

Bill reported, with amendments.
Sitting suspended for lunch.

PEARL SHELL FISHERY REGULATION BILL

In Committee.

Resumed debate.

Clauses 6 to 11 agreed to.

Clause 12—

Mr. LOGUE asked for some explanation as to what was intended to afford protection against heat. He could quite understand provision being made to protect the Aborigines engaged in the industry from cold, but in regard of heat he would wish to know whether it was proposed to supply the natives with parasols. (Laughter.)

The ATTORNEY GENERAL (Hon. H. H. Hocking) replied that the object of the clause was to protect the natives from injurious climatic effects, but he did not contemplate that the masters of vessels should provide every nigger on board ship with an umbrella to protect him from sunstroke.

Clause agreed to.

Clause 13—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved to strike out the words "in the North District" in the second line.

Amendment agreed to.

Mr. MARMION moved to strike out the words "in such District," in the third line.

Amendment agreed to.

Clause, as amended, agreed to.

Schedule A—

Mr. LOGUE moved to strike out the word "each," before the word "day," and insert the word "per" in lieu thereof.

Amendment agreed to.

Schedule, as amended, agreed to.

Schedule B—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved in the first line, after the word "constable," to insert the words "or one of the persons appointed to ensure the carrying out of 'The Pearl Shell Fishery Regulation Act, 1873.' "

Amendment agreed to.

Schedule, as amended, agreed to.

Preamble agreed to.

Title agreed to.

Bill reported, with amendments.

The Council adjourned at 2.15 p.m.

LEGISLATIVE COUNCIL,

Friday, 18th July, 1873.

Mr. James Manning: Address to Governor—Paper Tabled—Tariffs: in committee—Masters and Apprentices Bill: first reading—Supreme Court Ordinance Amendment Bill: motion for second reading: Speaker's ruling.

The SPEAKER took the Chair at 6 p.m.

PRAYERS.

MR. JAMES MANNING.

Address to Governor.

The COLONIAL SECRETARY (Hon. F. P. Barlee) announced that the Address to the Governor, adopted on Wednesday, the 16th instant, relative to a grant of £150 to Mr. James Manning, had been reported to His Excellency, who had been pleased to accede to the same.

PAPER TABLED.

The COLONIAL SECRETARY (Hon. F. P. Barlee) laid on the table an extract from a letter from Mr. E. A. Von Bibra to the Colonial Secretary dated the 10th July, 1873, relative to sinking two wells between the Murchison and Shark's Bay.

TARIFFS.

In Committee.

Mr. MARMION asked for leave to move the articles in his motion *seriatim*, item by item. He said that the motion which stood in his name was one of great importance, involving as it did the vexed question of freetrade v. protection; but the subject was so well-worn, and had been discussed so often in that House, that he considered it quite unnecessary to dilate at any length upon it. Doubtless hon. members had made up their minds as to how they would record their votes, and nothing that could be further said, *pro* or *con.*, would alter their opinions, or change their intentions to vote for or against the resolution. As, however, it was possible that some hon. members might object to all the articles contained in schedule 1 and in the other enumerated table being added to the free list, and yet be prepared to vote in favor of the duty now imposed on some particular article, or articles being removed, he would, with leave of the House, move that each article be taken into consideration separately.

Mr. LOGUE said the hon. gentleman would be out of order in moving the articles separately.

Mr. MARMION had no desire to press his amended motion, except with the leave and approval of the House.

After some further conversation, the amendment was put, "That leave be given to amend the resolution," upon which a division was called for, the result being as follows:—

Ayes	7
Noes	8

Majority against	1
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Ayes.	Noes.
The Hon. F. P. Harlee	Mr. Hassell
Sir Thomas Cockburn	The Speaker
Campbell	Mr. Padbury
Mr. Pearce	Mr. Monyer
Mr. Bickley	Mr. Dempster
The Hon. M. Fraser	Mr. Russell
The Hon. H. H. Hocking	Mr. Logue (Teller.)
Mr. Marmion (Teller.)	

Amendment thus negatived.

Mr. MARMION moved that it is desirable that the Articles below enumerated, which are now subject to an *ad valorem* rate of duty of 10 per cent., be placed on the free list, and that the articles also enumerated and subject to the specific import duty named be also placed on the free list; and that an humble address be presented to His Excellency the Governor, praying that he will cause a Bill to be introduced to give effect to the vote of the House:—

SCHEDULE 1.

