

Amendment agreed to.

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved in subclause 9, to leave out all the rest of the clause after the word "Master," in the seventh line, and to insert the following in lieu thereof:—"in any port or district then such words shall include the Resident Magistrate or Police Magistrate for such port or district and in case of the absence of such Resident or Police Magistrate any two Justices of the Peace of the Colony."

Amendment agreed to.

Clause, as amended, agreed to.

Bill reported, with amendments.

RELIGIOUS BODIES (CHURCH OF ENGLAND) 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, 1872, AMENDMENT BILL.

Motion for Second Reading.

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

Mr. STEERE moved, as an amendment, that the Bill be read a second time this day six months.

Debate ensued.

Mr. CAREY moved that the debate be adjourned until tomorrow.

Motion agreed to.

The Council adjourned at 2.10 p.m.

LEGISLATIVE COUNCIL,

Friday, 25th July, 1873.

Subdivision of Road Districts Bill: reprinting—Paper Tabled—Estimates: in committee—Railway from Fremantle to Guildford—Cart Licensing Bill: recommittal—Increase of Members in Legislative Council Bill: third reading—Law and Parliamentary Library Bill: third reading—Trespass Act Amendment Bill: motion for second reading.

The SPEAKER took the Chair at 6 p.m.

PRAYERS.

SUBDIVISION OF ROAD DISTRICTS BILL.

Reprinting.

Mr. STEERE, with leave, without notice, moved that the Bill be reprinted and the further consideration of the Bill in Committee be made an order of the day for Monday, 28th July.

Question put and passed.

PAPER TABLED.

The COLONIAL SECRETARY (Hon. F. P. Barlee) laid on the table a copy of the Imperial Act 36 Vic., Chap. 22, "An Act to amend the Law with respect to Customs Duties in the Australian Colonies."

ESTIMATES.

In Committee.

The COLONIAL SECRETARY (Hon. F. P. Barlee): Mr. Chairman, during former sessions of the Council it has been my practice, at an earlier stage of the session, to make a financial statement with regard to financial and other matters connected with the colony, in order that hon. members might have an opportunity of hearing the opinion and intention of the Government in regard to such measures as it was proposed to introduce for the consideration of the Council during the session, so as to put the House *au fait* as to the course which the Government intended to adopt, and to enable hon. members subsequently to consider the various measures with some knowledge of the course entertained with regard to them by the Government. But during the present session, for various reasons—partly, my return to the colony only a few days before the assembling of the Council, and, consequently, my inability to render myself thoroughly acquainted with the several measures to be brought forward by the Government during the session,—this course has been deviated from, and it has been deemed advisable to submit for the affirmation of the House, one by one, the several items of extra expenditure in connection with the Public Service that it has been thought desirable to incur; and we have already discussed and decided such questions as a railway for the northern district, the pursuance of sericulture as an industry, gold prospecting and the importation of machinery for boring and for quartz crushing; we have also decided on measures for the development and protection of our pearl shell fishery, and other measures connected with the regulation of the

industry. In addition to that, the House has also to some extent made up its mind in regard to the question of immigration while, with reference to departmental expenditure, a select committee has been appointed to consider and report upon that subject, and though the committee has not yet brought up its report, they will do so in a few days, and I may be justified in stating this far,—that the report is not likely to affect the Estimates for the ensuing year to any material extent. As, therefore, the greater portion of the labors of the Council has been completed, and the work on hand is getting scarce, I have thought it advisable, without any further delay, to place the Estimates on the table, which I will do this evening. Sir, I shall not find it necessary to occupy the House at any length tonight, and I shall confine my remarks merely to the proposed general expenditure of the ensuing year. Of course it will be necessary for us to deal with the question of ways and means; but it is not my intention this evening to go into that matter, beyond notifying to the House that it is not the intention of the Government to impose any increased taxation. (Hear, hear.) I am glad to be able to say that the financial condition of the colony is so satisfactory that, notwithstanding the extra expenditure incurred by the contraction of another public loan and other matters already affirmed by this House, I believe there will be no necessity for any additional taxation of any kind whatever, and that the whole of the ordinary and extraordinary expenditure will be met out of the current revenue of the colony. (Cheers.) I will even go farther. I believe, Sir, that the various matters taken in hand by this Council, and already affirmed, during the present session, will enable us—if the result be as I sanguinely hope and expect it will—year by year to accomplish more and more in the direction we all wish to go. Sir, perhaps I shall best simplify what few remarks I have to offer tonight, by cursorily glancing back at the financial operations of the past year, and comparing the actual revenue and the actual expenditure with the estimated revenue and expenditure during the same period; and also looking at the revenue of the past six months of the current year, and what I feel justified in anticipating for the remaining six months. The actual revenue for the past year was £105,301, while the estimated revenue for the current year has been calculated at £109,487. The estimated revenue from all services for the ensuing year (1874) is £113,527. Now, taking what I may call the converse of the revenue, i.e. the expenditure for the same period, we find that the actual expenditure for 1872

