

might see it in print, he would move that Progress be reported.

Progress reported.

The House adjourned at ten o'clock.

## LEGISLATIVE COUNCIL,

*Monday, 25th August, 1879.*

*Postal Service of the Colony—Confirmation of Expenditure Bill: first reading—Forfeiture of Recognisances, Prisoners as Witnesses, Bill: second reading; in committee—Administration of Estates of Deceased Persons—Third Readings—Bankers' Books Evidence, Amendment Bill; in committee—Adjournment.*

THE SPEAKER took the Chair at 7 p.m.

PRAYERS.

### POSTAL SERVICE OF THE COLONY.

MR. CAREY, in accordance with notice, moved the House into Committee of the whole to consider the postal arrangement of the Colony.

#### IN COMMITTEE.

MR. CAREY moved the following resolution: "That an humble address be presented to His Excellency the Governor, praying that he will be pleased to take such steps as may be deemed necessary to place the postal service of the Colony on a more satisfactory footing." The hon. member said the resolution might appear somewhat indefinite, but he did not wish to commit the House to any specific scheme of re-organisation, his sole object being to direct attention to some of the more glaring defects of the existing postal arrangements, with a view to enlist the assistance of the Government to remedy the same. He need not say that it was one of the most important considerations to any community, both socially and commercially, that its postal service should be efficiently and expeditiously conducted, and that every facility should be afforded the

public to reap the advantages of postal communication. He would first of all refer to the *Rob Roy* service, for which the Colony paid £6000 a year in the shape of a subsidy. When the House voted that subsidy, it was clearly understood that it would ensure to the public of this Colony a fortnightly mail service with the sister Colonies, in conjunction with the P. and O. boats; but he thought hon. members would agree with him that this desideratum had not been attained, so far; and though no fault could be found as to the manner in which the service had been carried out as regarded passengers and cargo, it had not proved altogether satisfactory as regards the mails. The hon. member cited instances showing how unsatisfactory the present arrangements had worked, and how little benefit the public derived from them, and said it appeared to him that the contractors were clearly masters of the situation. He did not think the House, when it voted £6,000 a year for this service, contemplated that the contractors should have it all their own way, and that the Government, as appeared now to be the case, should have no power in the matter. His present object, however, was more particularly to refer to the unsatisfactory working of our inland mail service, rather than to the coastal and intercolonial arrangements; but he could not refrain from alluding to the latter subject, which would no doubt be dealt with hereafter, when the motion standing in the name of the hon. member for Toodyay came under the consideration of the House. As to the inland service, he thought every hon. member would admit that the existing arrangements were susceptible of improvement, both as regards speed, increased facilities, and public convenience. He found that the average speed at which the mails travelled was from two to three miles an hour—which must be regarded as snail, rather than mail, speed. In the next place he found that, under existing arrangements, the mails did not dovetail (so to speak) with each other, and, further, that the hours fixed for the arrival and departure of the mails were not such as to meet the convenience of the public; while the stoppages on the roads, especially in connection with the Southern and Eastern districts mail services, were both

unbusiness-like and uncalled for. The mail from Perth to York, left the city at one o'clock in the afternoon on Tuesdays and Fridays, arriving at Guildford some two hours afterwards, the next stoppage being at the Lakes, where it generally arrived about eight o'clock, and where it remained until one o'clock next morning, when it proceeded on to York, arriving at its destination some six hours after leaving the Lakes. The distance from Perth to York was only sixty miles, and yet it took eighteen hours for conveying the mails from one town to another, although they were connected together by a good macadamised road. There was nothing very alarming, he thought, about that rate of speed, especially in these days of railways and telegraphs. The mail from Perth to Newcastle followed suit—same hours of starting and arrival—same detentions—and same time, though the distance was shorter by six miles. The Southern mails, again, arrived at Perth about half-past three p.m. on Tuesdays and Fridays—two and a half hours after the mails for the Eastern districts had been despatched, the result being that the Southern mails were detained at the General Post Office until the following Fridays and Tuesdays, reaching their destination about a week after leaving the South. Having referred to other instances showing how the present postal arrangements worked, and how capable they were of improvement, the hon. member instanced the Perth, Pinjarrah, Beverley, and Vasse service, pointing out not only the delays but the inconveniences that passengers were subjected to travelling by this line. Though leaving Perth at half-past ten in the morning, Pinjarrah was not reached until some uncertain hour—any time between ten at night and one or two in the morning, while it was no uncommon occurrence for passengers to have to get out and walk, so as to enable the horses to pull through. Passengers had even been left waiting hours on the road, while the driver had gone on for fresh horses. The contract time of arrival at Bunbury was four p.m. on Friday; the distance to Busselton was a little over thirty miles, yet the mail cart did not reach Busselton until twelve or one o'clock on Saturday (some twenty or more hours)—averaging, including or-