Subject to *Ad valorem* Duty ten per cent.

Anchors, Anvils.
 Carriage, Dray, and Waggon Springs,
 Mountings, Trimmings, and Iron Fittings.
 Chains, and Chain Cables.
 Cheese Presses.
 Copper and Composition Rod, Bolts,
 Sheathing, and Nails.
 Crab Winches, Cranes, Capstans, and
 Windlasses.
 Felt for Sheathing.
 Foot-Rot Specific.
 Forges and Forge Backs.
 Gas Pipes, Machinery and Material for
 construction of Gas Works.
 Lime Juice, unsweetened.
 Machinery for Hay and Wool Pressing.
 Slabs, inscribed, for Monuments.
 Rope above 3 inches.
 Sail Cloth.
 Scab Specific, Allen's Sheep-dipping
 Specific.

Ship's Blocks and Flags.

Tarpaulins.

Theodolites.

Watch Movements.

Wire Rope for Ships.

Wire and Silk for Flour Dressing
 Machines.

No. 2.—SPECIFIC DUTIES.

Bran and Pollard	20s. per ton.
Butter	3d. per lb.
Cheese	2d. per lb.
Corn and other Grain	6d. per bushel.
Hay	20s. per ton.
Meal	20s. per ton.
Potatoes	10s. per ton.
Provisions, Salted, Dried, or Preserved, including Fish	2d. per lb.

He said it was a positive disgrace that some of the articles enumerated in schedule 2 could not be obtained for love nor money in a colony like our own; and that though it might be contended by the advocates of protection that the scarcity was not attributable to the prohibitive duty imposed on those articles, it must be admitted that a protective tax had in some measure, at any rate, contributed to the present dearth and scarcity. The suffering of the poor animals of the dumb creation consequent upon that scarcity was pitiable, and the unfortunate owners were at their wits' end to provide them with such food as would keep them from starvation. Such a state of things was, he repeated, a disgrace to the colony, and he trusted that the Council would not allow it to continue.

Mr. LOGUE said he was exceedingly sorry both for the poor animals and their unfortunate owners. He accorded them his pity, he gave them his tear, but he could not give them his vote.

Mr. PADBURY said if the House proposed to enter into a discussion on the question involved in the resolution he would at once make up his mind to sit throughout the night, and as for himself he was quite prepared to do so. But probably the best plan would be to divide at once.

Question put, "that the motion be agreed to," upon which a division was called for, the result being as follows:—

Ayes	8
Noes	7

Majority for	1
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Ayes.	Noes.
Mr. Russell	Mr. Logue
Sir Thomas Cockburn-	The Speaker
Campbell	Mr. Hassell
Mr. Pearse	Mr. Padbury
Mr. Bickley	Mr. Dempster
The Hon. M. Fraser	Mr. Monger
The Hon. H. H. Hocking	Mr. Steere (Teller.)
The Hon. F. P. Barlee	
Mr. Marmion (Teller.)	

Question thus passed.

Mr. BUSSELL: I mean to say, gentlemen, that I did not understand the purport of the question put to the House.

Mr. STEERE: I think if the hon. member gave his vote in a manner which he did not intend, it is quite competent for the Speaker to rule that his vote should be recorded on the other side.

The matter, however, was not pressed, and the Ayes were declared to have it. On the House resuming, and the Speaker taking the chair,

Mr. MARMION moved the adoption of the Committee's report affirming the resolution.

Mr. STEERE opposed the adoption of the report.

Question put, "That the report be adopted," upon which a division was called for, the result being as follows:—

Ayes	8
Noes	7
Majority for	1

Ayes.	Noes.
Mr. Russell	Mr. Steere
Sir Thomas Cockburn-	Mr. Hassell
Campbell	Mr. Carey
Mr. Pearse	Mr. Padbury
Mr. Bickley	Mr. Dempster
The Hon. M. Fraser	Mr. Monger
The Hon. H. H. Hocking	Mr. Logue (Teller.)
The Hon. F. P. Barlee	
Mr. Marmion (Teller.)	

Question thus passed.

MASTERS AND APPRENTICES BILL.

First Reading.

