

analogous to that of the Attorney General in this colony. At home the Attorney Generalship was a political office, and its holder was dependent upon his own political party, with whom he went in, and went out of, office. Here, the Attorney General was a permanent officer, amenable to superior authority, and 10 times more amenable and responsible to public opinion. He thought it would be undesirable and inadvisable to take away that responsibility by transferring the powers now vested in a responsible officer to an irresponsible body, amenable to no authority. The present system had been in operation for a period of 25 years, and he was not aware that a whisper of suspicion or a complaint had been uttered at the manner in which the duties of the grand jury had been performed by the Attorney General for the time being. It had remained for the hon. member for Swan to state that the powers with which that officer was invested, in his capacity as grand juror, might be capriciously exercised. The hon. and learned gentleman also opposed the motion on account of the increased expenditure which it would necessitate, and also on the ground of its one-sidedness, and concluded by moving as an amendment that the Bill be read that day six months.

The COLONIAL SECRETARY (Hon. F. P. Barlee) seconded the amendment, and generally endorsed the sentiments of his hon. and learned colleague.

Mr. STEERE supported the motion of the hon. member for Swan, and said it was unfair on the part of the Colonial Secretary and the Attorney General to reproach the hon. member for Swan for having introduced the measure. The hon. member had acted in concert with the other elected members, and had he not brought in the Bill, some other member would have done so.

Mr. BICKLEY and Mr. CAREY supported the amendment, and Mr. LOGUE opposed it.

Amendment put, "That the Bill be read a second time this day six months," upon which a division was called for, the result being as follows:—

Ayes 9

Noes 7

Majority for 2

Ayes.
The Hon. M. Fraser
The Hon. R. J. Walcott
Mr. Bickley
Mr. Marmion
Mr. Russell
Mr. Monger
Mr. Carey
Mr. Hassell
The Hon. F. P. Barlee

(Teller.)

Amendment thus passed.

APPROPRIATION BILL.

Second Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Bill be now read a second time.

Mr. LOGUE moved that the Bill be read a second time on Friday, 30th August.

Debate ensued.

Amendment, by leave, withdrawn.

The Bill was read a second time.

In Committee.

The Bill passed through Committee without discussion.

The Council adjourned at 8.15 p.m.

LEGISLATIVE COUNCIL,

Thursday, 29th August, 1872.

Liquor Petition—Karri Timber—Preliminary Railway Surveys—Standing Orders suspension—Railway to Eastern Districts: select committee report—License of Hawkers, City of Perth, Bill: motion for second reading—Trespass on Waste Lands of the Crown Bill: second reading: in committee—Trespass by Live Stock Bill: second reading: in committee—Duties on Imported Goods Repeal Bill: Additional Duties on Tariff Act, 1872, Bill: third reading—Municipal Council Geraldton Bill: second reading: in committee—Standing Orders suspension.

The SPEAKER took the Chair at 12 noon.

PRAYERS.

LIQUOR PETITION.

Mr. CARR, presented a petition from Mr. W. Meloy, of Perth, asking for certain privileges relative to the selling of colonial wine and beer in small quantities.

The petition was read by the Clerk and ordered to be laid on the table.

KARRI TIMBER.

The COLONIAL SECRETARY (Hon. F. P. Barlee), with leave, moved that the Government be authorised to comply with the request of the Admiralty to forward certain specimens of karri timber to England at the expense of the colony.

Question put and passed.

PRELIMINARY RAILWAY SURVEYS.

Mr. DRUMMOND, with leave, without notice, asked the Colonial Secretary whether it

was the intention of the Government to call tenders for the preliminary railway survey in the Champion Bay and eastern districts.

The COLONIAL SECRETARY (Hon. F. P. Barlee) replied that he was unable to say, at present, whether tenders would be called for, but the Government would do all it could to get the work done as cheaply and efficiently as possible.

SUSPENSION OF STANDING ORDERS.

The COLONIAL SECRETARY (Hon. F. P. Barlee), in accordance with notice, moved for the suspension of Standing Orders with a view to proceeding with the Orders of the Day for Friday, 30th August.

Question put and passed.

RAILWAY TO EASTERN DISTRICTS.

Select Committee Report.