amounted to £98,248—considerably within the mark of the estimated expenditure; and the estimated expenditure for the current year is £108,542 against an estimated revenue of £109,487. The total estimate of the expenditure proposed for 1874 is £114,421, or, in round numbers, £6,000 more than the present year; which sum, as I have already stated, it is anticipated will be met out of the general revenue, without necessitating any increased taxation, and this, too, in the face of the abolition of auction duties. So that I think these figures alone may fairly be taken as a proof that the colony is satisfactorily and materially progressing. (Cheers.) I have already said that the estimated revenue of the current year is £109,487. During the past six months, the actual revenue has amounted to £65,247, which sum, if it could be fairly taken as the estimate of the ensuing six months would result in a total revenue of £130,000, considerably in excess of the estimated sum. But hon. members will bear in mind that during the first two or three months of the year no inconsiderable share of revenue is received on account of land and licenses, which has to bear its proportion of the whole year's expenditure, and which cannot be looked for at any other period of the year. I, therefore, deduct £10,000 from the actual revenue during the past six months, in forming my estimate of the revenue of the next six; and this will leave £55,247 to be contributed during the remaining six months; so that I conceive the actual revenue for the current year will exceed, rather than fall short of, the estimate. The expenditure during the first six months of the current year was £55,865, out of which sum a considerable proportion cannot be fairly chargeable to ordinary expenditure; for instance, the various sums remitted to Crown Agents, and also sums paid for the works in progress for completing telegraphic communication from Newcastle to Champion Bay, which have been provided for by loan, but which have been advanced from current revenue. So that I think out of that £55,865 a sum of £5,865 at least may be taken as inapplicable to the expenditure for the past six months, which may fairly be placed in round numbers at £50,000. To go a little further into details, I may remind the House that the estimated revenue from the customs during the current year is laid down at £58,500. The receipts from that source for the past six months have not reached one-half that amount being, in fact, £26,250; but in forming a comparison between the first six months and the last six months of the year, we may fairly hope that the customs revenue for the latter period will exceed the sum

received during the former. There are several items of import,—tea and sugar for instance,—that we may reasonably anticipate will go to swell the customs receipts for the next six months beyond the amount received during the past half-year. I am quite satisfied that the revenue from that source for the next six months will be equal to, and possibly in excess of, the estimated revenue. Taking the general revenue, there will, I believe, be ample to meet all demands arising from present engagements. So far, then, I think I may congratulate the House and the country upon the fact of my being able to make a satisfactory statement; not only that we are in a position to pay our way, but that we shall be able, without resorting to increased taxation, to meet all the increased expenditure necessitated by the contraction of a public loan and other matters, and, at the end of the year, I hope to have a balance on the right side. (Cheers.) Sir, in regard of the Estimates which are now placed on the table, it is not my intention this evening to enter into any details concerning them, as I consider it will be far better for the House to consider them in Committee, item by item; and I will merely allude to what alterations are contemplated in the various departments of the Public Service during the ensuing year. The only departments in which any vacancies have occurred since last we met are the Auditor General's and the Sheriff's. In connection with these two offices a considerable saving has been effected, consequent upon the new appointments made. The salary paid to the former Auditor General was £450, which has been reduced to £400; and the yearly salary of the Sheriff has been reduced from £360 to £300. That was done simply to carry out the wish expressed in the resolution—or something in the shape of a resolution—affirmed by this House, that, when any vacancies occurred in any department of the Public Service, the salaries of the new officials should be cut down as low as possible consistent with the efficiency of the service. I think the offices named can, for the present, be carried on efficiently at the rate named. The next item in which there is any alteration is one connected with this Council; the mode in which the Minutes of our Proceedings are at present taken has necessitated the employment of an Assistant Clerk. The only other additional officer in connection with any establishment is an extra clerk for the department of the Clerk of Works, necessitated by the frequent absence of that official in travelling about the country inspecting public works. There are two other departments in connection with which considerable increase will have to be effected;

