminately, it would be simply throwing land away. The Select Committee did not even provide that the grantee should do a certain amount of fencing and cultivation, and the result would be, at the expiration of the period allowed for

doing this, the man would, in all probability, hawk his land about and dispose of it for a mere song. It would be no breach of the regulations if he did so, and it was well known that it was the common practice in the past. But, in the scheme which he (Mr. Parker) had put forward, one of the conditions imposed was that the person to which a grant of land is given shall reside on the land for not less than two years, and that he shall fence, cultivate, and otherwise improve it. He disagreed, *in toto*, with the noble lord, that this would be simply throwing our land away; on the contrary, he thought, it would lead to the introduction and establishment of the very class of people we chiefly want,—yeomen and farmers. The nominated system was all very well in its way; but, so far, he did not think it could be said that it had resulted in bringing to our shores the right class of immigrants. It had been instrumental chiefly in introducing mechanics, artisans, and town residents, rather than a farming or agricultural population. It had brought us consumers rather than producers. He admitted that his sixth proposition travelled somewhat beyond the range of their present discussion,—the question of immigration; but he was firmly of opinion that, if carried out, the proposal was one that would do as much as anything to send the Colony ahead. He proposed, however, to withdraw it for the present, in view of the ruling of the Chairman of Committees, and to bring it forward again in the form of a substantive resolution. It must be admitted that, if they were going to give land away at all, those who were born and bred in the Colony would be more likely to make some practical use of it than people who were utter strangers to colonial life, and who, when they saw the country, were only anxious to clear out of it again. He noticed from the interesting return prepared by the Private Secretary for the Governor's information, that, last year, 611 people came into the Colony, and 690 went out of it; and he believed the majority of the latter were what were commonly called young "colonials." It was with a view to retain this class in the Colony that he had proposed the sixth resolution standing in his name. Turning from this

very prosaic but practical view of the question, to the historical past, he might remind the Committee that in the Augustan era, of Roman history, when the country was depopulated by reason of the wars of the period, they adopted very strong measures indeed to increase the population. They thought it wise, in those days, to offer a premium for the number of children that a man had; a paterfamilias who could boast of three children was exempted almost entirely from taxation, while, as regards the mother, she was allowed to wear a considerable amount of jewellery which was denied to other ladies—a most envious position indeed. He merely referred to this historical fact to show what importance was attached in former days to keeping up the population of a country. He thought the same principle applied in these days to young colonies, and although he did not seek to go so far in this direction as the ancient Romans did, he thought every encouragement ought to be offered to people to come out here, and, when they did come out here, to remain with us. The proposal embodied in the sixth paragraph of his scheme might possibly be regarded as being somewhat in advance of the age; but he thought the time would come when it would be recognised that the principle therein embodied was a principle which this Colony would do well to put in practice, if it wished to keep pace with its neighbors. Meanwhile he begged to withdraw it.

Leave given, and the paragraph in question withdrawn.

MR. BURT thought the hon. member was wise in withdrawing this part of his scheme, for the present, though he must say that, in his candid opinion, this was the direction in which we should have to move. As to giving land to immigrants, whether introduced here at public or private expense, he would draw the attention of the Committee to what took place when that system was in vogue a few years ago. A very valuable memorandum on the subject was drawn up by the Commissioner of Crown Lands, in which the hon. gentleman condemned the system entirely, and recommended the abrogation of the regulations then in existence, under which free grants of land were given to immigrants. He