Mr. NEWMAN brought up the report of the select committee on a railway to the eastern districts and moved that the same be read.

Question put and passed.

Report read, and, on motion by Mr. NEWMAN, ordered to be printed.

LICENSE OF HAWKERS, CITY OF PERTH, BILL.

Motion for Second Reading.

Mr. CARR moved that the Bill be now read a second time.

He said that the Bill provided for the imposition of a license fee upon hawkers within the City of Perth. In doing so he wished to state for the information of the House that the Bill had been introduced at the request of the City Council, and that it had only been placed in his hands two days ago. He had, therefore, been unable to ascertain the feeling of those mostly interested in its provisions—the hawkers—as he would wish to have done. For this reason he did not wish to identify himself with the Bill in any way, but would leave the matter entirely in the hands of the House.

Mr. SHENTON moved that the Bill be read that day six months, as he considered that more time was required for its consideration than had been afforded to the House.

The ATTORNEY GENERAL (Hon. R. J. Walcott) thought the Bill might be so amended in Committee as to meet with the assent of the House and also with the requirements of the City Council in regard of the protection of market gardeners.

The COLONIAL SECRETARY (Hon. F. P. Barlee) could not agree with his hon. colleague. If producers wished to sell in the market why did they dispose of their produce to the hawkers? There were a very large number of poor people in Perth who obtained an honest livelihood by means of hawking, who could not afford to pay for a stall in the marketplace. The whole object of the Bill was to encourage a market which the public did not seem inclined to support. He would second the amendment of the hon. member for Greenough.

Mr. NEWMAN supported the amendment.

Amendment agreed to.

TRESPASS ON WASTE LANDS OF THE CROWN BILL.

Second Reading.

Mr. BROCKMAN moved the second reading of the Bill, which provides that persons in unauthorized occupation of waste lands of the Crown shall be liable to a penalty not exceeding £100.

The Bill was read a second time.

In Committee.

Clauses 1 and 2 agreed to.

Clause 3—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the word "prevention" be struck out and the word "unlawful" inserted between the words "lands" and "occupation."

Amendment agreed to.

Clause, as amended, agreed to.

Preamble agreed to.

Bill reported, with an amendment.

TRESPASS BY LIVE STOCK BILL.

Second Reading.

Mr. BROCKMAN moved the second reading of a Bill to consolidate and amend the laws relating to trespasses by live stock and to promote the construction of fences.

The Bill was read a second time.

In Committee.

Clauses 1 and 2 agreed to.

Clause 3—

Mr. BICKLEY moved that the clause be altered from "Provided, &c.," as far as regards a dog, pig, or goat, and that those animals be subject to the same provisions as regards horses and cows."

Amendment not agreed to.

Mr. LOGUE moved to insert after the word "fit" in the 23rd line, the words "except by converting it to his own use or benefit."

Amendment not agreed to.

Clause agreed to.

Clause 4—

Mr. DRUMMOND moved to insert after the word "any," in the first line the word "unbranded."

Amendment not agreed to.

Clause agreed to.

Clauses 5 and 6 agreed to.

Clause 7—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the words "*Government Gazette* and" in the fourth and fifth lines be struck out.

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 8 to 17 agreed to.

Clause 18—

Mr. STEERE moved that all words after the word "repairing" in the 13th line be struck out and the words "a fence of the same description as that which has fallen into disrepair and become insufficient" be inserted.

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 19 and 20 agreed to.

Clause 21—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved to insert after the word "peace" in the fourth line the words "nearest to the place where such conviction was made."

Amendment agreed to.

The ATTORNEY GENERAL (Hon. R. J. Walcott) moved that the word "then" in the 10th line be struck out and the words "such court" inserted; and to strike out the word "their" in the last line and insert the word "such."

Amendment agreed to.

Clause, as amended, agreed to.

Clause 22—

Mr. LOGUE moved to insert after the word "Act" in the third line the words "and annually thereafter."

Amendment agreed to.

Clause, as amended, agreed to.

Clause 23 agreed to.

Clause 24—

Mr. STEERE moved to strike out all words between the word "thoroughfare" in the sixth

line and the word "portion" in the seventh line and insert the word "forming" in lieu thereof; also to insert the word "or" between the words "street" and "public."