The ATTORNEY GENERAL (Hon. H. H. Hocking), in accordance with notice, moved for leave to bring in a Bill to declare the law relating to masters and apprentices.

The Bill was read a first time.

SUPREME COURT ORDINANCE AMENDMENT BILL.

Motion for Second Reading.

Mr. LOGUE, in moving that the Bill be now read a second time, said he was desirous of stating plainly the reasons which had induced him to bring forward the measure. It might appear somewhat Quixotic for a private

member to introduce a Bill of such importance; but for some time past there had been a feeling abroad that the relations which existed between His Honor the Chief Justice and one of the learned practitioners of the court were such as should not be tolerated. The subject was an extremely delicate one and in bringing it forward he was anxious to impress the House that he was actuated by no personal feeling in doing so; nor, indeed, was he under the belief that the Bill would be passed, or, if it were adopted by the House, that His Excellency would assent to it. His sole object in bringing the Bill forward was to elicit an outspoken expression of opinion, from the most independent members of that House, as a demonstration of the feeling prevalent on the subject in the districts which they represented. That being obtained he was in hopes that such an expression of opinion would induce the Government to bring forward such a measure affecting the regulation and constitution of the Supreme Court as would be satisfactory to the country. No doubt it would appear extremely hard that any barrister of that court should be debarred from the exercise of his profession in this colony so long as the present learned Chief Justice presided over the Court; but it would be observed, on reference to the Bill, that it was not contemplated that the Act should come into operation before the first day of January, 1874, and should only continue in force so long as there was only one judge of the Supreme Court in this colony. This would afford ample time for the Government to introduce a measure to alter the constitution of the court; and in the mean-time it was not proposed to debar any practitioner from the legitimate success of his profession under the existing regulations affecting that Court. The hon. member, as a precedent that might be well taken into consideration, then alluded to a somewhat analogous case which occurred in the Mauritius in 1869, where the barristers of the Supreme Court petitioned the Governor for redress, and appealed to His Excellency to adopt such measures as he might deem expedient to remedy the evils complained of. The difference between the state of affairs complained of at the Mauritius and the existing state of things in this colony, was, that on that island there were three judges presiding over the Supreme Court, whereas in this colony we had but one, which of course aggravated the evil, if such existed. Sir Henry Barkly, the Governor of Mauritius, referred the memorial to a committee composed of the unofficial members of Council only, and His Excellency in his minute put the matter before the commission very fairly, and something to this effect:—That undoubtedly the

then existing state of things was unsatisfactory, although he was not prepared to say that any malpractices had occurred. But the very fact of His Excellency proposing a remedy for it indirectly showed that he admitted the evils complained of. In introducing the present Bill, he (Mr. Logue) would wish it to be understood that he had not the remotest intention of casting any aspersions upon His Honor the Chief Justice of this colony, nor upon the learned barrister between whom and His Honor the close family connexion and association had given rise to that feeling which was abroad, and which had induced him (Mr. Logue) to introduce a Bill in order to obtain an expression of opinion from the House upon it. Having said that, he would now formally move the second reading of the Bill.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said that if he had any desire to show the utter inconsistency of the hon. member who had just sat down he would have endeavored to do so merely by quoting the words he had just uttered. He (the hon. member for Geraldton) had come there that evening (and he had the face to tell that honorable House so) with a measure which he did not believe would be adopted, and which if adopted by the Council would not be assented to by the Governor; and he had just informed the House that his only object in bringing the Bill forward at all was, not to pass it, for he admitted that he did not want it to be passed, but simply to elicit an expression of opinion from some of the most independent members of the House—and were they not all independent members? He (the Colonial Secretary) hoped they were, and that one and all were actuated by an earnest desire to contribute to the progress and prosperity of the colony; the avowed object of the hon. member in bringing forward his Bill was, not to pass it, not even to ask the House to pass it, but merely to elicit an outspoken expression of opinion as to the necessity for some change in the constitution of the Supreme Court. If this was consistency, he would like to know what the word meant. He had, the other day, sought to bring forward certain resolutions which tended to show that the Government was perfectly alive to the feeling that had been alluded to—and that it might be necessary to extend the provisions of the Supreme Court Ordinance, and to facilitate the hearing of appeals; but he altogether deprecated any discussion on the question before the House. He would endeavor to show the proper way in which the matter ought to have been submitted to the Council, and he would be astonished if, after what he had to say, his proposition did not meet with the approval of the House. Had he, when the hon.