dinary stoppages, the fearful speed of one and a-half miles per hour. Quindalup, where this service extended to, some twelve or fourteen miles further on, received its mails on Saturday afternoon. Three days and two nights were devoted to cover a distance of less than 160 miles. In rural districts, the hon. member thought the mounted police might be utilised in order to increase postal facilities—particularly with branch mails. As we maintained a very large and expensive police force, whose duties were not very onerous, he thought we might very fairly turn it to some account in this way. A timber station had recently been established at Cape Hamelin in the Vasse district; a large number of men were employed at this station, and it was important that there should be direct and regular postal communication with the district post and telegraph office at Busselton. The police had to visit the station, and the surrounding settlers, as well as the settlement at Augusta, some distance further on—there was no mail service beyond Quindalup—and a great boon, without any cost, would be conferred by the police carrying a mail at stated periods, when on patrol duty. A similar service was required at Yoganup where the W.A. Timber Co. had a large station, the nearest post office being Lockville. No doubt these or any other suggestions which might be made in the course of the debate which he trusted his resolution would elicit, would receive the attention of the Government. If so, the object he had in view in bringing forward his motion would be attained.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said the hon. member for Vasse had evidently taken considerable pains in the preparation of his statement relating to the working of the inland mail service, under the existing arrangements, and had succeeded in putting the matter very clearly before the House. The present was an opportune time for considering the question, from the fact that a number of the existing contracts for the conveyance of mails would shortly expire by effluxion of time. The Government, he might say, had felt the desirability for effecting some alteration in the present arrangements, and His Excellency had already had the matter under his consideration, being impressed

with the necessity for improvement in this direction. Hon. members were of course aware that when increased facilities in the way of postal communication were looked for, that desideratum was generally attained at an increased cost. The Committee, however, might rest assured that the matter would receive the careful consideration—was, in fact, now under the consideration—of the Government, and any suggestions which hon. members might wish to make, with a view to bring about an improvement in the present inland mail system, it was of course quite within their province to make.

MR. SHENTON said it was out of all reason the time now occupied in the conveyance of some of the most important inland mails. There was the mail from Perth to Newcastle: now any hon. gentlemen who had travelled on that road must be aware that the distance could be easily traversed, with a pair of horses, in from eight to ten hours, yet, under existing arrangements, the mail occupied about twenty hours in doing the journey. Mails leaving Newcastle about four or five o'clock on Saturday afternoon were actually not delivered in Perth until ten o'clock on Monday morning, the time occupied from despatching the mail until its delivery being about forty hours, which was simply absurd, bearing in mind, as he had already said, that the distance might be traversed in seven or eight hours. Another matter worthy of consideration in dealing with this subject was the very inconvenient hour at which these mails were closed and despatched at the General Post Office—inconvenient not only to commercial people and to the general public, but also to the officials employed. He would suggest, with a view to remedy this, that the mails should be closed either in the evening, or first thing in the morning. If they were closed at 9 a.m., they ought to arrive at their destination by 7 or 8 p.m., the same day; or, if despatched from Perth late in the evening they might reach the Eastern districts early next morning. As to the increased cost, he failed to see that that could be a very large amount, especially in view of the roads being put in a thorough state of repair. The delays now caused by the stoppages on the road were, also, out of all reason, and a

source of great discomfort and inconvenience to travellers. He hoped, now that the matter had been brought under the attention of the Government, some improved arrangements would be carried out.

MR. MONGER called attention to the inconvenience which the settlers in the Eastern districts suffer when the mails from the colonies or from England arrive in Perth an hour or two after the despatch of the inland mail to the Eastern districts. Their foreign letters were often thus detained at the General Post Office from Tuesday morning until the following Friday, or from Friday until Tuesday, and much inconvenience was the result. He thought this might be avoided by telegraphing to the police stationed on the road and at the various towns to meet the mail cart at Guildford, and bring on these foreign mails.

After a pause,

MR. CAREY said: As no other hon. member seems inclined to address the Committee, and in order to give members a further opportunity of considering the subject, and for a scheme to be matured by the Government for submission to the House, I beg to move that Progress be reported and leave given to sit again.

THE CHAIRMAN OF COMMITTEES: Will the hon. member name a day?

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): The hon. member having heard the matter is already under the consideration of the Government, and that it will receive at their hands that attention which it deserves, I think it would be better if he were simply to move to report Progress, without naming any day to sit again.

MR. CAREY: I don't think it would be wise to do that, as I think the House ought to have another opportunity of considering the question, when we gather what the intention of the Government may be. We do not want a repetition of the "red and yellow van" business. The House would like to have something to say with reference to the Government proposals.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) suggested that the matter should be brought forward again when the Estimates were under consideration.

