

further, but that was a question of detail that could be settled in committee. It might be a question whether it would be advisable that surveyors should not be allowed to recover payment at all unless they were duly licensed under this Act. The bill did not go that far at present, but, so far as he was concerned, as the head of the survey profession—and he believed he expressed the views of all duly qualified surveyors in the colony—he did not care how stringent they made the bill. It would be in the interest of all qualified surveyors that only qualified men should be allowed to practise, and he also thought it would be in the interest of the general public. Some hon. members might think that any surveyor licensed under this Act, being duly qualified, and having passed the Board of Examiners, should also be allowed to practise under the Land Transfer Act; but, to enable that to be done, it would be necessary in the first place to alter that Act, because under that Act the Commissioner of Crown Lands alone was the person authorised to license surveyors to practise under it. For his own part he did not advocate that all surveyors licensed under the present bill should also be entitled to practise under the Real Property Act. In all the other colonies there was a distinction made between an ordinary licensed surveyor and a surveyor licensed under the Real Property Act. The latter was supposed to have had a greater local experience and to be a more trustworthy surveyor than the man who had only just been licensed. In all the other colonies, young men who had served their apprenticeship could be licensed as surveyors, but they had to serve for some time longer before they could get a license under the Real Property Act, which was a grade higher. With the view of ensuring qualified surveyors to work under the Land Transfer Act, he had framed a set of rules which were somewhat stringent. For instance, a licensed surveyor coming here from the other colonies had to serve a year here before he could get licensed under that Act, and a surveyor here had to serve two years before he could qualify under the Act. Following the custom of the other colonies, he thought that, for the present at any rate, a distinction should be made between persons duly qualified

to do ordinary survey work and those who were fit to be entrusted to practise under the Land Transfer Act. With these few words explanatory of the provisions of the bill, he now moved its second reading.

Motion put and passed.

Bill read a second time.

EXCESS BILL, 1885.

Read a third time and passed.

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

LEGISLATIVE COUNCIL,

Thursday, 1st July, 1886.

Medical Officer, North District (Mr. Warburton)—
Wines, Beer, and Spirits Sale Act, Amendment of
—Chinese Immigration Bill: first reading—Pearl
Shell Fishery Special Revenue Bill: second reading
—Designs and Trade Marks Act, 1884, Amendment
Bill: in committee—Geraldton-Greenough Railway
Bill: in committee—Cossack-Rochbourne Tramway
Bill: in committee—Eastern Railway, Spencer's
Brook-Norham Branch Bill: in committee—Mes-
sage (No. 3): Forwarding Draft Land Regulations
—Message (No. 4): Prohibition of Importation of
Stock from the Straits Settlements—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

MEDICAL OFFICER, NORTH DISTRICT
(MR. WARBURTON).

MR. GRANT said he had heard it stated that although a considerable salary had been paid to the gentleman who was now acting as medical officer in the North District (Mr. Warburton), the gentleman in question was not a qualified practitioner. He thought it was very important that a district like the North District should have a properly qualified medical man, so that the lives of the residents should not be jeopardised. If the present officer was not a qualified man, the sooner the better the Government ob-

tained a qualified man. In accordance with notice, he wished to ask the Acting Colonial Secretary the question standing in his name:—

1. Does the Government recognise Mr. Warburton as Medical Officer in the North District, in place of Dr. O'Meehan?

2. Does Mr. Warburton draw the same salary as Dr. O'Meehan did?

3. Is the Government satisfied with Mr. Warburton in the execution of the duties appertaining to a Medical Officer, and is he, Mr. Warburton, a duly qualified Medical Officer?

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith) replied:—

The Government does not recognise Mr. Warburton as Medical Officer in the North District, in place of Dr. O'Meehan.

The Government, being unable to secure the services of a duly qualified Medical Officer for the North District, appointed Mr. Warburton, on the recommendation of a competent medical authority, to act as Dispenser at the hospital at Roebourne, and so, to some extent, to mitigate the inconvenience arising from the absence of a Resident Medical Officer.

