

to force the owners of property in it to pave their footpaths, because they did not require them paved; but you might get the owners of two-thirds of the property in that street—which might be a very short street—to agree to do it because it might suit them, though it might be very inconvenient to the owners of the remaining third, as a pavement might be of little or no use to them, and it might be an inequitable thing to compel them to pave. It was curious legislation, where you could get so many citizens to do a thing, to be able to force the remainder to do the same.

Mr. SHENTON pointed out that the same principle was in force with regard to fencing: unless the owners of the property fenced it, when called upon to do so, the Municipal Council stepped in and fenced it themselves, charging the owner with the cost.

Mr. HENSMAN said he had no wish to oppose the bill, but he thought it ought rather to be left to the people themselves, in their own interests, to pave, if they thought it necessary. It was a question whether it was not putting too much power in the hands of Municipal Councils in out-of-the-way places.

Mr. MARMION thought the bill itself was rather a liberal one, and he did not think property-owners would have cause to complain, if they could get the front of their premises paved at half cost. He thought it was only fair that when two-thirds of a street had been paved, the rest should for the sake of uniformity, and the appearance of the street itself, be paved.

Mr. A. FORREST said he should vote against the bill, for this reason—that it was intended to compel the owners of land, in Hay Street chiefly and parts of St. George's Terrace, to pay half the cost of putting down a pavement in front of their premises, whether they wanted it or not. It might answer very well for owners of large premises, but there were many small proprietors who could ill afford it. He thought the bill might in these cases inflict a great deal of hardship, by compelling a man to do what he might feel he had no necessity to do, and which would be of no benefit to him.

The motion for the second reading was then put and passed.

The House adjourned at a quarter to four o'clock, p.m.

## LEGISLATIVE COUNCIL,

*Friday, 6th April, 1888.*

Responsible Government: Mr. Parker's Resolutions: Adjourned Debate—The Question of a Constitution Bill—Message (No. 13): Restrictions on the Importation of Stock—Beverly-Albany Railway Contract Confirmation Bill: third reading—Municipal Footpaths Bill: in committee—Appropriation Bill, 1888: motion for second reading—Adjournment.

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

PRAYERS.

RESPONSIBLE GOVERNMENT: Mr. PARKER'S RESOLUTIONS.

ADJOURNED DEBATE.

[*Vide p. 268 ante.*]

RESPONSIBLE GOVERNMENT: Mr. HENSMAN'S RESOLUTIONS.

[*Vide p. 273 ante.*]

THE QUESTION OF A CONSTITUTION BILL: Mr. VENN'S RESOLUTIONS.

[*Vide p. 274 ante.*]

MESSAGE (No. 13): RESTRICTIONS ON IMPORTATION OF STOCK.

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

"Referring to the existing restrictions "in the importation of Stock from places "beyond the Australian Colonies, Tasmania, and New Zealand, the Governor "has the honor to enclose, herewith, for "the consideration of the Honorable the "Legislative Council, papers showing the "action recently taken by the other Colonies in this matter.

"The Governor would be glad to know whether Your Honorable House considers that the Government of this Colony should relax the existing prohibitions, and, if so, to what extent."

"Government House, 6th April, 1888."

#### BEVERLEY-ALBANY RAILWAY CON-TRACT CONFIRMATION BILL.

Read a third time and passed.

#### MUNICIPAL FOOTPATHS BILL.

The House went into committee for the consideration of this Bill.

Clause 1—Short title:

Agreed to.

Clause 2—"Whenever a footpath between two streets within the limits of any Municipality has been, or may hereafter be paved for two-thirds of the length of such footpath, whether continuously or otherwise, the Council of such Municipality may complete the paving of such footpath throughout its entire length, and may recover from the owner of any lands abutting on such footpath, and along the frontage of which lands such pavement may be so completed by the Council, one moiety of the expenses of paving such frontage or any portion thereof."

THE ATTORNEY GENERAL (Hon. C. N. Warton) said he had an amendment to propose, which was rather a technical one than otherwise. When the bill was read a second time he pointed out that the expression "between two streets" was rather an awkward one, inasmuch as it might happen that a footpath coming under the provision of this Act might abut at one end on a road, and not a street, and difficulties might arise. Sometimes, too, perhaps there might be a difficulty in deciding whether a thoroughfare was a street or a road; and, in order to make provision for either contingency, he moved that the words "a footpath between two streets," in the first line, be struck out, and to insert after the word "Municipality," in the third line, the words "a footpath whereof the extremities abut at either end on a street or road." He thought that would read better.

Mr. SHENTON said he had no objection to the amendment.

