

continue such grants to the Volunteers. He quite approved of the Volunteer movement, but not to the extent that every man who joined it should become entitled to a free grant of land in any part of the Colony, at the expense of the Revenue.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said he would support the resolution before the Committee very cheerfully, because in reality in offering these men grants of land we were offering them no boon. He observed by the next resolution on the paper that it was proposed to offer them other inducements to enlist, by increasing the capitation grant, by allowing them an adequate sum to cover the cost of their uniform, and otherwise offering encouragement to the men to join the movement, and to render the force more efficient. He regarded the Volunteer movement a wholesome and admirable one, tending as it did to divert our young men from mischief, and in the case of any outbreak, providing the Colony with a trained band of defenders. In Tasmania, within the past few weeks, the local Volunteers had proved themselves of real service in suppressing disorder, caused by the public action of some wretched fanatic, and necessitating Mr. Weld, the Governor, to call out the Volunteers at Hobart Town to preserve order among the community.

The resolution was then agreed to.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) then moved—
 “3rd.—That with the view of offering to Volunteers an adequate inducement to enlist, and the present capitation grant being found insufficient to meet the expenses to which they are now subjected, the capitation grant shall be raised from £1 to £1 10s. for men who have served for 2 years, and to £2 for those who have served 4 years and over. Also that the Government be empowered to pay to each Volunteer a sum of money (not exceeding £4) sufficient to cover the cost of his uniform. And further that the Government be empowered to give annually a sum of money not exceeding £100 to be spent in prizes for the purpose of encouraging shooting.”

MR. SHENTON asked how often it was proposed to pay £4, to cover the cost of their uniform?

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) presumed the intention was only to do so on the first occasion of the men joining.

Progress was then reported, and the Committee agreed to sit again for the further consideration of the Message on Wednesday.

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

LEGISLATIVE COUNCIL,

Tuesday, 12th August, 1879.

Gun License Bill: motion for second reading—District Roads Boards Audit Bill, 1879: second reading; in committee—Seab-in-Sheep Bill, 1879: second reading; in committee—Railways Act Amendment Bill, 1879: in committee—Customs Ordinance, 1860, Amendment Bill, 1879: in committee—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

GUN LICENSE BILL.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) moved the second reading of a Bill to enact that no person shall use or carry a gun unless duly licensed in that behalf. The Bill, he might say, was brought forward by the Government on the representation made by some members of the House that it would be desirable to substitute a measure of this character for the present Game Laws. On the one hand it was regarded desirable to prevent the wanton and wholesale destruction of game, and on the other hand to place some check on the unguarded use of firearms, more especially by youths, who, if the Bill became law, would not be able to indulge in their sporting proclivities unless they could muster enough spare coin to pay for a license to carry a gun. He might also

add that the Bill would prove a source of revenue, though possibly not to any very great extent. The Government had no particular wish to force the measure on the House, and would not be adverse to a modification of its details when in Committee. At present he believed the Game Laws were operative only within a radius of ten miles from town, and probably it would be as well to limit the application of the present Bill in like manner. If the Bill did not pass, the law as to the preservation of game would stand as it is.

MR. MARMION moved, as an amendment, that the Bill be read a second time that day six months. His principal reason for doing so was that the measure was one that would prove most vexatious in its operation—absurdly vexatious, causing no end of annoyances, without any corresponding advantages. The revenue derived from it would be almost *nil*—certainly so in comparison with the annoyance and vexation it would cause. It would operate in a great measure to check a rational means of recreation, now afforded to the public, and the means of recreation were already too limited. It did seem to him a paltry thing in a Colony like this to levy a tax upon guns, which many people kept without perhaps using them once all the year round. As to preventing the destruction of game, it appeared from what had fallen from the hon. gentleman in charge of the Bill that it was not proposed to extend its operation to the country districts, where the destruction of game was mostly carried on. The Bill reminded him of a Peace Preservation Act more than anything else, and the sooner it was got rid of the better.

MR. CAREY, though not prepared to support the Bill as it stood, was still of opinion that some legislation was required in this direction, so long as the provisions of the measure were confined to towns, and its operation did not extend to country districts.