first of all, there is the Post Office, where the staff will have to be increased consequent upon the extension of telegraph communication, and the establishment of new telegraph offices, chiefly in connection with the line now in course of construction from Newcastle to Champion Bay. The telegraph work at the chief office at Perth will of course be increased as communication is extended and additional telegraphers and other aid will be required here. But the total extra expenditure in connection with the Post Office Department will not be more than £72 10s. Of course the actual amount of extra salaries to be paid will be largely in excess of that sum, but a considerable saving will be effected in the conveyance of mails, both inland and coastwise; so that the actual increase of expenditure in connection with this department will not be more than I have stated. Much has been said, since the Council met, with reference to the arrangement made by the Government for the supply of a mail-steamer to ply on our coast, and an opinion has been expressed in this House that the arrangement was not a satisfactory one. One hon. member even went so far as to express his belief that the steamer was a myth, and that there was no chance of its ever coming here at all. It is not for me to offer any opinion upon an agreement drawn up by the law officer of the Crown; but I have every reason to believe that the contract is properly and legally drawn out, and that it will be efficiently, thoroughly efficiently, carried out by the contracting parties. I have, by the last incoming mail, received a letter from one of the firms, which will be exceedingly satisfactory to hon. members of this House. On a former occasion I informed the House that I had met Mr. Connor at Albany, when that gentleman was on his way to England to superintend the construction of a steamer suitable for our requirements, and when he showed me a contract entered into by his firm for a steamer, so far as I could judge, all appeared to me straightforward and aboveboard, and my opinion as to the stability and respectability of the firm was amply confirmed by inquiries I instituted when in the Eastern colonies. The letter I have just received from Mr. Connor still further and entirely confirms my belief in the *bona fide* nature of the arrangement and the high character of the contracting firm. In his letter, Mr. Connor writes that on his arrival in England he found that, consequent upon the disturbed state of the iron trade and the strikes among the workmen, the contractors for the steamer were utterly unable to fulfil their contract; and he mentions several other people who, for the same reason, were

subjected to the same inconvenience and delay as himself, some of whom had experienced a delay of 18 months or more. Under the circumstances, Mr. Connor deemed it wise to withdraw from the contract he had entered into for the construction of a new steamer, and advertise for a vessel suitable for the required purpose. After a great deal of trouble, he writes, he succeeded in obtaining one; built in 1872, of 212 tons register, classed 90 A 1, carrying 440 tons dead weight, drawing 11 feet of water, and possessing all the latest improvements. Her name has been changed from *Georgett* to *Western Australia*; she was to leave England not later than the 1st July and to arrive here early in September, steaming all the way, and coming by way of the Suez Canal. Mr. Connor has also sent me a telegram, which has not yet reached me, but which I hope to receive on the arrival of the Colonial Mail to-morrow. This, I think, shows that these people are doing, and have done, everything in their power to carry out their agreement with the Government of this colony; and I have no hesitation in repeating what I have already stated to this House, that I am perfectly satisfied with what they are doing, and have full confidence in their integrity and stability. Sir, there is another department where I must ask for a considerable increase, and that is the Medical Department, for which an additional sum of £1,132 will be required. It is proposed to revise the present system of servants in the Colonial Hospital; and an additional matron will be required for the Lunatic Asylum at Fremantle. There are no less than 29 female patients at present in that institution, who have to be watched day and night, and it is found absolutely impossible to do without an additional matron. Then, in consequence of the arrangement made by the Imperial Government in connection with the Convict Department, that the sum of £100 a year hitherto paid from Imperial funds to the medical officers attached to the hospitals in connection with the convict depots is to be discontinued whenever and wherever a depot is closed. Though the arrangement has not yet been carried out, I have not the slightest doubt that before the end of the year wherever a convict depot has been closed—and by that time there will be few districts where the depots will not be closed—the medical officers attached thereto will lose two-thirds of their present salary. They have hitherto been paid at the rate of £150 per annum, £100 of which was paid by the Imperial and the other £50 by the local Government. Under the new arrangement, the medical officers of no less than nine districts will have their salaries