Mr. Warburton draws the same salary that Dr. O'Meehan drew.

Mr. Warburton is not a duly qualified Medical Practitioner, but has studied medicine. The Government is not satisfied that Mr. Warburton can perform the medical duty of the Roebourne District as fully and efficiently as a qualified Medical Practitioner, who will be appointed when obtained. There are now several medical posts vacant in this Colony, and the Government has for some time, but without success, been endeavoring to fill them, either from England or the Eastern Colonies.

The Crown Agents will now be further requested to advertise in the *Lancet* newspaper, and to inquire diligently through private agencies, in order that, if possible, duly qualified medical officers may be sent out from England without delay to fill the vacant posts.

WINES, BEER, AND SPIRITS SALE ACT; AMENDMENT OF.

MR. PARKER, in accordance with notice, asked the Honorable the Acting Attorney General, whether the Government intended proposing any amendment

to the Wines, Beer, and Spirit Sale Acts during this session, in order to render it possible to legally grant licenses in the North and Kimberley Districts? His object in asking the question was to ascertain whether it was proposed to make some provision which would enable people in those remote districts applying for licenses to do so without the necessity of complying with all the requirements of the present Act. He was sure that the Acting Attorney General must be fully aware that in the absence of any newspapers at the North it was impossible for applicants for licenses to comply with the provisions of the Act as to advertising and giving the necessary notices, fourteen days prior to the application being made. It was very evident that this could not be done, say, at Cambridge Gulf or on the goldfields, where it would be almost impossible to comply with several provisions of the Act. He had occasionally seen advertisements inserted in the papers published at this end of the colony, referring to applications for licenses in the North—he believed he saw one that very morning, applying to Cambridge Gulf—but, in ordinary cases, applicants could not possibly comply with all the statutory requirements, and, unless those requirements were observed, any licenses granted by magistrates would be granted illegally. He had no doubt that the hon. and learned gentleman opposite, having had his attention drawn to the subject, would be prepared to meet the difficulty, and the Government had some remedy to propose, with a view to facilitate the issuing of licenses in these districts.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt): I may say that this question has been brought under the notice of the Government already. It is a fact that by some means or other people in the North District—I am speaking now of the North District only—have for many years past accomplished the purpose of the Licensing Act, and found some means of giving the notices which the Act requires to be given; and, I take it, it is no greater inconvenience now to comply with the requirements of the Act at Cambridge Gulf, with the present facilities for communication, than it was some years ago at Roebourne or Cossack. How the necessary notices were given, I

am not at present in a position to say, but I presume they were given, otherwise the licenses would not have been issued. My answer to the hon. member's question is this: The Government have not lost sight of the subject alluded to by the hon. member for Perth, and may possibly find it necessary to propose some legislation this session in the direction alluded to. I may also add that there are questions relating to these districts that may possibly need some legislation, with regard to notices and other matters of detail, and the Government are endeavoring to consider all these points.

CHINESE IMMIGRATION BILL.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt), in accordance with notice, moved the first reading of a Bill to regulate and restrict Chinese immigration.

Motion agreed to.

Bill read a first time.

PEARL SHELL FISHERY SPECIAL REVENUE BILL.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt), in moving the second reading of a bill to consolidate and amend the law relating to the pearl shell fishery special revenue, said the measure had been introduced by the Government, he might say, in consequence of very urgent representations that had been made through the officers engaged in the discharge of the duties connected with the carrying out of the present law on the subject on the pearling grounds on the North-West coast. It would be in the recollection of the House that last session some reference was made to this subject by, he thought, the hon. member for the North, who pointed out that pearling boats fitting out from this colony at Fremantle, Cosack, or other ports were rather handicapped by reason of having to pay duty upon all the goods and stores consumed by their crews while engaged in pearling, whereas strangers coming here from other parts to prosecute the same industry were enabled to get their stores and provisions free of duty; and it had been represented to the Government that, in justice to our own pearlers and in justice to the colony itself, foreign vessels should