MR. BROCKMAN seconded the amendment, as he regarded the Bill a most unnecessary and vexatious one.

MR. SHENTON would support the motion for the second reading, because he considered that to a certain extent the House was bound to do so, inasmuch as it had been introduced in pursuance of a

recommendation made by a Select Committee, whose report the House had adopted. He thought, however, the provisions of the Bill should be confined to the boundaries of Municipalities.

MR. BROWN said if the object of the Bill was to prevent the wanton destruction of game he would support it; but he understood that if the Bill came into operation it was proposed to abolish the existing Game Laws, and therefore he must hesitate before he gave his adhesion to the measure. He would far prefer the existing Game Laws as now administered to continue in force, rather than that the present Bill should come into operation. He would therefore support the amendment.

MR. HARPER was certainly not prepared to support the Bill if on its coming into force it was intended to abolish the existing Game Laws. He thought it would be very unwise to place anything like a prohibitive check on the use of fire arms in a thickly-wooded country like this. A large quantity of fruit was being destroyed every year by small birds which could not be regarded in the light of "game," and for whose protection there was no necessity for any very stringent regulation. He had noticed in the gardens near the towns of the neighboring Colonies, where there was comparatively little or no timber, that fruit remained undestroyed on the trees much longer than it did here, as the number of birds were less than in a thickly-wooded country like this, where birds would become a great nuisance, and the source of much loss and annoyance to fruit-growers, if the use of fire-arms were stringently checked. Under these circumstances, he felt inclined to support the amendment.

SIR T. COCKBURN-CAMPBELL thought he was correct in stating, from what fell from the Commissioner of Crown Lands, that the Government had no particular wish to press the Bill upon the House, and that it had been introduced in deference to the wish of certain hon. members. So far as he himself knew, he fancied that no Game Laws were required here at all, except perhaps in the neighborhood of Perth and Fremantle, and the centres of population. So far as the district where he resided was concerned, there was no necessity for

such a measure. As to introducing the Bill for the purpose of revenue, it appeared to him that some less objectionable means should be resorted to for that purpose; he thought a direct tax like this would prove very vexatious and very unpopular. In the country, everybody used a gun, and fire-arms were necessarily to be found in every settler's house and in every shepherd's hut, and he thought it would be very hard upon these people if they were precluded from using their guns simply because of the destruction of game going on in the neighborhood of towns, by small boys and others. He felt inclined to support the amendment.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) wished it to be distinctly understood that it was not the Government who had initiated the present Bill. The measure was brought forward in deference to the expressed wish of the House as embodied in a resolution adopted some two or three years ago, and there was no desire at all on the part of the Government to force the Bill upon the House in opposition to the wish of hon. members. It was for them to consider and decide whether it was a judicious measure or not. Possibly if the Bill were committed, its provisions might be modified so as to render it more acceptable to the House, by restricting its application to the centres of population and the immediate neighborhood. The Government were quite prepared to submit to the decision of the House in the matter.

MR. PEARSE was glad to hear the Government had no wish to press the Bill on the House. To his mind it would prove a most vexatious measure, while, as a source of revenue, it was hardly worth consideration. He did not think there were twenty persons in the town where he lived who were in the habit of carrying guns.

MR. MONGER also opposed the Bill. As to the existing game laws he regarded them as an improvement upon the old regulations, but even now he thought it was a mistake to limit their operation to a radius of ten miles from towns. If the object of the laws was to protect native game, their operation ought to extend to those localities where game most needed protection.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said he would oppose the amendment, and for this reason. The Government, it was true, had no particular wish to press the Bill, but at the same time the measure was one that had been brought forward in deference to the expressed opinion of people who professed to know what they were talking about, and the Government honestly believed it would be a beneficial measure.