could not do better than quote the hon. gentleman's own words, which were pregnant with meaning, and which disposed of the subject altogether. The Commissioner in this memorandum, which was addressed to His Excellency the Governor, said: "To induce an addition to their population, all the British colonies, other than some few which were merely trading depots, have resorted to the practice of offering to the world outside something presumably a boon. Some give land to people who import themselves, others give free passages to the needy, either Britisher or foreigner, who seeks an entrance to the fancied Canaan. Western Australia, first among the foremost in this matter, has brought together waifs both from the West and from the East, and besides paying the whole cost of introducing them, gives grants of land, which, though intended to force settlement, does not really do so. Of 989 immigrants introduced from London and elsewhere, only about 109 have applied for occupation certificates on rural land, and of these some have gone away or died, and the land consequently is locked up for a number of years, whilst a very small number indeed have attempted occupation. At the present time there is quite a rush for town lots and every one seeks to be recognised as a tradesman or mechanic, in order to qualify. The first intention of the framers of the provisions for giving grants of land, was to promote settlement of the rural lands by an agricultural and rustic population. The inhabitants of towns in all new colonies, before entering into their manufacturing phase, are mere feeders on the bread winners who develop the resources of the waste lands; and I certainly see no reason for encouraging from public funds the introduction of such, and then giving them town lands to speculate with." He was quite in accord with the Commissioner on this point. The Land Regulations here were very liberal. By paying a nominal rental of one shilling an acre for ten years, the colonist secured his freehold of rural land in the same terms as the Government immigrant who did not pay it; and, in the words of the Commissioner, "Why handicap him? If an immigrant wants to settle, the shilling an acre will not

debar him; reversely, the permission to select as a free tenant does not induce him." He (Mr. Burt) was not in the House then, but he thoroughly agreed with the principle here laid down. He did not think that the terms imposed by our Land Regulations debarred anyone from settling on the land. On the other hand, he did not think that the indiscriminate granting of free blocks of land to new comers was calculated to induce *bonâ fide* settlement. As pointed out by the Commissioner, these blocks, unless the immigrant made use of them, were locked up for a period of five years, although in the meantime the man might be dead or have left the Colony. With regard to our immigration policy in the past, we seemed to have made this mistake,—we seemed to have been laboring under the idea that every immigrant who came out here was going to settle on the land and cultivate it,—was going to become a farmer. He had always been under the impression that the great want of the Colony was a want of labor rather than of employers, and, if a new comer's inclinations happened to lean towards farming, our Land Regulations were liberal enough. There was one part of the scheme put forward by the hon. member for Perth which he did not agree with—that in which he proposed that employers paying the passages of immigrants should receive a bonus of twenty-five acres of land in respect of every immigrant so introduced. He failed to see what the Colony was going to gain by that. In the majority of cases these immigrants would be mechanics or tradesmen, who would settle down in the towns, and would not become cultivators of the land, and the result would be that the land given to their employers would be thrown on the market, and the revenue would suffer very considerably thereby. With regard to the fifth recommendation submitted by the hon. member for Perth, he was afraid that would only lead to dummyism. He thought the true solution of the difficulty, as to obtaining population and encouraging settlement, would be found in the sixth clause, which the hon. member had intimated his intention of withdrawing for the present, but which he was glad to hear the hon. member say he proposed to bring before the House as a substan-

tive motion hereafter. If he did so, the hon. member would have his most cordial support. Meanwhile, he thought the House might adopt the recommendations of the Select Committee, leaving it to the Government to do all it could to introduce a desirable class of immigrants. During the recess, he thought it would be very desirable to appoint a commission to deal thoroughly with this question of immigration.

MR. STEERE said he quite agreed that the present rental charged for Crown Lands did not deter anyone from undertaking farming pursuits. If a man could not afford to pay a shilling an acre, he had better not attempt to farm. The hon. member for Murray said he was in accord with this; yet the hon. member said he was in favor of the sixth clause of the hon. member for Perth's resolution, which contemplated giving away land for nothing. This, he must say, appeared somewhat inconsistent. The present regulations tended to encourage farming more than some people imagined. In a recent number of the *Gazette* he noticed no less than thirty-four applications for special occupation leases. He thought the reason why free grants of land to immigrants did not answer was because they were allowed to select town and suburban lands without any legal restrictions as to the right of transfer and sale. As to the sixth clause of the resolutions put forward by the hon. member for Perth, he could only say that, if the hon. member introduced it hereafter as a substantive motion, he hoped a very large majority of the House would be against it,—at any rate, he would be.

