

Government House, shall not exceed £500 per annum; and that the decision of this Council shall be conveyed to the Right Honorable the Secretary of State for the Colonies"—said he wished the motion to stand over until next session. It was therefore discharged from the notice paper.

ESTIMATES (REVISED), 1888.

On the order of the day for the consideration of the report of the committee of supply,

THE CHAIRMAN reported that the committee had considered the Estimates, and had passed resolutions granting supplies amounting to £326,622 1s. 4d.

The report was adopted.

RESPONSIBLE GOVERNMENT: MR. PARKER'S RESOLUTIONS.

ADJOURNED DEBATE.

[Vide p. 236 ante.]

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

LEGISLATIVE COUNCIL,

Thursday, 29th March, 1888.

Volunteer Vote for Easter Encampment: How expended—Appropriation Bill, 1888—Responsible Government: Mr. Parker's Resolutions: Adjourned Debate—Introduction of a Mining Bill—Beverley-Albany Railway Contract Confirmation Bill: in committee—Victoria Public Library Bill: third reading—Municipal Footpaths Bill: second reading—Adjournment.

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

PRAYERS.

VOLUNTEER ENCAMPMENT VOTE: HOW EXPENDED.

MR. SHOLL, in accordance with notice, asked the Colonial Secretary to lay on the table a return showing—

1. Particulars of the sum of £161 unexpended out of the Volunteer

Vote for Easter Encampment, on the 1st January, 1887, as shown in Suspense Account.

2. Particulars of the sum of £156 expended out of the £200 provided on the Estimates for 1887, for the same purpose.

The hon. member said his reason for asking for these particulars was that inasmuch as there was no Easter Encampment last year it would be somewhat interesting to know how this money was spent.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said the return asked for would be furnished as soon as it was prepared.

APPROPRIATION BILL, 1888.

Read a first time.

RESPONSIBLE GOVERNMENT: MR. PARKER'S RESOLUTIONS.

ADJOURNED DEBATE.

[Vide p. 260 ante.]

A MINING COMPANIES ACT.

MR. SCOTT, in accordance with notice, moved as follows: "That an humble address be presented to His Excellency the Governor, praying that he will be pleased to cause a bill to be introduced into this House, as early as possible, drawn mainly on the lines of the Companies Mining Act of Victoria, 1871." It must, he said, have come under the notice of the Government that important transactions entailing the expenditure of a good deal of money were sent to Melbourne owing to there being no Mining Act in this colony. If such an Act were in force here, money would come to this colony instead of going to Victoria, and it would give a great stimulus to mining transactions.

THE ATTORNEY GENERAL (Hon. C. N. Warton) said that the Government realised the importance of this measure being passed at an early date, and if the House would sit again a fortnight after next Wednesday, the bill would be printed and ready for their consideration.

MR. MARMION hoped that the non-liability clauses in the Victorian Act would be included in the bill to be drafted.

Mr. CONGDON thought that the House should sit later in order to get this important bill through.

Mr. SHOLL said it was important to get this bill through at as early a date as possible.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said that the Government would agree to bring in the bill as desired.

The motion was agreed to.

BEVERLEY-ALBANY RAILWAY CON-TRACT CONFIRMATION BILL.

This bill passed through committee, *sub silentio*.

VICTORIA PUBLIC LIBRARY BILL.

Read a third time and passed.

MUNICIPAL FOOTPATHS BILL.

Mr. RANDELL (in the absence of Mr. SHENTON, who had charge of the bill) moved the second reading of a bill to extend the powers of Municipal Councils, and to promote the paving of footpaths in municipalities, and for other purposes. The hon. member said that, in doing so, the House would, he thought, be placing in the hands of Municipal Councils a power which they ought to have, and which would tend much to the improvement of the footpaths, and the convenience and comfort of pedestrians. He simply moved the second reading in the unavoidable absence of the hon. member who had charge of it.

Mr. RICHARDSON said it appeared to him that the second clause, which enacted that the owner of property opposite any piece of footpath—should two-thirds of that side of the street happen to be paved—might be compelled to pave the path in front of his property whether he wished to do so or not, and that unless he did so the Municipal Council might recover from him one-half the expense of doing so. He did not think this was a fair thing. It would imply that the owner of the property himself enjoyed the convenience of the footpath almost exclusively, whereas, as a matter of fact, it would be of far greater use to the general public walking along the street.