The House then divided on the motion for the second reading of the Bill, when there appeared—

Ayes	6
Noes	11
Majority against ...			5

AYES.	NOES.
The Hon. G. W. Leake	Mr. Brown
The Hon. M. Fraser	Mr. Brockman
Mr. Carey	Mr. Burgess
Mr. S. S. Parker	Sir T. C. Campbell
Mr. Shenton	Mr. Glyde
The Hon. R. T. Goldsworthy (Teller.)	Mr. Hamersley
	Mr. Harper
	Mr. Monger
	Mr. S. H. Parker
	Mr. Pearse
	Mr. Marston (Teller.)

The motion for the second reading of the Bill was therefore negatived.

DISTRICT ROAD BOARDS AUDIT BILL.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) moved the second reading of a Bill to provide for the preservation of the funds of District Roads Boards. A Bill having the same object in view had been before the House on more than one occasion previously. As late as last Session the matter had been a subject of discussion in the Council, so that the principle of the Bill could not be said to be a novelty to hon. members. The scope and intention of the measure might be conveyed in very few words, the object in view being to render the members of these Roads Boards to some extent liable for the expenditure of the public funds entrusted to their care for disbursement on the roads. At present if a member who had been a party to any unauthorised expenditure resigned his seat on the Board, his liability in respect of such unauthorised expenditure ceased. This it was proposed to remedy, and to render all the members of the

Board who assented to unlawful or unduly authorised expenditure liable, and individually and collectively responsible for any balance found by the auditors against the Board at the annual audit. Provision however was made that any member, not being party or privy to such expenditure, might, by his protest, entered on the minutes, signify his dissent from such expenditure, and be by such protest exonerated from all consequences of such expenditure.

Bill read a second time, without discussion.

Clause 1—"Short Title"—agreed to.

Clause 2: "Whenever the accounts of a Local Board shall, as provided by section thirty-one of 'The District Roads Act, 1871,' be examined by auditors, the said auditors, in auditing the said accounts, shall charge the board with all monies carried over as a balance from the preceding audit, and with all monies which since the preceding audit have come to the hands of the Board, or any clerk or servant on their behalf; and to credit them with all monies which the said auditors shall be satisfied have been lawfully expended for the purposes of the said Act; and with all monies which the said auditors shall find the said Board to have on hand at the time up to which the said accounts have been made up. And the auditors shall sue, in the name of the Local Board, all persons who have been members of the said Board since the next preceding audit, to recover from them or any of them, individually or collectively, any balance which may have been by such auditors found against the Board. Provided that when any money shall have been unlawfully expended by a Road Board, any member present at a meeting of such Board, and not being party or privy to such expenditure, may, by his protest signed by him and entered on the minutes of their proceedings, signify his dissent from such expenditure, and be by such protest exonerated from all consequences of such expenditure."

Mr. PEARSE said it appeared by the wording of this clause that the auditors were to be the judges of what was lawful and what was unlawful expenditure for the purposes of the Act.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) pointed out that the question of whether money had been lawfully expended or otherwise would, in the event of the auditors instituting proceedings to sue any member or members of the Board, be ultimately decided by the Supreme Court. An auditor might conceive this or that expenditure to have been unlawful for the purposes of the Act, but it would be for the Court to say whether in reality such was the case or not. The auditors could only initiate proceedings; they were not to be constituted judges, when the matter came before the Court.

Mr. PEARSE said the words of the clause were "to credit the Board with all monies which the said auditors shall be satisfied have been lawfully expended." Supposing a Board constructed a piece of road which the auditors might not regard as necessary, would the money expended on that piece of road be regarded as having been lawfully expended, if it appeared on the minutes that the Board had duly resolved to have the work done?

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake): Each case must rest on its own merit. There is such a thing as jobbery. There is such a thing as carelessness and recklessness, and this Bill has been introduced with the view of placing some salutary check upon the exuberances and the extravagancies of local bodies entrusted with the expenditure of public money.

Mr. PEARSE thought very few persons would be found to undertake the duties appertaining to membership of these Boards, if they were to be made responsible to the whims of the auditors, and be subjected to an action at law whenever those officers conceived—whether rightly or wrongly—that money had been unlawfully expended.

