

IMMIGRATION.

Select Committee Report.

Mr. BICKLEY brought up the report of the select committee appointed to take into consideration the best course to be adopted to encourage immigration, and to provide for a periodical supply of labor; and moved, that the same be read.

Question put and passed.

Report read, and ordered to be printed.

TRANSFER OF LAND BILL.

Select Committee Report.

The ACTING ATTORNEY GENERAL (Hon. G. W. Leake) brought up the report of the select committee appointed to consider a Bill based on the principle of the Torrens Land Act; and moved, that the same be read.

Question put and passed.

Report read, and ordered to be printed.

PERTH CITY COUNCIL BILL.

First Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee), in accordance with notice, moved for leave to bring in a Bill to extend the powers of the Perth City Council to construct a drain or conduit from Lake Kingsford to Claisebrook.

The Bill was read a first time.

CONVEYANCE OF ENGLISH AND COLONIAL MAILS.

Mr. STEERE, in accordance with notice, moved the following resolution:—"That in the opinion of the Council it would be conducive to the interests of the colony if arrangements were made for conveying the English and Colonial mails overland from Albany to Perth; and that the Government should endeavor to arrange with the agents or owners of the *Georgette* to confine her operations to the west coast of this colony, accepting a proportionate reduction in her subsidy." He thought the development of the trade and commerce of the colony ought to be studied equally as much as its postal arrangements and believed that the latter would not suffer from a reversion to the former system of conveying our extracolony mails overland, while, on the other hand, the coasting trade would be greatly benefited if the steamer were not, as at present, circumscribed and cramped in her movements through her postal engagements.

Mr. DEMPSTER seconded the resolution.

Mr. BICKLEY thought one of the main objects in establishing steam communication between Fremantle and the port of call of the English and Colonial mail steamers was to bring the colony into closer relation with England and the neighboring provinces by obviating the tedious, hazardous and expensive overland journey from Albany to our centres of population. The motion was suicidal to the best interests of the colony.

The ACTING ATTORNEY GENERAL (Hon. G. W. Leake) concurred, and strongly opposed the resolution, and there was some further opposition from the SURVEYOR GENERAL (Hon. M. Fraser), Mr. CAREY, and other members.

Question put and negatived.

The Council adjourned at 7 p.m.

LEGISLATIVE COUNCIL,
Tuesday, 21st July, 1874.

Geraldton and Northampton Railway—Floating Dock at Fremantle—Jetty at Champion Bay: in committee—Railway to Eastern Districts Survey—Spanish Radish and Scotch Thistle Prevention Bill: first reading—Toodyay Mechanics' Institute: in committee—Transfer of Land Bill: in committee.

The SPEAKER took the Chair at 12 noon.
PRAYERS.

GERALDTON AND NORTHAMPTON RAILWAY.

The COLONIAL SECRETARY (Hon. F. P. Barlee) informed the House that he had received a telegram from Melbourne stating that a contract had been entered into for the construction of the Geraldton and Northampton railway, and that the work would be proceeded with without delay.

FLOATING DOCK AT FREMANTLE.

The COLONIAL SECRETARY (Hon. F. P. Barlee) laid upon the Table of the House a communication from Messrs. J. & W. Bateman, Wm. Wanliss, and Connor & McKay, concerning the construction of a floating dock for the port of Fremantle; and moved, that the same be read.

The correspondence was read by the Clerk.

JETTY AT CHAMPION BAY.

Mr. LOGUE moved that the House do now resolve itself into a Committee of the whole to take into consideration his notice of motion that out of the sum placed on the Estimates for jetties, £1,000 should be granted towards the completion of the jetty at Champion Bay.

Question put and passed.

In Committee.

After some debate, Mr. CROWTHER moved that the motion now under consideration be postponed.

Question put and passed.

RAILWAY TO EASTERN DISTRICTS SURVEY

Mr. DEMPSTER, in accordance with notice, moved that an humble Address be presented to His Excellency the Governor, praying that he will be pleased to direct a thorough examination of the country between Guildford and the eastern districts, in order to ascertain the most desirable and practicable line for a railway.

Mr. MONGER seconded the motion, and briefly supported it.

The SURVEYOR GENERAL (Hon. M. Fraser) reminded the House that this had already been done by a committee appointed at a previous session, and that a preliminary survey of the proposed line of railway was then lying on the table.

After a few words from Mr. PADBURY and Mr. STEERE,

The COLONIAL SECRETARY (Hon. F. P. Barlee) said he thought it was premature to take any further steps in connection with a railway to the eastern districts. In saying this, he had no intention whatever to interpose any obstacle at all in the way of such an undertaking—which he had much at heart; but it was an indubitable fact that at present the colony was not in a position to carry out a work of such magnitude, and involving such expenditure. It was, however, not at all improbable that in a very short time—he did not mean days or weeks, but in the course of a year or two we might be in a position to initiate a system of railways, when the question of a railway to York would have to be taken up in earnest, and a thorough survey of the country would then be undertaken, and the merits and demerits of every available route would be a matter for the consideration of whatever might then be the Parliament of the colony.