member asked for leave to bring in the Bill, been aware of its nature, he would have felt it to be his imperative duty to oppose the motion for its introduction, and he would tell hon. members the reason why,—because he thought it was derogatory to that honorable House, derogatory to the hon. gentleman himself that he should ask that honorable Council to do that which would be an act of injustice, or to do anything which would in the remotest degree cast any aspersion or reflection upon the unsullied purity of the administration of justice in this colony. He would ask whether the very tenor of the Bill before the House had not that tendency? As soon as he was made aware of the nature of the measure, he had taken such steps as appeared to him necessary in order to bring the matter before the House in a proper manner, and with the view of preventing a discussion which would be derogatory to the self-respect and dignity of that honorable Council. To that end he had brought forward several resolutions, affirming what, in his opinion, appeared to be the proper course for the House to pursue in dealing with such a matter; but, unfortunately, it was ruled by his Honor the Speaker that he was out of order in then bringing forward those resolutions, and he had, of course, been obliged to bow to that decision. They were, therefore, now called upon to discuss the matter; but, with a view of again as far as possible preventing any debate which would be derogatory to the dignity of the House, he would ask hon. members to pause before entering upon a discussion of that nature, especially when he would show that the Government were perfectly alive to the feeling to which allusion had been made, and that it might be necessary, at some time or other, after careful and mature consideration, to further regulate the constitution of the Supreme Court. He thought one of the most important principles that should govern the discussions of that honorable House was that nothing should be said, no charges should be levelled, or no imputation cast upon people who were not present to defend themselves. If there were any accusations to be brought against any public functionary there was a proper way to bring forward such accusations; and it was quite competent for any hon. member to submit to the notice of the Government anything connected with the Public Service. He would challenge any hon. member or any colonist, who had ever brought under the consideration of the Government any grievance or wrong, to deny that such hon. member or colonist had not been met with courtesy, civility, and an anxiety to meet his wishes, and a desire to investigate any

matter connected with the Public Service. And he maintained that that was the proper course for any hon. member to adopt who might deem it desirable for any reasons to suggest revisions in the constitution of the Supreme Court. In pursuing such a course he would have been cordially met by the Government, on whose part there was not the slightest desire to interpose any obstacles in the way of such a revision as the exigencies of the times might render expedient. If there was a feeling abroad—and he did not deny the existence of such a feeling—that some revision of the constitution of that court was necessary, and that greater facilities for appeal from the decision of the one learned judge who presided over it should be provided, a reference to the resolutions which he had proposed to submit to the House would have shown any hon. member very clearly that the Government were perfectly prepared to admit the desirability of such a change being effected. His Excellency had been quite aware that a feeling of that nature was abroad, and it might be asked, such being the case, why some steps had not been taken to bring about the desired change. He would tell them;—because His Excellency the Governor, and he believed every hon. member in that House, knew perfectly well that the judicial proceedings of the Supreme Court always had been and always would be, so long as it was presided over by the present learned judge, conducted with the most punctilious decorum in every sense of the word, and in strict adherence with all those rules that govern the conduct of such courts elsewhere; and it had been solely with the view of saving the public purse that no steps had been taken to make provision for the appointment of an additional number of judges and for the constitution of a Court of Appeal. He knew, from conversations which he had had with the learned gentleman who presided over the Supreme Court, that no man in this colony felt the grave responsibilities of his position more deeply than did the learned judge himself, and no man would more thoroughly rejoice if other means than now exist were provided to enable suitors aggrieved at his decisions to appeal therefrom to another court. But, if any revision of the Supreme Court of Judicature was contemplated, the proper and dignified course to bring about that revision should be resorted to, which was certainly not the case in regard to the Bill before the House, which imputed dishonorable motives—he did not say directly, but indirectly—to the learned functionary who presided over the court; and which directly sought that honorable House to do an act of injustice to a practitioner of