Mr. S. S. PARKER saw no objection whatever to the provisions of the clause under consideration. Judging from his own experience in connection with Roads Boards, the auditors were not called upon to determine whether this or that piece of road, or this or that culvert, had been a necessary work, but merely to audit the accounts of the Board, and to see that their books were properly kept, so as to afford some check upon the

expenditure of the public money—a very desirable precaution, it appeared to him. So long as the expenditure and the proceedings of a Board were fair and straightforward, he failed to see that they had anything to fear from the auditors.

MR. CAREY said the only thing to his mind that was not clear with reference to the Bill was this: Supposing, for instance, a bridge or a culvert was washed away by a flood, which it would be necessary to replace without delay, and, at the end of the year, when the accounts of the Board came to be audited, it was discovered that the expenditure incurred exceeded the amount voted for the work, would the auditors in that case be empowered to sue the members of the Board who had sanctioned the expenditure?

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said the auditors were merely the persons who put the Act in motion; it was left to the Judge to decide what was unlawful expenditure within the meaning of the statute. It would be impossible to answer the hon. member for the Vasse's question so definitely as to meet every case. The simple object of the Act was to prevent a waste of public money.

MR. CAREY: With that explanation I most cordially support the Bill.

MR. BROWN remembered opposing the original Audit Bill, submitted to the House, which rendered the innocent liable for the sins of the guilty. A very different Bill was now before them, for provision was here made enabling any member who was not a party or privy to any particular expenditure to enter his protest against the same, which would exonerate him from all consequences of such expenditure. The present measure, so far as he could make out, merely provided that the local Roads Boards shall do that which the Act under which they are established requires them to do, namely, expend the public funds in a lawful and honest manner, on the roads of their respective Districts. That being the case, the Bill had his most cordial support.

Clause agreed to.

Preamble agreed to.

Bill reported.

SCAB-IN-SHEEP BILL, 1879.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) moved the second reading of a Bill to amend and consolidate the laws for preventing the extension of scab in sheep. The hon. gentleman said it was felt by the Government that the present Act dealing with this subject required revising, and that there were omissions which it was desirable to supply; and he believed this opinion was concurred in by a majority of hon. members conversant with the subject. His Excellency the Governor therefore ordered a committee to assemble, a committee comprising gentlemen who, from their experience and practical knowledge of the subject, would be able to deal with it in an intelligent and competent manner, among them being some of the official inspectors of sheep. The amendments introduced into the present Bill were for the most part the amendments recommended to be made by this committee, and he believed they were such as would commend themselves to the favorable consideration of the House. It would be unnecessary for him to review the Bill clause by clause, or to point out every alteration that had been made in the existing enactments. The present measure not only amended the laws now in force affecting the subject, but also consolidated them all into one Act—a course which he thought might be advantageously followed with regard to a great many other enactments that now cumbered the statute book. The Bill, among other provisions made, empowered the Government to appoint assistant inspectors where necessary, and also to delegate this power to any Government Resident or Resident Magistrate, such inspectors to hold office during the Governor's pleasure. Increased powers were given to the inspectors to carry out the provisions of the Act, with regard to the issuing of compulsory licenses, and other processes necessary for preventing infection and the extension of disease. For instance, it was made compulsory upon the inspector to see that all sheep were dipped, under certain conditions, and to exercise every care in ensuring the isolation of infected sheep, and, when necessary, their destruction. An alteration was also proposed in the rate of the

yearly contribution for defraying the cost and expense of carrying the Act into effect; and it was further provided that in future all penalties recovered under the Act shall go to the Treasury, and that the inspectors shall not, as at present, be entitled to a moiety of the fine inflicted for any breach of the Act, which, in reality, is offering a premium for not eradicating scab. The more scab the more breaches of the Act, and the more breaches of the Act the more penalties.

Bill read a second time, without discussion.

IN COMMITTEE.

Clauses 1 and 2—"Repeal of Acts" and "Short Title":

Agreed to.

Clause 3—Interpretation Clause:

Sub-Section: "INFECTED SHEEP,—Any sheep actually infected with the disease called scab."

