

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to insert after the word "shillings" in the sixth line the following words:—"And the owner of any cart who shall use the same on any road of the colony without having obtained a license for the same and who nevertheless shall keep painted on such cart any words or figures importing that a license has been obtained for such cart for the year during which he is so using the same shall on conviction thereof forfeit and pay any sum not exceeding ten pounds over and above any penalty to which he may be liable for using such cart without having obtained a license for the same."

Amendment agreed to.

Clause, as amended, agreed to.

Schedule—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to strike out the words "ply for hire" in the second line and insert the words "use on the roads of this colony" in lieu.

Amendment agreed to.

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to strike out the letters "J.P." at the end of the schedule and insert in lieu (after leaving a blank for the name of the person signing the license) the words "for and on behalf of the Local Board for the District."

Amendment agreed to.

Schedule, as further amended, agreed to.

Bill again reported, with further amendments.

INCREASE OF MEMBERS IN LEGISLATIVE COUNCIL 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.

LAW AND PARLIAMENTARY LIBRARY BILL.

Third Reading.

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved that the Bill be now read a third time.

The Bill was read a third time and passed.

TRESPASS ACT AMENDMENT BILL.

Motion for Second Reading.

Resumed debate on the motion moved by Mr. Steere that the Bill be read a second time this day six months.

Debate ensued.

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 8

Noes 6

Majority for 2

Ayes.	Noes.
The Hon. F. P. Barlee	Mr. Pearce
The Hon. H. H. Hocking	Mr. Marmion
The Hon. M. Fraser	Mr. Hickley
Mr. Hassell	Mr. Monger
Mr. Padbury	Mr. Dempster
Mr. Russell	Mr. Carey (Teller.)
Sir Thomas Cockburn- Campbell	
Mr. Steere (Teller.)	

Amendment thus passed.

The Council adjourned at 8.50 p.m.

LEGISLATIVE COUNCIL,

Monday, 28th July, 1873.

Railway from Fremantle to Guildford—Harbor Improvement Board Report: select committee report—Scab Act: select committee report—Shipping and Pilotage Consolidation Ordinance Amendment Bill: third reading—Subdivision of Road Districts Bill: motion for resumption of debate—Cart Licensing Bill: third reading.

The SPEAKER took the Chair at 6 p.m.

PRAYERS.

RAILWAY FROM FREMANTLE TO GUILDFORD.

The SURVEYOR GENERAL (Hon. M. Fraser) notified that he was informed by Mr. Major that the instructions he had received by the last mail would preclude him from prolonging his stay in the colony for a period long enough to undertake the proposed preliminary survey of a line of railway connecting Fremantle, Perth, and Guildford, in accordance with the resolution affirmed by the House on Friday evening. The Government, however, would endeavour to obtain a professional report and all other available information in connection with the proposed railway.

HARBOR IMPROVEMENT BOARD REPORT.

Select Committee Report.

Mr. BICKLEY brought up the report of the select committee appointed to inquire into the report of the Harbor Improvement Board.

Report read and ordered to be printed.

SCAB ACT.

Select Committee Report.

Mr. STEERE, in the absence of Mr. DEMPSTER, brought up the report of the select committee. The report was to the effect that the enactment now in force had proved most unsatisfactory in its operation, and it was recommended that an Act be introduced that may be carried out without the intervention of scab inspectors.

Report read and ordered to be printed.

SHIPPING AND PILOTAGE CONSOLIDATION ORDINANCE AMENDMENT 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.

SUBDIVISION OF ROAD DISTRICTS BILL.

Motion for Resumption of Committee Debate.

Mr. CAREY moved that the order of the day for the further consideration of this Bill in Committee be postponed till Wednesday, as there were two hon. members unavoidably absent who were anxious to take part in the debate, and he himself would at that time be prepared with certain amendments to the Bill.

Mr. HASSELL seconded the motion.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said that before the question was put to the House he wished to offer a few remarks on the Bill which he believed would preclude any further consideration of it during the present session. If he thought for a moment that the presence of the two absent members, or the amendments of the hon. member for Vasse, would, after the remarks he had to offer on the Bill, in any way influence the decision of the House, he would not have risen to oppose the motion for the adjournment of the debate. It had been thrown in his face the other night by the hon. member for Wellington that it was almost useless for a