that court. It was utterly unfair to the persons concerned that the House should be asked to affirm a measure which in its operation would simply be unjust and cruel—a measure such as he believed had never before in any Legislative Assembly in this world been introduced for affirmation, nor ever would be again. If, as he had already said, it was desirable to make certain alterations in the constitution of the Supreme Court—and he did not deny that it might be desirable—those alterations must be done on purely public grounds, setting aside all private and personal matters in connection therewith; and then only after the most careful and mature deliberation, and with the aid of the best obtainable advice. Certainly nothing should be attempted in that direction at a time when there had been an effort made, on the part of some people who were labouring under the hallucination of imaginary grievances,—simple and purely imaginary—to stir up a feeling of public excitement. In the resolutions which he had proposed to submit to the House the other day, he had brought forward for affirmation principles which had been affirmed in many other countries, and, among others, in the very place alluded to by the hon. member in support of his Bill, but where the circumstances of the case, though in some respect somewhat similar to our own, were yet, on the whole, very dissimilar. The resolutions he had then desired to submit to the House were to the effect that any measure affecting the constitution or regulation of the Supreme Court should make provision for the appointment of two puisne judges and for the constitution of a Court of Appeal; that such an arrangement would not only be satisfactory in its nature but would enhance the dignity and authority of the Supreme Court of Judicature, which it was the desire of that Council and the intent of Her Majesty's subjects in this colony to uphold; and that any measure affecting the constitution of that court, or regulating it, should be prepared and brought forward by the Government or by the accepted leader of a party avowedly ready to take office as responsible Minister. Those resolutions, taken together, simply affirmed the principle on which he conceived that a matter of that kind ought to be undertaken and carried out. He was not going to state that it was the intention of the Government to bring forward a measure of that nature; he had merely sought the affirmation of the House that such was the proper course to adopt by the Government and the public in dealing with a question of that kind. No doubt it would be an improvement to appoint two puisne judges and to constitute a Court of Appeal, but such

arrangements would involve very considerable expenditure, and it was deemed advisable and necessary before committing the colony to any increased expense to see whether some saving could not be effected in other directions; and that question, he need not tell the House, would be taken into the consideration of the Government after what had occurred. But that it should be done hurriedly, and without mature deliberation, that it should be done consequent upon the feeling of excitement which persons with imaginary grievances had endeavored to stir up, must not be looked for. It was needless for him to say that any attempt on the part of a private member of that House to carry out such a measure, without the concurrence of the Government, would be futile. He would ask hon. members, who, he presumed, were conversant with the practice of other Legislative Assemblies, whether any measure of such a nature had ever been brought forward or carried by any private member. When it was deemed advisable that such a Bill should be introduced the usual course adopted was to ask the Government if it was intended to introduce a measure of that nature, and if the reply was in the negative, and that the Government had no such intention, then some ex-minister on the other side, or the leader of the Opposition, would intimate his readiness to bring forward such a Bill and to accept the responsibilities of office. A secondary object of the resolutions he had prepared for the affirmation of the House was that we should endeavor to assimilate our parliamentary practice with that obtaining in similar assemblies elsewhere, and that we should not attempt to do here what was not done anywhere else. That, however, as he had just stated, was merely a question of secondary consideration; his primary object in bringing forward the resolutions was to prevent that honorable House from lending itself in any way to cast any reflection, however indirectly, on the administration of justice, to asperse the character of a learned judge than whom no man in the colony less deserved aspersion, and directly,—and not indirectly—to do an act of cruel injustice towards a practitioner of the Supreme Court. The last resolution he had wished to bring forward was to the effect, that that House, having regard to its own self-respect and dignity, declined to consider a Bill the sole result of which would be either to debar one learned gentleman from the legitimate exercise of his profession in this colony, or, as an alternative, to oblige the Chief Justice to resign, no charge or imputation upon either of those gentlemen having been ever made or investigated. The

object of that resolution was merely to prevent any discussion which would be derogatory to the dignity of the House; and he might again add that he would be very sorry indeed if the present discussion was allowed to go on any farther. He would ask any hon. member whether he would affirm a Bill of that nature, and which would have that effect if adopted? He had no desire for one moment to dictate to the House what course should be pursued in this or any other matter; but in his jealousy for the honor of the Council, he did deprecate a course of procedure which would not only be undignified and disrespectful, but would hold up that honorable House in a light in which no member would wish to see it regarded. He would therefore move that the Bill be read a second time that day six months.