MR. BROWN moved, as an amendment, that this sub-section be struck out, and the following inserted in lieu thereof, as explanatory of the term referred to within the meaning of the Act:—"Any sheep actually infected 'with the disease called scab, or any 'sheep which may have formed part of a 'flock one of which is infected, or which 'has been infected within the next preceding six months, and all infected 'sheep within the aforesaid definition, 'until declared clean:'"

Agreed to.

Sub-section: "SUSPECTED SHEEP,—Any sheep which may have formed 'part of a flock containing infected 'sheep, or which have been in contact 'with infected sheep within the next 'preceding six months, and all sheep 'which may, by an inspector, be reasonably supposed to be infected until declared clean:'"

MR. BROWN moved as an amendment, that this sub-section be struck out, and the following introduced in lieu thereof, as interpreting the meaning of the words "suspected sheep":—"Any 'sheep, other than sheep coming within 'the definition of 'infected sheep' prescribed by this Act, which from having 'been in contact or associated with 'infected sheep' from another flock, or 'from any other cause (although no 'certain indication of infection is observ-

"able on such sheep), may by an inspector be reasonably supposed to be 'likely to become 'infected:'"

Clause 3, as amended, agreed to.

Clauses, 4, 5, 6, 7, agreed to.

Clause 8.—"Every owner shall, within 'three days after he shall have become 'aware of any of his sheep being infected sheep, send in writing by messenger, or through the post or by telegraph, to the inspector of his district, 'and also to the nearest Resident Magistrate, a notice of such infection, with a 'correct account of the infected sheep, 'stating the number thereof, and describing their several marks or brands, and 'precisely defining the localities in which 'they are respectively kept or depastured; And every such owner who 'without reasonable cause shall neglect 'to comply with any of the provisions of 'this section, shall be deemed guilty of 'an offence on every day beyond the said 'three days during which such neglect 'shall continue. And such or any other 'inspector may examine such or any 'other infected sheep, and, on being 'satisfied the same are infected sheep, or 'on being satisfied with or without any 'inspection or examination, irrespective 'of such notice, or in cases where such 'notice has not been received, that any 'sheep are infected, shall issue, as of 'course, to such owner a compulsory 'license to keep any infected sheep for 'the purpose of cleaning the same in 'quarantine:'"

MR. SHENTON thought it would be wise to make some provision with regard to infected sheep forming part of an ewe flock. It would be observed on reference to the 19th clause that all infected sheep were to be branded with the letter S, which, in some instances might unnecessarily deteriorate the value of the fleece. If the infection broke out shortly before lambing, he thought provision should be made for having such sheep tended until they were fit to be dipped. To this end he would move, That after the word "depasture," in the ninth line, the following words be inserted:—"And 'such infected sheep shall be dipped 'within four weeks from that time, provided always that if such infected sheep 'shall form part of an ewe flock, such 'sheep shall be carefully tended until 'they are fit to be dipped.'"

MR. BROWN felt bound to oppose the introduction of these words. Although he admitted there was a great deal in the principle of rendering dipping compulsory, still he thought few members would be prepared to enforce it in all cases throughout the Colony. The inspector under the present Bill would have very wide discretionary powers, and could instruct the owners to dip, or otherwise to have the sheep destroyed, as he (the inspector) thought fit. Plenty of people had not the necessary conveniences for having their sheep dipped within the time prescribed in the amendment of the hon. member for Toodyay—four weeks; and it might be impracticable for them to erect the requisite conveniences within that time.

MR. SHENTON did not think the arguments of the hon. member for Geraldton carried much weight. All sheep-owners should have the necessary appliances at hand for dipping, in the event of infection breaking out among their flock. A stray sheep from an infected flock might cause incalculable damage, which might have been averted had the precautionary measure of dipping been resorted to.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said the amendment was a very good one, no doubt; but it happened to be so loosely worded that it was only what lawyers would call "instructions for amendment"—so loosely worded, in fact, that he was afraid it would be impossible to carry it out. In making these comments, he did not offer them in any unfriendly spirit; but, seeing that the Bill had been prepared by men who were well acquainted with the subject, he thought it inexpedient, at all events, that amendments of this sort should be suddenly proposed in Committee, which might have the effect of throwing the rest of the Bill out of gear. He himself knew as much about scab as he did about the plague; but he could not lose sight of the fact that the present Bill had been framed by men who knew what they were about, and that the disposition of infected sheep had been carefully studied by them. It would be impossible to provide for all contingencies.