reduced to £50—a sum utterly incommensurate with the nature of the services they perform. As vacancies occur it will be necessary to obtain qualified practitioners from home, and it would be absurd to expect that a salary of £50 a year would induce any medical man to come here. I know of medical officers now in the colony who contemplate leaving the colony to try their chances elsewhere, where, as they truly say, they cannot be worse off than here. It is, therefore, proposed to increase the sum paid by the local Government to these medical officers from £50 to £100 per annum, to commence on the withdrawal of the contribution made by the Imperial Government. Provision will also have to be made for hospitals in various districts of the colony on the withdrawal of the convict depots. The hospitals will then be retained at colonial cost. This has already been done at the Vasse, Newcastle, Champion Bay, and Albany; and very shortly the remaining depots will also be closed, and the same arrangement will have to be entered into in connection with the hospitals. This, it is needless for me to add, will entail considerable extra expenditure upon the colony; but in order to reduce that expenditure as much as possible, very stringent regulations have been issued in regard of admission into, and the payment for attendance while in, the hospitals. Notwithstanding this, it will be necessary to place an additional sum of at least £400 on the Estimates for this purpose; and as there will be a constant expenditure incurred in connection with hospital bedding, furniture, &c., it is proposed that a further sum of £150 will have to be asked for. Taking all these matters together, I calculate that at least an additional £1,132 will be required for the Medical Department. The next department in which a slight increase has been necessitated is that of the Harbor Master's, chiefly in connection with the new lighthouse at Champion Bay. In the Judicial Department an additional clerk will have to be provided for the Registrar of the Court; and it is also proposed to have an additional magistrate at the Williams district. A medical officer is also wanted for that district, and it would be very desirable to obtain the services of a gentleman who could undertake the joint duties of magistrate and medical officer. In the Police Department, generally, there is a reduction of about £400 upon last year's item; but as additional police force will be required for the northern district, in accordance with the provisions of the Bills passed this session in connection with the pearl fishery, it is estimated that £500 or £600 will be required for that purpose. It is calculated that the revenue which will be derived from the fishery will

amount to about £1,000 a year; but in addition to the £500 or £600 required for increasing the police force in that district, it is also proposed to construct a jetty at Cossack, a hospital at Roebourne, and to provide a small vessel in connection with the surveillance of the pearl fishery, and the cost of these extra services in the north district will exceed £1,400. A request has also been received from Eucla for a jetty, to facilitate the shipping of wool and other produce, and it is estimated that £100 will, at any rate, suffice to provide all the timber requisite for such a structure. The cost of erection will be very trifling. I have already alluded in the House this session to the distribution of pauper labor. Pauperism has steadily increased in the colony, and I am sorry to add, I see no immediate prospect of its decreasing. This unhappy state of things has arisen, chiefly, consequent upon the peculiar class from which the population of this colony has in a great measure been recruited, a large number of whom will ever be a public burden upon the colony, owing to old age and other infirmities. Some of these men cannot work, a great many of them won't work; but hitherto there have been no means of employing them on any work of a reproductive nature. It is, however, proposed at the end of the current year, to adopt a new plan in dealing with our pauper labor. At present, the officer in charge of the Poor House is the Colonial Surgeon; and it is altogether incompatible with that gentleman's other duties to attend to the supervision of the pauper class. It is, therefore, proposed to employ an officer for that special purpose at a salary of £250 a year; to stop all outdoor relief; to place all those men who are now receiving a shilling a day and all able bodied paupers in the Immigration Depot, to be maintained there at the public expense, and to be put out to work in gangs in clearing land for a public reserve, or such other work as may be deemed advisable. Under such a system, my own impression is that the salary of the superintending officer will be money well spent, and will, in fact, be saved to the colony over and over again, in the item of charitable allowances. Sir, there is only one other increase, and that is in connection with the pension list. Notwithstanding the vacancies which have been created by retirement during the year, all the extra sum that will be asked for in connection with the pension list is £286. This is accounted for by the death of three persons who were in receipt of a pension, namely Mr. A. H. Stone, the late Registrar of the Supreme Court, Mr. Camfield, Stipendiary Magistrate at Albany, and J. Peril, formerly lighthouse-keeper. On

the other hand, there are three persons whose names are to be added to the pension list;—Mr. Knight, the late Auditor General, Mr. Hillman, formerly Sheriff, who are respectively entitled to £300 a year, and it is also proposed, in consideration of services performed by her late husband and herself in connection with the Native Institution at Albany, to grant Mrs. Camfield a pension at £50 a year, her husband's pension of £150 having ceased at his death, and having been originally awarded in consideration of the joint services of Mrs. Camfield and himself. I feel that the services to which this estimable lady has devoted the best energies of her life are too well known to render it necessary that I should in any way allude to them, and that the small pension proposed will in no way need any advocacy on my part. In the Public Works Department there is a proposed reduction of expenditure to the extent of £165, and indeed the only projected new work to be paid for out of the current revenue is certain additions to York Court House, for which £300 has been placed on the Estimates; the remaining amount under this head being the general repairs to existing buildings. There are several items connected with Miscellaneous Services to which I may cursorily allude. First of all, there is the Volunteer Corps, for which £300 was voted for last year, which has all been expended in head money. A suggestion has been made in this House for the holding of an annual volunteer camp, so to give the men some idea of camp exercise and otherwise to add to their efficiency; and it is proposed that the grant-in-aid to volunteers be increased from £300 to £500. Considerable additions have been made to the force, which must be supplied with arms, if intended to act as an efficient force; and the small addition named will barely carry out what appears to be actually needed. In addition to the items already alluded to—sericulture, gold-prospecting, and the purchase of quartz-crushing and boring machinery—it is proposed to ask for a sum of £100, to be devoted for the purposes of acclimatization of plants, fish, and animals. In connection with this item I may simply state that we cannot do wrong in endeavoring to acclimatize animals that may thrive well in the colony, and prove to be hereafter not only useful, but afford amusement and sport. There are hares, for instance, which might be introduced. When in Victoria, where they are plentiful, I made enquiries concerning these animals, and I found that they thrived well in these colonies. Ten or 12 years ago they were introduced into Victoria, and a law was passed prohibiting their destruction; but they soon