Mr. STEERE said the Hon. the Colonial Secretary had deprecated any further discussion on the matter before the House, and though he (Mr. Steere) himself had no intention of occupying the time of hon. members beyond a few moments, he thought that any hon. member of the House who had any feeling on the subject should not hesitate to give an outspoken expression to it. No doubt, whatever, there existed a feeling of uneasiness in the public mind consequent upon the fact of a learned barrister practising in his father's court, and residing in the same house with him, and he did not think it ought to be allowed to continue. The question was—what remedy to provide; and he admitted it was a very difficult question to deal with. He understood the hon. gentleman to say that the Governor had been aware of the existence of this feeling of uneasiness, and that he did not consider it necessary to take any steps in the matter, because His Excellency had such an implicit confidence in the integrity of His Honor the Chief Justice. Although His Excellency entertained that high opinion of His Honor's uprightness, still, if he thought that there existed any feeling of uneasiness in the public mind, steps should have been taken to remove such an impression.

The COLONIAL SECRETARY (Hon. F. P. Barlee): I stated other reasons why His Excellency had taken no steps in the matter.

Mr. STEERE, continuing, said, with reference to the resolution alluded to by the Hon. the Colonial Secretary relating to the appointment of two puisne judges, he did not think the colony was sufficiently prosperous to undertake the expenditure which such appointments would entail, nor was our judiciary work, in his opinion, more than one judge could get through. Two judges would be

no improvement upon the existing order of things, and he thought the colony would, for the present at any rate, give up all idea of a third judge. After what had fallen from the Colonial Secretary, that the Governor and the Executive would take into consideration a remedy for the present state of matters, he thought the House ought to be satisfied.

The ATTORNEY GENERAL (Hon. H. H. Hocking) said that though his hon. colleague had wisely deprecated any further discussion on the Bill before the House, he was anxious to avail himself of the opportunity of expressing a few words on the subject, and, in the first instance, his entire concurrence in the observation that had fallen from the hon. member for Wellington, to the effect that it was the duty of any hon. gentleman having any feeling on the subject not to hesitate to give expression to that feeling. If the representatives of the people had any duty at all, it was that, when they believed there existed an opinion on the part of their constituencies that a reformation of judicial administration was desirable, to give public expression to that opinion. And no one would blame any hon. member who submitted for the consideration of the Government what he conceived to be defects or grievances in connection with the administration of law and equity, so long as he adopted a proper and dignified course in doing so. But no person, looking at the Bill before the House, would contend that the hon. member who had brought it forward had adopted such a course; indeed he had openly expressed his conviction that he did not expect the House to adopt the Bill, and that all he wished was to afford hon. gentlemen an opportunity of airing their notions on our system of judicature, and to record their wishes for producing a remedy for what he considers existing defects in the administration of justice in the Supreme Court of the colony. It would have been quite competent for the hon. member to have brought forward the matter in the form of an Address to the Governor, as had been the course adopted in the Mauritius case, and without introducing into that honorable House a Bill which, while it professed to provide for the due and efficient administration of justice, and also to ensure the fullest confidence amongst Her Majesty's subjects in this colony that justice was administered without favor or affection, at the same time contained an open insult from the Supreme Court of Judicature as at present constituted. The Bill which the hon. member had submitted to the House not only did that, but also imposed pains and penalties upon a learned practitioner of the court, upon whom

not the slightest aspersion or imputation had ever been cast. Why, then, he would ask, was that learned gentleman to be disbarred—not by the ordinary authority, which in England would be one of the Inns of Court, and in this Colony His Honor the Chief Justice; but to be disbarred by a special Act of Parliament, and that, too, when it was acknowledged by the hon. member who had brought forward such an Act for the affirmation of the House, that not one word of complaint had ever been uttered against the practitioner whom it was sought to disbar? It was impossible not to see that the only object in inflicting this penalty, and thereby virtually almost ruining that learned gentleman,—the only effect of the Bill then before the House, was through him to vent the spite not only of the hon. member himself but of the House.

Mr. LOGUE rose to order. He said the hon. and learned gentleman had attributed to him an intention which he had never expressed, nor which the Bill warranted him in attributing.