MR. CROWTHER said his anxiety with regard to this subject of immigration must be his excuse for again addressing the House on the subject. It was all very well to talk about our Land Regulations being so liberal that any man who wished to become a farmer may do so, provided he can afford to pay a shilling an acre. But this shilling an acre was a myth—he was going to say, a delusion and a snare. It was not the shilling an acre that pressed upon our would-be farmers. That was not were the shoe pinched. It was the conditions imposed by the Government, in its wisdom, as regards fencing and culti-

vating that made it hard for people to make farming pay. He had already pointed out, on a previous occasion, that to take up a 50-acre block involved an outlay of a £1 a week, or about £260 within the five years allowed to fulfil the conditions imposed by our Land Regulations. As to free grants to immigrants, if these grants had not been utilised in the past as it was intended by the House that they should have been, that was not so much the fault of the principle as of the class of immigrants introduced, to carry out that principle. Surely these grants might be hedged around with such conditions that they could not be bartered away for a mere song, or even locked up for five years if there was no evidence of a *bond fide* intention to occupy and cultivate. The suggestion thrown out by the hon. member for the Murray, that a commission should be appointed during the recess, to inquire thoroughly into the subject of immigration, and to report upon it, was a good one.

THE COLONIAL SECRETARY (Lord Gifford) said he would be quite willing to amend his motion, so as to exclude the paragraph in the Select Committee's report recommending the granting of free grants of land to immigrants.

Motion amended accordingly.

MR. MARMION wished to refer to one part of the Select Committee's report, which appeared to have escaped the attention of those hon. members who had spoken on this subject. He alluded to the paragraph relating to the introduction of female immigrants. The Committee would agree with him that this was a most important feature in the proposed scheme, and he hoped the Government would take care that the agent employed by them would exercise every care and discretion in the selection of females of a respectable character; also that provision would be made for securing a proper supervision over these girls on the voyage out.

The amendment submitted by the Colonial Secretary was then put and carried.

MESSAGE (No. 7): REFUND OF DUTY TO MESSRS. JOUBERT AND TWOPENY.

The House then went into Committee to consider His Excellency's Message

(p. 282 *ante*) relative to the claim put forward by Messrs. Joubert and Twopeny.

IN COMMITTEE.

THE COLONIAL SECRETARY (Lord Gifford) said the claimants, for the purposes of the Exhibition building which they erected in Perth, introduced a certain quantity of timber and galvanised iron, in respect of which they paid duty amounting to £65, and they now asked that this amount be refunded them.

Mr. STEERE said a similar application was made last year on behalf of the Bunbury Jarrah Co., in respect of some machinery which the company had introduced, but the House refused to entertain the application, on grounds which appeared to the majority of hon. members to be good and valid grounds; and, if the House did not see its way clear to do so, in the case of a local company, introducing machinery for the purpose of developing a local industry, he failed to see how it could consistently do so in this instance. He therefore moved: "That an Humble Address be presented to His Excellency the Governor, informing His Excellency that the Committee, having carefully considered the letter of Messrs. Joubert and Twopeny forwarded with Message No. 7, regret that they cannot entertain the claim therein contained for a remission of certain custom duties, as it is a precedent that they do not feel disposed to recommend, especially as Messrs. Joubert and Twopeny sold the goods in the Colony."

Resolution agreed to *nem. con.*

STAMP DUTIES BILL.

THE ATTORNEY GENERAL (Hon. A. C. Onslow), in moving the second reading of the Bill to repeal the existing Stamp Act, and to re-enact the provisions thereof with amendments, said it would be unnecessary for him to enter into any lengthy remarks on the subject. The Bill, as hon. members were aware, had been referred to a Select Committee of the House, who had gone very carefully into it, and proposed some very important amendments—chiefly of a technical character, so far as the Bill itself was concerned—but, as regards the schedule,