Amendments agreed to.

Clause, as amended, agreed to.

Clause 25 amended and agreed to.

Clause 26—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the clause be struck out.

Amendment agreed to.

Clause 27 agreed to.

Clause 28—

Mr. BROCKMAN moved that the following words be added:—

And whenever the words "Cattle Trespass Ordinance, 1857," occur in the "Public Pound Ordinance, 1861," and in the 34th Vic., No. 25, the words "The Trespass Act, 1872" shall be read instead thereof.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 29 agreed to.

The ATTORNEY GENERAL (Hon. R. J. Walcott) moved that clause 27 stand as clause 26, and the numbers of the other clauses follow in rotation.

Agreed to.

Bill reported, with amendments.

DUTIES ON IMPORTED GOODS REPEAL BILL.

ADDITIONAL DUTIES ON TARIFF ACT, 1872, BILL.

Third Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Bills be now read a third time.

The Bills were read a third time and passed.

MUNICIPAL COUNCIL GERALDTON BILL.

Second Reading.

Mr. LOGUE moved that the Bill be now read a second time and said that it was a Bill to enable the municipal council of Geraldton to compel the owners and occupiers of sand hill allotments to plant the same with grass or shrubs.

The Bill was read a second time.

In Committee.

Clause 1—

Mr. LOGUE moved to insert after the word "to" in the sixth line the words "cover with bush or."

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 2 and 3 agreed to.

Preamble agreed to.

Bill reported, with an amendment.

SUSPENSION OF STANDING ORDERS.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Standing Orders be suspended with a view to moving the adjournment of the House until Friday, 30th August, at 2 p.m.

Motion agreed to.

The Council adjourned at 3.50 p.m.

LEGISLATIVE COUNCIL,

Friday, 30th August, 1872.

Trespass on Waste Lands of the Crown Bill: third reading—Trespass by Live Stock Bill: third reading—Municipal Council Geraldton Bill: third reading—Appropriation Bill: third reading—Prorogation.

The SPEAKER took the Chair at 2 p.m.

PRAYERS.

TRESPASS ON WASTE LANDS OF THE CROWN BILL.

Third Reading.

Mr. BROCKMAN moved that the Bill be now read a third time.

The Bill was read a third time and passed.

TRESPASS BY LIVE STOCK BILL.

Third Reading.

Mr. BROCKMAN moved that the Bill be now read a third time.

The Bill was read a third time and passed.

MUNICIPAL COUNCIL GERALDTON BILL.

Third Reading.

Mr. SHENTON moved that the Bill be now read a third time.

The Bill was read a third time and passed.

APPROPRIATION BILL.

Third Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Bill be now read a third time.

The Bill was read a third time and passed.

PROROGATION.

His EXCELLENCY arrived at the Council Chamber at five minutes to three o'clock, accompanied by his staff, consisting of the Hon. the Commandant (Major Harvest), Mr. J. Grant Elliott, A.D.C., and Mr. Weld-Blundell, Private Secretary; and having desired the members, who had risen on his entrance, to be seated, said—

Mr. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL,—

The conclusion of your labors having been made known to me, I have come down to your House to prorogue your Council; and it is with gratification that in the results of this Session I recognize a progressive spirit, and I doubt not but that your acceptance, in all material points, of the programme which at the commencement of the Session I laid before you, will tend to the immediate advancement of this Colony.

I have already notified to you, by Message, that in the name and on behalf of Her Majesty the Queen I have assented to the following Acts:—

"An Act to regulate Grants of Patents for Inventions in the Colony of Western Australia."

"An Act to confirm the Expenditure for the services of the year One thousand eight hundred and seventy-one beyond the Grant for that year."

"An Act for raising the sum of Thirty-five Thousand Pounds by Loan for the construction of certain Public Works."

This sum could hardly have been provided out of current revenue without a larger increase of taxation than appears to me desirable, and I find with pleasure that you have concurred with me in no longer postponing from year to year works so necessary to the progress of the Colony as new Lighthouses, Wharves, Jetties, and Moorings, extending Telegraph lines, Improvement of River Navigation, and Preliminary Railway Surveys. I assume it to be probable that the small sum required will be easily raised within the Colony itself.