Mr. SHENTON (who at this stage entered the House) regretted that he had

been called away, when the order of the day for the second reading of the bill came on. He might say that the reason why the bill was brought in was because of the unsightly appearance of some of the paved footpaths in the city. Hon. members were probably aware that under the existing Municipalities Act, the corporation would defray one-half the cost of a pavement in front of any property, if the owner of the property agreed to pay the other half; but there was no power of compelling the owners of property to agree to such an arrangement. In the majority of cases the owners of property had gladly co-operated with the Municipality—he was speaking of Perth—but there were a few who refused to do so, and the result was the present unsightly appearance of the pavement—as in Hay Street, for instance. The owners of some of these properties were absentees, and did not care so long as they received their rents; and their tenants declined to go to the expense. The object of the present bill was to provide that in the event of two-thirds of the whole length of a footpath between two streets—say between William Street and Barrack Street—being paved the Council might complete the paving throughout its entire length, and might recover from the owners of the abutting property one moiety of the expense. This would enable the Council to fill up any unsightly gaps in the pavement which were now apparent; but at present the corporation was powerless in the matter. In Sydney, power was given to the Municipal Councils to compel all owners of property to do this, and to bear one-half of the entire expense; but here it was only proposed to compel them to pay one-half the actual cost of the flagstone, the Council providing the labor of laying it, and also the kerbing. He had intended at first giving this power to the City Council of Perth, but, at the suggestion of the Mayor of Fremantle—who thought there were, possibly, property-owners in that town who might desire similar powers to be vested in the Municipal Council—he had made the bill general in its application. Of course it would only apply to towns where two-thirds of a footpath had already been covered with pavement.

Mr. SHOLL said there was a great deal of force in the argument of the hon.

member for Toodyay, and also, he thought, in what fell from the hon. member for the North. They must not lose sight of the fact that the owners of these premises in the main streets paid very high taxes at the present time. Most of them being business premises they were very highly assessed, and these rates went towards the up-keep of the roads and footpaths in other parts of the city as well. He thought it was rather hard that they should be again called to provide one-half the expense of the pavement in front of their premises: he should have thought one-third would have been a more just charge. It had been said that some of these people were absentees, and did not care, so long as they received their rents, whether the streets were paved or not in front of their premises. No doubt there was a difficulty in dealing with these people. Still he thought one-third the expense would be a more equitable arrangement. It must be borne in mind, after all, that these pavements were more for the comfort and convenience of the general public than of the owners of the abutting premises.

MR. SHENTON said the proportion chargeable in the other colonies was one-half, and the owners there had no option in the matter at all. If the Municipal Council resolved upon paving any footpath, the owners had to pay a moiety of the cost; but here it was not proposed to bring this compulsory power into operation until two-thirds of the whole length of a pavement had already been laid down, so that it would only apply to very few streets, at present at any rate, and then only to certain blocks.

MR. SCOTT thought the bill was a step in the right direction. One could see how difficult it was to bring about a community of feeling with regard to these street matters, some people always holding back and taking advantage of their neighbors' improvements. He thought it was only fair and equitable what this bill proposed, for, after all, it improved the owner's property to have a good pavement in front of it, and he ought not to begrudge paying for it, especially when the other half was paid for by the general body of ratepayers. This was the only way we could secure

some degree of uniformity in our pavements.

THE ATTORNEY GENERAL (Hon. C. N. Warton) said of course we must be prepared for all sorts of opposition when people's pockets were touched, and they were not actuated by public spirit or public duty; and he thought it would be necessary when they went into committee on the bill to provide some definition as to the meaning of the words "a footpath between two streets." The footpath might abut at one end on a road, and not a street. Another point was this: he noticed a clause in the bill re-enacting a section in another Act which had been repealed, and the reason assigned for this re-enactment was that the clause in question had been "inadvertently" repealed. It was not usual to admit the principle that Parliament could do wrong, and he thought the wording of the proviso to this clause might be altered. With these two exceptions, he wished to express his unbounded concurrence with the principle of the bill.

MR. SHENTON did not think there was likely to arise any difficulty as to the meaning of the expression between two streets, because in any notice served the names of the owners who had already consented would have to be given, which would clearly show what street was referred to. This, however, was only a question of detail, which in no way affected the principle of the bill.

MR. HENSMAN said that, with regard to the principle of the bill, he wished to draw attention to this: so far as he could see at present there was no power to levy rates for footpaths.

MR. SHENTON thought that footpaths came under the head of "works and improvements."

MR. HENSMAN said it was a question whether that was not in the nature of a permanent work. The proposal contained in the bill might do very well in a street like Hay Street, and he could quite understand shop-keepers being anxious to avail themselves of such a provision. But they must remember that if this provision was to apply generally, it might give rise to great difficulties, in particular parts of Perth, or Fremantle either. There might happen to be this state of things: there might be a street which no one would say you ought

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—Beverley-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.