An explanation was offered and,

The ATTORNEY GENERAL (Hon. H. H. Hocking) said he would withdraw the word "spite," but he meant to say that the object of the Bill before the House was to stab the learned Chief Justice by ruining his son, who was acknowledged to be perfectly innocent of any malpractices, or of any conduct which would cast the slightest aspersion upon his character. It was also admitted on all hands that His Honor himself was above suspicion, and no attempt had ever been made by imputation or otherwise to cast any reflection upon his uprightness and high sense of justice. Having endeavored to show in its proper light the true character of the Bill before the House, he called most earnestly upon hon. members to oppose the motion for its second reading, for he felt sure that the affirmation of a measure of such a nature would be degrading to the character and derogatory to the dignity of that honorable House, as well as most prejudicial to the interest of the Court which it was avowedly the object of the Bill to support.

Speaker's Ruling.

Amidst cries of "Divide", and after a somewhat acrimonious discussion on a point of order being raised by Mr. LOGUE, the SPEAKER ruled that no call for a division could be made until a question was before the House, and Mr. Marmion, who had called for a division, was therefore out of order.

Mr. LOGUE asked for leave to withdraw the Bill.

Bill, by leave, withdrawn.

The Council adjourned at 7.30 p.m.

LEGISLATIVE COUNCIL,

Monday, 21st July, 1873.

Concessions of Land: select committee report—Trespass Act, 1872, Amendment Bill: first reading—Law and Parliamentary Library Bill: first reading—Shipping and Pilotage Ordinance Amendment Bill: first reading—Wells between Murchison and Shark's Bay: in committee—Mr. George Phillips: in committee—Sugar Production: in committee—City Band of Hope and Temperance League Hall: in committee—Tide to and Dealing with Estates in Land Bill: motion for first reading: first reading: motion for second reading—Increase of Members in Legislative Council Bill: in committee—Local Revenues in Northern District Bill: third reading—Religious Bodies (Church of England) Bill: second reading: in committee—Pearl Shell Fishery Regulation Bill: third reading—Masters and Apprentices Bill: second reading: in committee.

The SPEAKER took the Chair at 6 p.m.

PRAYERS.

CONCESSIONS OF LAND.

Select Committee Report.

The SURVEYOR GENERAL (Hon. M. Fraser) brought up the report of the select committee appointed to consider and advise on the expediency of making concessions of land to persons who may establish industries in or otherwise benefit the colony.

The report was read.

TRESPASS ACT, 1872, AMENDMENT BILL.

First Reading.

Mr. CAREY, in accordance with notice, moved for leave to introduce a Bill to amend the Trespass Ordinance, 1872.

The Bill was read a first time.

LAW AND PARLIAMENTARY LIBRARY BILL.

First Reading.

The ATTORNEY GENERAL (Hon. H. H. Hocking), in accordance with notice, moved for leave to introduce a Bill intituled an Act to make provision for the establishment of a law and parliamentary library.

The Bill was read a first time.

SHIPPING AND PILOTAGE CONSOLIDATION ORDINANCE AMENDMENT BILL.

First Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee), in accordance with notice, moved for leave to bring in a Bill to alter and extend the provisions of the Shipping and Pilotage Consolidation Ordinance, 1855.

The Bill was read a first time.

WELLS BETWEEN MURCHISON AND SHARK'S BAY.

In Committee.

The COLONIAL SECRETARY (Hon. F. P. Barlee), in accordance with notice, moved that an humble Address be presented to His Excellency the Governor praying that he will sanction the expenditure of such sum as may be necessary to sink two wells on the line of road between the Murchison and Shark's Bay.

Mr. LOGUE opposed the motion which, after a few remarks in support of it by Mr. PADBURY, was negatived.

Question put and negatived.

MR. GEORGE PHILLIPS.

In Committee.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that, in accordance with a suggestion made by His Excellency the Governor, a sum of £50 be voted to Mr. George Phillips for services rendered during the absence of the Colonial Secretary at the Intercolonial Conference and the Sydney Intercolonial Exhibition.

Mr. STEERE and Mr. LOGUE opposed the motion on the grounds of economy and the ample salary received by the officer in question.

The SPEAKER supported the resolution, which was affirmed without further discussion.

SUGAR PRODUCTION.

In Committee.

Mr. PADBURY moved that an humble Address be presented to His Excellency the Governor, praying him to grant a sum of £250 to be awarded to any one person producing the first five tons of marketable sugar from either the cane, the planter's friend, or sugar beet; to be the produce of any one season; from the 1st January, 1874, and to stand good for five years.