very practical ones. In a word; the law had been simplified, and the duties imposed under it had been more equitably adjusted. The most important amendments suggested by the Select Committee related to the following matters: the cancellation of instruments by the first person signing the same, or by a solicitor or notary public present at such execution, in lieu of the provisions contained in the 10th section of the existing Act of 1881—which required all parties concerned to do so; the compulsory remission of penalties in cases where the Colonial Treasurer or any other sub-collector of revenue is satisfied there was no intention to defraud; the cancellation of stamps by the Treasurer or any sub-collector, on production of the instrument within two months after execution, on payment of a fee of 2s. 6d.; the imposition of a duty upon the transfer or assignment of a lease of any lands (not excepting Crown Lands), letters of hypothecation of bills of lading, and liens on wool; and the exemption from duty of wills and testamentary dispositions, and receipts of Friendly Societies for money paid to such societies by any of their members. It would be found that the existing duties had in some instances been reduced by the suggested amendments, and that, under several heads, they had been more than equivalently increased. The general result, however, would be that the amount of revenue to be collected under the Act would not be materially affected, while at the same time the incidence of taxation would be more equitably adjusted. He now begged to move its second reading.

Motion agreed to.

Bill read a second time.

BRANDS ACT AMENDMENT BILL.

On the Order of the Day for the further consideration of this Bill in Committee,

Mr. BROWN moved the following new clause:—"It shall be lawful for any owner of sheep making application for an earmark for sheep to register a mark or marks in each ear as such owner's earmark, and in such case, if he think fit, to register such mark or marks as to be used on opposite ears according to the sex of the sheep to be

"earmarked." The hon. member said he had no wish at this late hour to press the Committee to accept the clause, without further opportunity of considering it, and, as he understood it was the desire of hon. members that its consideration be postponed, he would move that Progress be reported and leave given to sit again on Friday, 8th September.

Agreed to.

Progress reported.

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

LEGISLATIVE COUNCIL,

Thursday, 7th September, 1882.

Eastern Railway: Warehouse accommodation at Chidlow's Well—Goldfields Legislation—Estimates: further considered in committee—Stamp Duties Bill: in committee—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

TEMPORARY WAREHOUSE ACCOMMODATION AT CHIDLOW'S WELL.

MR. SHENTON, in accordance with notice, asked the Colonial Secretary, "What arrangements the Government intend making for the purpose of allowing the public to erect temporary warehouses at the Chidlow's Well Station, on the Eastern Railway." The hon. member said it appeared from the reply given to his question the other day that the final survey of the third section of the line would occupy about eight months, and, after that, there would be the time required for constructing the line—so that it was not likely the railway would be carried through to York in less than about three years from the present time. But he believed the second section would be completed in about nine months hence, and that it was proposed

to have the line as far as Chidlow's Well open for traffic by the 10th of June next; consequently most of those who had business relations with the Eastern Districts would require to erect temporary warehouses at that station. He did not presume that any very large blocks of land would be required for that purpose, and he supposed the Government would be prepared to let sites for warehouses at a mere nominal rental, for the short time they would be required. He thought the Government would act wisely in affording every facility to the public with regard to the erection of these warehouses, as by so doing they would ensure all the traffic of the surrounding districts for the railway.

THE COLONIAL SECRETARY (Lord Gifford) replied, "That after providing for the requirements of the Railway the Government proposed letting sites for warehouses at Chidlow's Well, for (say) three years, with a right of purchase within that period, at a price to be determined."

GOLDFIELDS LEGISLATION.

MR. BROWN moved the adjournment of the House, in order to bring under the notice of the Government the reply given by the noble lord the Colonial Secretary to the question asked, the day before, with reference to goldfields regulations. The hon. member asked whether it was the intention of the Government to introduce a Mining Act during this Session of Council, and, if not, to inform the House under what regulations mining for gold would be prosecuted until such an Act is in force. The reply of the noble lord was that it is not proposed to bring in a Mining Act this Session, as the Governor was advised that under the "general authority of the Crown," he can, in the event of gold being discovered, make such temporary regulations as will meet the requirements of the case. What he (Mr. Brown) wished to point out was that there had been an Act in force for many, many years (17 Vict., No. 17) which in his opinion, and in the opinion of many others, amply met the requirements of the case, without any reference to the "general authority of the Crown." The reply given by the leader of the Gov-