in this respect be placed on the same footing as vessels fitting out in our own ports, and that all vessels should be compelled to pay duty in this colony, according to the Tariff Act, upon the stores and provisions consumed on the pearling grounds. It was a matter rather of some interest, and possibly of some little intricacy at first, to devise some method by means of which this should be accomplished. A ready means seemed to be pointed out by the Acts already in force relating to the pearling industry which required a vessel's paper to be deposited with the licensing officer before a pearling license was obtained. That seemed to those who had represented the matter to the Government and who were advising the Government to be a ready means of getting at these vessels for the payment of these duties; and, therefore, it would be found that the present bill provided that before a license shall be granted to any vessel for pearling it shall be necessary, as a condition precedent, that all duties leviable upon the stores and provisions on board should be paid. It was proposed to levy these duties upon all the dutiable goods on board, with the exception of any diving dresses or diving gear connected with such dresses. It was not proposed to levy any duty upon these things, but all other goods, stores, or provisions on board would be chargeable. Therefore, it was now proposed that when a vessel came from Port Darwin, or from Singapore, or any foreign port, to prosecute the pearling industry on the coast of this colony—which vessel had cleared out of such ports without having paid any duty upon the stores on board—should, before she obtained a license, pay duty here. Another source of some anxiety had been in connection with the replenishing or revictualling of these foreign boats, employed on the pearling grounds, by other vessels that might bring them stores and provisions from ports outside this colony. He was given to understand that this was a practice that was constantly resorted to,—that was to say, a schooner or some larger vessel, or possibly a steamer, might come to the pearling boats and supply them with stores and provisions without coming into any port in this colony at all. To meet this difficulty, the bill, it would be seen,

provided that a ship for the purposes of this Act shall be deemed to be used and employed in the pearl shell fishery, if (*inter alia*) she be used as a place for the storing of uncustomed provisions for the victualling of persons engaged in the fisheries, or for supplying such persons with provisions, or if any uncustomed provisions, goods, or merchandise be unladen from her into any boat used or employed in the fisheries. Such a vessel would therefore come under the provisions of the Act just in the same way as the pearling boats engaged in the prosecution of the industry, and the goods on board her would in the same way be chargeable with a duty, and she would be subject to the same penalties. Hon. members would thus see that two of the difficulties that had presented themselves were sought to be met in this way. The bill also consolidated the provisions of the two Acts which had existed for some years relating to these fisheries, so that there would now be only one Act dealing with the whole subject. In the two Acts which the present bill consolidated, it appeared that the Licensing Board consisted of the principal officer of Customs at Cossack. He thought it was very necessary now that there should be more than one Licensing Board or officer for issuing licenses. For instance he took it that they required one at Derby and possibly at Cambridge Gulf; and it would be better, to his mind, if instead of having this one man at Cossack acting as "the Licensing Board," they should make provision for the appointment of other licensing officers; and the present bill gave the Governor power to make such appointments. It had also been represented to the Government that some further power should be given to the Inspector of Pearl Shell Fisheries, who might have reason to suspect that any boats were hanging about the pearling fleet for the purpose of taking away shells without paying any duty, and conveying them to some of the Dutch islands, such as Sourabaya—which, he believed, were easily got at, for that purpose. It was believed that a considerable quantity of shells were removed in this surreptitious manner, and the revenue defrauded. Now seeing that the export duty upon these shells was something like £4 a ton,