MR. S. H. PARKER hoped the claims of the settlers at Wanneroo would not be overlooked in any reorganisation of the mail service. At present the benighted inhabitants of that region had no means of postal communication whatsoever, nor had they the advantages of telegraph communication enjoyed by more favored districts.

MR. BROWN said no doubt the present rate of speed at which the local mails were conveyed might be doubled, but in doing that they would more than double the rate of expense. Hon. members should not lose sight of that. Of course, if the Government could at a reasonable outlay improve the inland postal service, it would be their duty to do so. The House was informed that the subject was under consideration by the Government, and no doubt their proposals would be submitted to the Council in due course. He could not say, for himself, that he saw any particular reason for attempting to secure much greater rapidity in the conveyance of our inland mails, between the districts referred to. It was a very different matter with the overland royal mail service, where speed was a matter of necessity. It was all very well for hon. members to talk of accomplishing the journey from Perth to Newcastle in seven or eight hours: no doubt, with fresh horses, this might be done, but when they came to use the same horses day after day, the distance could not be so easily traversed as hon. members seemed to think, and certainly not at the lightning rate of speed spoken of.

MR. SHENTON said he did not place so much stress on the rate of speed as on the unnecessary detention of the mails on the roads, and the inconvenient hours at which they were despatched.

MR. CAREY called attention to the claims of the Nicol Bay district to more regular means of postal communication. At present the inhabitants of that important district were entirely dependent on chance coasters for their mails. This and other districts would no doubt be borne in mind by the Government when reorganising the service. Another matter he wished to draw the attention of the Government to was the carrying of the Southern mail, between Pinjarrah and Bunbury, by two different lines of

road, thus necessitating increased expenditure by the Roads Board in keeping two lines open and passable, and putting the country to extra expense by the extra horses the contractor had to allow for in his tender. It would be cheaper and more expeditious to confine the service to the telegraph line. Along the coast road, which is travelled over by the Mondays and Thursdays mail, there was but one settler between Pinjarrah and the head of the estuary near Australind, and the whole distance travelled, was through heavy sand. The telegraph was on the contrary, passed by many settlers' houses, through country, south of Logue's, that would attract settlement, and over a tolerably good road. A branch mail on horseback from either the Brunswick or Bunbury, only a short distance in either case, would entail but small cost, and would meet all reasonable requirements. The country had every confidence in the gentleman who presided over the postal and telegraph department—one whose services were recognised by every member of the House, and of whom he could not speak too highly, as it was well known that he would do all in his power to accommodate the public. It was with no desire to cavil that he brought the subject forward, but to strengthen the hands of the Government by a resolution of the House in favor of an improved postal service, now when so many of the existing contracts were about to expire. Perhaps it would meet the wishes of all parties if he were now to move to report Progress, and ask for leave to sit again.

Agreed to.

#### CONFIRMATION OF EXPENDITURE BILL.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) moved the first reading of a Bill to confirm the expenditure for the services of the year 1878, beyond the grant for that year.

Bill read a first time.

#### FORFEITURE OF RECOGNISANCES— PRISONERS AS WITNESSES—BILL.

MR. S. H. PARKER moved the second reading of a Bill to regulate the forfeiture of recognisances to keep the peace and to obtain the attendance of prisoners

as witnesses in any cause or matter. The hon. member said the Bill was brought in for the purpose of assimilating our own law on the subject with that in operation in the mother country. At present no provision was made in this Colony for the forfeiture of recognisances to keep the peace or to be of good behaviour, and the first clause of the Bill provided that any court of sessions may, upon proof of conviction, and due notice to the parties concerned, declare such recognisances to be forfeited. No provision either was made in our statute book enabling prisoners to be brought up as witnesses at any court but the Supreme Court, and one of the objects of the present Bill was to remedy this, as it was found there were many cases tried in the inferior courts where the presence of prisoners as witnesses was desirable and necessary in the interests of justice. Especially was this the case in the Courts of Quarter Sessions at Geraldton and Albany. The Bill was in some respects a mere transcript of the English Act, and he believed it would commend itself to the favorable consideration of the House.

Bill read a second time, without discussion.

#### IN COMMITTEE.

Clause 1—Court of Session may, upon proof of Conviction and notice to parties, declare recognisances to keep the peace or to be of good behaviour, entered into before such court, or before Justices of the Peace, to be forfeited :

Agreed to.

Clause 2—Limit on detention of persons committed for not entering into recognisances (twelve calendar months) :

Agreed to.