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

Clause 3—Expenses recoverable summarily:

Agreed to, *sub silentio*.

Clause 4—Re-enacting sections 80 and 81 of the Municipalities Act, 1876:

Mr. SHENTON said that through some mistake these two sections were repealed when they were passing the Public Health Act, and, as it was necessary to restore them, it was thought it might be done in the present bill. They related to the penalties for obstructing any officer of the Council, carrying out the sanitary provisions of the Act, and for disobedience of the Act.

THE ATTORNEY GENERAL (Hon. C. N. Warton) said he observed that the preamble to this section set forth that the clauses in question were "inadvertently" repealed. He thought it was well not to cast reflections. In reality, this was a reflection upon themselves. He moved that the word "inadvertently" be struck out.

Agreed to.

Some other verbal amendments having been made, the clause, as amended, was put and passed.

Preamble and title:

Agreed to.

Bill reported.

#### APPROPRIATION BILL, 1888.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) in moving the second reading of a bill to appropriate the sum of £326,622 1s. 4d. out of the general revenue of the colony, for such services as should come in course of payment during the year 1888, said he need only remark that the schedule of the bill had been prepared in the manner agreed upon last session, showing full details of the votes taken, under each head, when the Estimates were under consideration.

Mr. VENN said he did not know what action the House intended to take with reference to this bill. If allowed to pass through in its entirety, they had no guarantee that the House would be called together again until the end of the year, and consequently no guarantee that the question of Responsible Government would be brought before them. He did not know whether they were likely to have their usual winter session; possibly

the Government might not think it necessary to have another session. He thought if the House took a reasonable and consistent view of the position they would decline to pass this bill, in its entirety, but agree to a portion of the proposed appropriation; so that they might have some guarantee that they should meet there again at some early date, to further consider the Constitution Bill.

MR. SHOLL did not see what was to be gained by refusing to pass this bill, seeing that the money had already been voted: had it been otherwise they might have had some ground for doing so. He did not know whether it was the intention of the Government to bring in an Excess Bill this session. He noticed there had been a lot of unauthorised expenditure; he did not know whether the Government intended to legalise it or not.

MR. HENSMAN thought the hon. member for Wellington need not be afraid but that some of them would appreciate his suggestion that by voting only a portion of this bill they would be sure to be called together again. Moreover, he did not see why they should pass this Appropriation Bill until all the other important business had been disposed of. There was a good deal of important business yet, and it might become a question whether they ought to vote the whole of the bill, or only a portion of it—which was the only power they could exercise. They could not call themselves together when they chose; that was in the hands of the Governor, who might be influenced by the Secretary of State, and they might not meet again until towards the end of the year, unless they kept their hands upon this Appropriation Bill. In the present state of the House (many hon. members being out of the House) he would move that the debate be adjourned.

MR. MARMION said if there was no immediate necessity for it, he saw no reason to oppose the second reading of the bill. There were other stages to come.

MR. LAYMAN said he should support the adjournment of the debate on this occasion. It appeared they had but little to do next week, and the House might be in a better tune on Monday.

Question put—That the bill be now read a second time.

THE ATTORNEY GENERAL (Hon. C. N. Warton): I understood there was a motion to adjourn the debate.

THE SPEAKER: It was not seconded. Question negatived.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said he had no wish to force the bill upon the House, but no argument had been brought forward in support of postponing the second reading—none at all. The bill would have had three more stages to go through before it passed—the committee stage, the report stage, and the third reading. He would give formal notice that he should move the second reading of the bill on Monday next.

The House adjourned at a quarter to eleven o'clock, p.m.

## LEGISLATIVE COUNCIL.

*Monday, 9th April, 1888.*

Loan Moneys expended on Geraldton-Greenough Railway—Re-appropriation of Balances of 1884 Loan: in committee—Message (No. 14): Replying to address re Copies of Depositions in Native cases—Message (No. 15): Companies Mining Bill—Message (No. 16): Replying to address containing Resolutions on the subject of Responsible Government—Message (No. 17): Returning the Victoria Public Library Bill for amendment—Message (No. 18): Transmitting Messrs. C. & E. Millar's Cable proposals—Appropriation Bill, 1888: second reading—Relaxation of restrictions on the Importation of Stock (Message No. 13)—Adjournment.

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

PRAYERS.

### LOAN MONEYS EXPENDED ON GERALDTON-GREENOUGH RAILWAY.

MR. HENSMAN, in accordance with notice, asked the Director of Public Works to lay on the table a Return containing full details with dates of the expenditure of loan moneys upon the Geraldton-Greenough Railway, during the year 1887.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) promised