it was worth collecting, and, being a pretty heavy duty, it was to be expected that in order to evade it some men would resort to such tricks as he had referred to. In order to meet this difficulty, the 14th and 15th clauses of the bill sought to empower the Inspector of Fisheries, whenever he suspected that pearl shells were being taken away without payment of duty, by an unlicensed boat, to stop such boat and to bring her into port, and proceed against the owner; and ultimately, the boat, unless the penalties were paid, would be forfeited. It was also sought to empower any officer of Customs, or any officer in charge of a revenue vessel (which would include the Inspector of Fisheries) to hail any of these vessels, when within the waters within our jurisdiction, in order to bring such vessel to, and if the signal was not obeyed, it would be competent for the justices to order the master of the vessel to forfeit and pay a penalty not exceeding £100, and also to disqualify him from ever afterwards obtaining a license under this Act. Power was also given to the proper officers under the Act to search all suspected boats, and if they were satisfied or suspected that the vessel was contravening the law to bring her into port. These provisions might appear somewhat stringent, but the House must recollect that if these duties were to be collected and fraud stopped and the revenue protected, the measures taken to that end must necessarily be somewhat severe. No one who acted honestly and straightforwardly would be hurt by these provisions, which would only press severely upon dishonest persons, who he did not think were entitled to any sympathy. With these few remarks he had to move the second reading of the bill.

The motion was adopted, *sub silentio*.

Bill read a second time.

DESIGNS AND TRADE MARKS ACT, 1884, AMENDMENT BILL.

This Bill passed through committee without amendment or discussion.

GERALDTON-GREENOUGH RAILWAY BILL.

This Bill was passed through committee without comment.

**ROEBOURNE-COSSACK TRAMWAY
BILL.**

This Bill passed through committee without discussion.

**EASTERN RAILWAY: SPENCER'S
BROOK-NORTHAM BRANCH BILL.**

This Bill was committed, and a verbal alteration made in the schedule.

Preamble and title agreed to.

Bill reported.

**MESSAGE (No. 3): DRAFT LAND
REGULATIONS.**

THE SPEAKER announced the receipt of the following message from His Excellency the Governor:

"In the 7th paragraph of the Speech with which he opened the Session, the Governor referred, as follows, to the proposals which had been made for the amendment of the Land Regulations of the Colony:—

"I have carefully considered the draft 'Land Regulations which were before Your Honourable House last Session, and I shall suggest to you some modifications of the proposals of your Committee, chiefly in the direction of a less rigid restriction from sale of the lands in the outer districts of the Colony. Other alterations of importance have occurred to me, and should you consider, after mature deliberation, that a comprehensive change in the system of dealing with Crown Lands is required, I shall be prepared to act with you in the direction indicated, in representing the matter to Her Majesty's Government.'

"2. In accordance with the statement thus contained in his Speech, and in accordance also with the request made by Your Honourable House in Address No. 43 of last Session, the Governor herewith transmits a draft code of Land Regulations, for the consideration of the Council.

"3. The draft Regulations, while expressing their purpose with sufficient clearness, would require some further settlement by the law officers before being promulgated, nor could they be brought into force until assented to by Her Majesty's Government. The

"Schedules to the Regulations have not yet been drafted.

"Government House, Perth, 1st July, 1886."

The consideration of the message was made an order of the day for Monday, July 5th.

**MESSAGE (No. 4): PROHIBITION OF
STOCK IMPORTATION FROM THE
STRAITS SETTLEMENTS.**

THE SPEAKER notified the receipt of the following message from His Excellency the Governor:

"In reply to Address No. 3 of the Honourable the Legislative Council, dated the 29th ultimo, the Governor has the honour to inform the Council that, in accordance with their wish, a Proclamation has been issued prohibiting the importation of horned stock into this Colony from the Straits Settlements and the Dutch East India Islands.

"Government House, Perth, 1st July, 1886."

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

LEGISLATIVE COUNCIL,

Friday, 2nd July, 1886.

Salary of Inspector of Mineral Lands—Numerical Return of Electors in each district—Re-opening of certain PEARLING BANKS—Message (No. 5): Forwarding correspondence with Mr. Carr-Boyd with regard to the discovery of Kimberley Goldfield—Opium Duty Bill: in committee—Legislative Council Act Amendment (Increase of Members) Bill: second reading—Third Readings—Licensed Surveyors Bill: in committee—Adjournment.

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

PRAYERS.

**SALARY, INSPECTOR OF MINERAL
LANDS.**

MR. WITTENOOM, in accordance with notice, asked the Honorable the Commis-