Clause 3—Judge of Supreme Court may issue warrant for bringing up a prisoner to give evidence before any court, judge, justice, or other judicature :

Mr. S. H. PARKER moved the insertion of the words "Police Magistrates," so as to give those functionaries the same power as the judge of the Supreme Court to order prisoners to be brought up as witnesses.

Agreed to, as amended.

Preamble and title—put and passed.

Bill reported.

#### ADMINISTRATION OF ESTATES OF DECEASED PERSONS BILL.

Mr. S. H. PARKER moved the second reading of a Bill to declare the application of the Acts relating to the administration of the estates of deceased persons. The Bill only contained one clause, the object of which was to render more explicit the Acts referred to, more especially with regard to a testator or intestate dying possessed of any land or other hereditaments which at the time of his death might be mortgaged, including any lien for unpaid purchase money.

Bill read a second time, and passed through Committee without discussion or amendment.

#### THIRD READINGS.

The following Bills were read a third time and passed: Divorce and Matrimonial Causes Ordinance, Amendment Bill; Bills of Exchange Bill; and the Railways Act, 1878, Amendment Bill, 1879.

#### BANKERS' BOOKS EVIDENCE AMENDMENT BILL.

##### IN COMMITTEE.

Mr. S. H. PARKER moved a new clause. (*Vide*, p. 101, *ante*.) When the clause was moved the other day, the hon. member for Fremantle moved that Progress be reported in order that hon. members might have an opportunity of seeing the clause, which, on the face of it, appeared an important one, in print.

Clause agreed to, *sub silentio*.

Preamble agreed to, and title (as amended) agreed to.

Bill reported.

#### CELEBRATION OF MARRIAGE BILL.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) in moving the second reading of a Bill to further amend the law relating to the celebration of marriage, said that, as the law at present stood there was little or no obstacle whatever—except such moral restraint as the contracting parties might voluntarily choose to impose upon themselves—to the celebration of bigamous marriages, owing to the ready means and facilities afforded the public for enter-

ing the holy bonds of matrimony. It was also desirable to impose some greater restraint than was at present interposed, in the way of boys and girls who—fired with romantic visions of the bliss of matrimonial life—rushed to the first minister of religion they could find, or went before the registrar, and forthwith, swearing eternal friendship to each other, became man and wife. The object of the present Bill was to put some decent check upon such hasty and precipitate conduct, by interposing some slight obstacles in the way of carrying out any rash intentions. The Bill provided that no marriage shall be celebrated until one of the parties shall have given notice of their intention to enter the bonds of matrimony, to the District Registrar, stating the name, and profession or condition of each of the parties intending marriage, the dwelling place of each of them, and the time during which each had resided there. Such notice must be given at least seven days before the date fixed for the marriage. The District Registrar, on receiving this notice, would be forthwith required to post a copy thereof in a conspicuous place in his office, and also to enter a true copy thereof in a book to be called "The Marriage Notice Book." This book, it was proposed, should be open at all reasonable times, without fee, to all persons desirous of inspecting the same, and any person whose consent to a marriage is required by law would be empowered to forbid the celebration thereof, by writing the word "forbidden" opposite to the entry of the notice of such marriage in the book referred to. In the event of no one doing this, the Registrar would, on payment of a shilling, be required to issue a certificate to the parties intending marriage, and no marriage could be lawfully celebrated until such certificate was produced to the minister or the District Registrar celebrating the marriage. It was also provided that these certificates, once obtained, would be void unless the marriage were celebrated within three months from the date thereof. He begged to move the second reading of the Bill.

MR. S. H. PARKER moved, as an amendment, that the second reading of the Bill be made an Order of the Day for Wednesday, as members had only that

moment had a copy of it placed in their hands.

This was agreed to.

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

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## LEGISLATIVE COUNCIL,

*Tuesday, 26th August, 1879.*

The business transacted was of a mere formal character, and elicited no discussion. [*Vide* "Votes and Proceedings," p. 81.]

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## LEGISLATIVE COUNCIL,

*Wednesday, 27th August, 1879.*

Personal Explanation—Importation of goods by the lessees of Lapepede Islands, free of duty—Discrepancies in Expenditure Statement—Privileges granted to Pastoral Leaseholders—New Bills—Confirmation of Expenditure Bill—Secret Bills of Sale Bill—Message (No. 5): Volunteers—Scab-in-Sheep Bill: recommitted—Celebration of Marriage Bill: second reading—Transfer of Land Act, 1874, Amendment Bill, 1879: second reading—Registration of Births, Deaths, and Marriages Bill: second reading; third reading—Adjournment.

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

PRAYERS.

## PERSONAL EXPLANATION.

MR. BROWN: I rise to take a course which I think is somewhat objectionable,—to move the adjournment of the House; but I trust that the reasons I shall give for doing so will be considered