member on the elected side of the House to introduce any measures into Council, because,—so he said—they were unduly cavilled at by the members on that side of the House. Such an assertion was unfair and unfounded; the only Bill brought in by any elected member during the session had been put into shape entirely by members on that side of the House, otherwise the Bill would not have passed at all. With regard to the present Bill, the Committee had got into such utter confusion in dealing with it the other night that hon. members had not the slightest idea of what they were doing, or how far its clauses interfered with the provisions of the existing Districts Roads Boards Act. The alterations that were made here, and the amendments stuck there, only made the confusion worse confounded, and for that reason he had moved that progress be reported and that the Committee ask leave to sit again, in order that the Bill, if possible, might be put into a workable shape. An amended Bill had in the meantime been prepared, and it was put into his hands on Saturday; but he was free to confess that, after a very careful perusal of its provisions, the conclusion was forced upon him that no beneficial result would be derived from the measure. On the contrary it was fraught with danger and difficulty, and was, moreover, a superfluous piece of legislation. All that was proposed to be provided by the Bill was already provided for by the existing enactment, and if placed on the Statute Book it would be a dead letter. The first part of the Bill provided for the subdivision of road districts into parishes and the latter part proposed to give certain powers to the local boards in regard of collecting rates—anticipating difficulties which might possibly never arise, and which, at any rate, had not arisen yet. With reference to the subdivision of districts into parishes, he believed such a system would operate most injuriously to the general interests of the district. Each parish would elect its own representative member, who would be expected, in the general scramble, to secure as large a share of the grant-in-aid as possible for the benefit of his own parish; so that a spirit of antagonism and local self-interest would govern the proceedings of the boards, and the consequence would be, the district generally would suffer from want of unity of action and unanimity of purpose among the members of the local board. Each member of the board would be a parish delegate and not a district representative. If it were considered advisable to increase the number of district roads boards, provision was made for that purpose in the existing Act; and any district, if it so

chose, might have half a dozen local boards, each composed of seven members. Having further pointed out the defects of the Bill, and expressed his conviction that it would be an unworkable and unnecessary piece of legislation, and assured the House that his opposition to the Bill was not factious, he concluded by moving by way of amendment, that the Bill be considered in Committee that day six months.

Mr. BICKLEY, in seconding the amendment, considered the Bill objectionable in every respect, and he conscientiously thought it would be better to let matters remain as they are.

The ATTORNEY GENERAL (Hon. H. H. Hocking) pointed out how dangerous were the powers with which it was sought to invest irresponsible bodies, such as roads boards, in regard of disposing of the property of absentee proprietors—powers which, if exercised, would in all probability lead to interminable litigation.

Mr. STEERE replied that if the Bill was a dangerous one, the existing Municipalities Act was equally fraught with danger, and the sooner it was altered the better. The course pursued by the Government in regard of the Bill confirmed his belief that it was utterly useless for any member on his side of the House to introduce any measure that was not in accord with the policy of the Government. As for the antagonistic spirit which the hon. the Colonial Secretary believed would pervade the deliberations of the local boards in the event of each parish electing its own member, the hon. gentleman seemed to have overlooked the fact that the member so elected need not necessarily be a resident, nor interested in, the parish which had chosen him as its representative on the board. He (Mr. Steere) failed to see how local self-interest among such a constituted board would clash with the common interest of the district, any more than it did among the members of that Representative Council. The Government, however, were so strong in that House at present that it was a futile attempt on the part of any private member to try to force a measure through Committee.

After some further remarks from the COLONIAL SECRETARY (Hon. F. P. Barlee),

Mr. CAREY rose to support the Bill, pointing out the difficulty which distant portions of road districts found in procuring representatives of local influence and knowledge.

Mr. MARMION thought some of the provisions of the Bill were necessary, but he was not prepared to support it in its present

shape. No doubt if the roads boards were empowered to tax the districts for the conservation and improvement of roads, some provision ought to be made to enable them to compel the payment of any rates levied; otherwise the power to impose a tax would be useless.

Mr. PADBURY concurred, and was prepared to support the Bill to that extent.

Amendment put, "that this House will on this day six months dissolve itself into the said Committee," upon which a division was called for, the result being as follows:—

Ayes	8
Noes	5
Majority for	3

Ayes.	Noes.
The Hon. H. H. Hocking	Mr. Russell
The Hon. M. Fraser	Mr. Carey
Mr. Bickley	Mr. Padbury
Mr. Russell	Mr. Pearse
Sir Thomas Cockburn-	Mr. Steere (Teller.)
Campbell	
Mr. Marmion	
Mr. Monger	
The Hon. F. P. Barlee	
(Teller.)	

Amendment thus passed.

CART LICENSING BILL.

Third Reading.

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

The Bill was read a third time and passed.

The Council adjourned at 7.10 p.m.

LEGISLATIVE COUNCIL, Wednesday, 30th July, 1873.

Law and Parliamentary Library Committee—Estimates: in committee—Scab Act: select committee report—Scab-in-Sheep Ordinance Amendment Bill: motion for first reading: first reading.

The SPEAKER took the Chair at 6 p.m.
PRAYERS.

LAW AND PARLIAMENTARY LIBRARY COMMITTEE.

The ATTORNEY GENERAL (Hon. H. H. Hocking), in accordance with notice, moved that the member for Wellington (Mr. Steere) be appointed by the Council to form, together