MR. SHENTON said, as to the inexpediency of interpolating amend-

ments into the Bill, why, the hon. member for Geraldton, who was one of the framers of the measure, had a whole pageful of proposed amendments on the Notice Paper. It could not therefore be said that the whole subject had been very carefully studied by the framers of the Bill, otherwise there would have been no necessity for all these amendments. He thought he had as much right to propose an amendment to the Bill as any one else.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said there was no doubt of that—no doubt the hon. member had a perfect right to propose any amendment he thought fit; at the same time, the hon. Member must see that the feeling of the House was against the amendment now proposed.

Amendment, with leave, withdrawn.

Clause agreed to, as printed.

Clause 9—"Such compulsory license shall enure for the following periods, or until such earlier period as the sheep shall be 'clean':"

"If issued in the months of May or

"June—for sixteen weeks;

"If issued in the months of July or

"August—for twelve weeks;

"If issued in the month of September—

"for eight weeks;

"If issued in the month of October—

"until the 1st day of December;

"If issued at any time between the

"1st day of November and first

"day of May—for four weeks.

"If such sheep shall not be 'clean' on the expiration of such compulsory license, an inspector may continue such license for a further period of eight weeks upon payment of three pence per head for such sheep.

"If such sheep shall not on the expiration of such eight weeks be 'clean' an inspector may enter on the run and clean the said sheep, by such means as he may think proper; and for that purpose may seize, take possession of, and use all tanks, implements, and medicines on the run."

MR. BROWN moved, as an amendment, that the word "may" in the eighteenth line of the clause be struck out, and the word "shall" be inserted in lieu thereof. He thought the more clear and definite the functions of the inspector were defined, the better it would be.

The clause as at present worded did not render it imperative on the inspector to continue a license in the event of sheep not being 'clean' on the expiration of the term for which such license was originally issued.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) thought the compulsory renewal of a license, in all cases, might prove eminently prejudicial to a neighboring flock. This was a question which appeared to him might safely be left to the discretion of the inspector himself, without introducing the word "shall," in the imperative mood. If an inspector refused to renew a license, or otherwise abused the powers vested in him under the Act, without cause, he would be liable to an action.

Question—That the words proposed to be struck out stand part of the clause—put, when, upon a division, there appeared—

Ayes ... 5

Noes ... 10

Majority against ... 5

AYES.	NOES.
The Hon. G. W. Leake	Mr. Brockman
The Hon. M. Fraser	Mr. Carey
Mr. Burges	Mr. Hamersley
Mr. Glyde	Mr. Hardey
The Hon. R. T. Goldsworthy (Teller.)	Mr. Harper
	Mr. Monger
	Mr. S. H. Parker
	Mr. S. S. Parker
	Mr. Shenton
	Mr. Brown (Teller.)

The amendment was therefore carried.

MR. BROWN then moved as a further amendment that the following words at the end of the clause be struck out. "If such sheep shall not on the expiration of such eight weeks be clean, an inspector may enter on the run and clean the said sheep, by such means as he may think proper: And for that purpose may seize, take possession of, and use all tanks, implements, and medicines on the run." He thought this was putting too much power in the hands of the inspectors. They had already rendered it imperative upon the inspector to continue a license, on certain conditions.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) thought it would be unwise to take from the inspector the power to enter upon a run,

if at the expiration of the term of the renewed license the sheep were not yet 'clean.' It was not proposed to render it imperative on the inspector's part to do so, but he did think he ought to be vested with a discretionary power in the matter.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) moved that Progress be reported, and leave obtained to sit again on Wednesday.

Ordered.

RAILWAYS ACT, 1878, AMENDMENT BILL, 1879.