Mr. HAMERSLEY supported the motion, and failed to see why it was considered premature to make an examination of the country now, when the same thing was done two or three years ago by a vote of that House.

Mr. BICKLEY, Mr. BIRCH, and Mr. MARMION opposed the motion on the ground that a preliminary survey of a proposed line had already been made, and that it was premature to take any further steps in the matter.

There were some additional remarks from Mr. DEMPSTER.

Question put and negatived.

SPANISH RADISH AND SCOTCH THISTLE PREVENTION BILL.

First Reading.

Mr. CROWTHER, in accordance with notice, moved for leave to bring in a Bill to prevent the further spread of Spanish Radish and Scotch Thistle within the colony.

The Bill was read a first time.

TOODYAY MECHANICS' INSTITUTE.

Mr. DEMPSTER moved that the House do now resolve itself into a Committee of the whole to take into consideration a notice of motion that an humble Address be presented to His Excellency praying that he will be pleased to place upon the Estimates the sum of £100 to enable the members of the Toodyay Mechanics' Institute to complete the building now in the course of erection.

Question put and passed.

In Committee.

After some debate the question was put and negatived.

TRANSFER OF LAND BILL.

In Committee.

Clause 1—

The ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said the measure had been prepared by him under the very rigid supervision of a gentleman to whom the colony was under deep obligation, and who was one of the most highly instructed lawyers in these colonies,—the present Acting Chief Justice (Mr. Hocking). The Bill was drawn up after a most careful perusal and study of the measure from which it was drafted. There was

not a word throughout its numerous clauses and schedules that had not received the most attentive consideration it was possible for any enactment to have had. In going through its various clauses in Committee, he would be glad to afford hon. members every assistance that his attainments and a most careful study of its provisions would enable him to give. They would then see and acknowledge the vast beneficence of its scope and the just simplicity of its principles.

Clause agreed to.

Clause 2—

The ACTING ATTORNEY GENERAL (Hon. G. W. Leake) moved that the blanks be filled up with the words "1st day of July, 1875."

Amendment agreed to.

Clause, as amended, agreed to.

Clause 3: Interpretation of the terms used in the Act—

Mr. LOGUE pointed out that in the Victorian Act from which the present Bill had been drafted the word "transmission" meant the acquirement of the ownership of land, and not, as in the clause under consideration, the mode of acquiring. He would move that the construction put upon the word in the Victorian Act be adopted.

Mr. BURT supported the motion for the amendment.

The ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said even the verbal alteration alluded to had been carefully considered by the framers in preparing the Bill before the House, and he did think it would be prudent on the part of hon. members, upon a mere apprehension of a verbal inaccuracy, not to depart from the conclusions arrived at after the most mature consideration and a careful digest of the whole of the Bill.

Mr. PADBURY said he had obtained the opinion of other lawyers, perhaps quite as clever as those who had prepared the Bill then under consideration, and they had suggested the omission and substitution of other words in the clause under review. In the interpretation of the word "proprietor," for instance, he failed to see the necessity of the words "solely, jointly, or in common with any other person," after the word "owner" in the first line of subclause 2; and the words "or in tail," in the same subclause, had been pointed out to him as surplusage.

The ACTING ATTORNEY GENERAL (Hon. G. W. Leake) was afraid that some

members of the legal profession had set the hon. member for Swan to blow their trumpet, and to be the mouth-piece of their crudities.

Amendment, by leave, withdrawn.

Clause agreed to.

Clauses 4 and 5 agreed to.

Clause 6: Power to appoint a deputy in case of illness—

Some conversation took place as to the necessary qualifications of the Deputy Commissioner of Titles.

Clause agreed to.

Clauses 7 and 8 agreed to.

Clause 9: The Commissioner shall not, nor shall any deputy commissioner, under this Act, unless with the consent of the Governor first had and obtained in writing, with or without limitation, directly or indirectly practice as a barrister, or as an attorney, proctor, or solicitor, or participate in the fees of any person so practising—

The ACTING ATTORNEY GENERAL (Hon. G. W. Leake), inasmuch as the Commissioner of Titles, under the Act, will exercise pre-eminently judicial functions, said it had been thought advisable since the Bill had been printed to omit the words "unless with the consent of the Governor first had and obtained in writing, with or without limitation," and he would move that they be struck out.

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 10 to 13 agreed to.

Clause 14—debate ensued.

Clause agreed to.

Schedules 1 to 16 agreed to.

The last schedule—

The ACTING ATTORNEY GENERAL (Hon. G. W. Leake) moved that the words "seventeenth and" be inserted before the words "last schedule."

Amendment agreed to.

The last schedule, as amended, agreed to.

Preamble agreed to.

Title agreed to.

Bill reported, with amendments.

The Council adjourned at 3.45 p.m.