IN COMMITTEE.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) moved the following new clause: "When any person whose land is taken, entered upon, or used in pursuance and by virtue of the provisions of this Act, or whose land is resumed, entered upon, or used for the purpose of a railway, as provided by section sixteen of the said Act, is under any disability or incapacity, the compensation in respect of such land shall be assessed by the Master of the Supreme Court, who shall have all the powers of an arbitrator in ordinary cases." The hon. gentleman said the necessity for introducing a clause to this effect was pointed out to him by the hon. member for Toodyay, who when the House was in Committee on the Bill the other day, moved to report Progress. The necessity for some such provision as this was obvious. Land might be resumed for railway purposes belonging to persons laboring under a disability or incapacity to comply with the necessary provisions relating to compensation. This would happen in the case of the owner of the land being a married woman, or a lunatic, or happening to be on the seas; and it would be obviously impossible, except by a recourse to some expensive legal process, to have the rights of such persons protected. The clause which he now moved to introduce met this difficulty, by giving power to the Master of the Supreme Court to assess the amount of compensation in respect of the land belonging to persons lying under any disability or incapacity. This was no new power to invest in that officer, as he

was often called to assess damages in equity.

Progress was reported at this stage, and leave given to the Committee to sit again on Wednesday.

CUSTOMS ORDINANCE, 1860, AMENDMENT BILL, 1879.

IN COMMITTEE.

MR. SHENTON said, when the House was in Committee on this Bill the other day, Progress was reported in order to afford the Attorney General an opportunity of introducing a clause, reducing the time within which a bonding entry could be passed at the Custom House after a ship's arrival. The hon. gentleman not having done so, he (Mr. Shenton) would now move a new clause to that effect. Under the old Customs Ordinance, a bonding entry could not be passed until seventy-two hours after a ship had been entered at the Custom House: it was now proposed to reduce that period to twenty-four hours. The new clause which he proposed to introduce was as follows: "That the time mentioned in the second sub-section of the 33rd Victoria, No. 10, for the delivery of the goods therein referred to, be reduced from 72 to 24 hours."

Question—put and passed.

Preamble agreed to.

Title agreed to.

Bill reported.

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

LEGISLATIVE COUNCIL,

Wednesday, 13th August, 1879.

Cost of Survey, Eastern Districts—Withholding of Grants to Roads Boards for 1879—Sale of Poisonous Drugs—New Bills—Correspondence with Justices of the Peace as to performance of duties—Removal of Guano from Laccapelles by Lessees or Licensees—Third Readings—Scab in Sheep Bill: further considered in committee—Adjournment.

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

PRAYERS.

COST OF SURVEY, EASTERN DISTRICTS RAILWAY.

MR. MONGER, in moving for a return showing the total cost of the railway survey now in progress from Guildford to York, with the names and duties of all those employed on the survey, said his object in doing so was to ascertain the expenditure already incurred in connection with this work, and to discover whether there was any necessity for employing so many surveyors. Some time ago he offered his services to the Government, to render what assistance he could—and he believed he was as conversant with the country to be traversed as any man in the Colony, having been over it scores of times, and knowing every yard of the country; he had, some time ago, in the belief that he would be able to save the Government a great deal of time, trouble, and expense, offered his services as a guide to the survey party, and had the Government condescended to accept those services, he believed they would have had no reason to regret it, and was sure they would have lost nothing by it. But his offer was treated with silent contempt. On a subsequent occasion, when the survey party came to York he offered to meet them at the Seventeen Mile Gully, and guide them across the country in that locality; but this offer was likewise treated with the same contempt as the previous one.

The returns asked for by the hon. member were laid on the Table.

WITHHOLDING OF GRANTS TO ROADS BOARDS.

MR. BROCKMAN, in accordance with notice, moved "That the House do now resolve itself into a Committee of the whole, to consider the motion standing in his name."

Agreed to.

IN COMMITTEE.

MR. BROCKMAN, in moving a resolution to the effect that in the opinion of the House the district Roads Boards had been needlessly prevented by the Government from performing the necessary repairs to the roads of the Colony during the past portion of the year, said: I do not purpose to trespass at any great length upon the patience of the House, but I would like to refer to the action