increased so rapidly that it was no longer necessary to have a prohibitory Statute regarding them, and they now afford excellent sport. They do very little harm, and may be acclimatized at a very small cost. Coursing is now one of the common sports in Victoria, and affords amusement to residents in, as well as visitors to, the colony. I believe we have many streams in this colony where salmon and trout would do well. They have succeeded in Tasmania in acclimatizing this noble fish, and that island, during the fishing season, is the resort of a large number of visitors from the neighboring colonies, who go there for the purpose of indulging in an agreeable and gentle pastime. A great deal is often said about inducing invalid Indians to pay this colony a visit, to recruit their shattered health in the enjoyment of our most salubrious climate; and no doubt this colony is admirably adapted for a sanatorium. But if such persons come amongst us, what are they to do with themselves? I am sure I don't know; but this I do know, it would I believe drive me mad to live in such a country as this without something to do, without work, pastime, recreation or amusement. Touching the introduction and acclimatization of fish, I have here a letter which I have received from a gentleman interested in the subject of acclimatization. He says, "When in Tasmania, in accordance with your request, I inquired about the trout, and it appears Victoria gets them for nothing; that is, they are only at the expense of sending for them. The other colonies have to pay £6 per thousand, because, unlike Victoria, they would not contribute towards introducing them. I fought hard for Western Australia, and as your colony had never been asked to contribute and had therefore never refused, and being a Crown colony"—I am sure we are much obliged to him for that—"your case will be favorably considered." I believe we could get trout for the mere cost of transporting them hither, which would be next to nothing. There is another fish which I think would do well in our large lakes—the perch. Seven or eight years ago perch was introduced from England to Ballarat, where there is a large sheet of water close to the town. For some time no one was allowed to fish in the water, so as to preserve the perch; but at the present day the fish has so increased that perches weighing half a pound and a pound are continually caught by boating and fishing parties. There are numerous other animals and birds which from time to time it would be advisable to introduce; and I am of opinion that a small sum devoted to the purpose of acclimatization would be money well spent—spent, as it probably would be, under the supervision of some

committee or person appointed for that purpose. That, Sir, is the only other additional item connected with Miscellaneous Services, excepting the interest on the public loan. As I do not think that next year it is probable that the whole amount of the loan will be raised, only £3,500 has been provided for in the Estimates for the payment of interest, and that sum, together with all the other items I have mentioned, can be met, as I have already stated, out of the current revenue of the colony. I will not detain the House any further with remarks on the Estimates this evening, and I leave it for hon. members to fix a day for going into Committee upon them. Merely to place myself in order, I shall now move, Sir, that the sum of £264 9s. 2d. be voted for the establishment of His Excellency the Governor.

After a pause,

Mr. STEERE rose, and said he did not like to see the statement just made by the hon. gentleman accepted by the House without a word of observation. The prospect foreshadowed by the financial speech afforded him great pleasure. He was free to confess his surprise that the interest upon the proposed loan and the further extraordinary expenditure necessitated by the votes already affirmed by the House would be met out of the current revenue—a statement which filled him with astonishment, and which must be regarded as highly satisfactory. He was bound to say that a bright future was now open to the colony. In addition to the improvements initiated during the present session, he could see others of still greater importance and magnitude looming in the distance, and that not far, either. Among others, mention might be made of harbor improvements at Fremantle, and a railway in an eastern direction; so that on the whole the prospect before us was very cheering. We had looked forward to it for a long time, but it would be none the less welcome on that account. He was exceedingly glad to find that the steamer was coming at last; but he did think that it would be advisable that the contract should be revised to a certain extent, for he thought the agreement had been somewhat loosely drawn out. Under the terms of the present contract the owners of the steamer could never be fined for any delay in the delivery of the mails, if caused by stress of weather or adverse winds. Now, adverse winds might prevail at all times, and advantage might be taken of this excuse for long delays. He was certainly of opinion that an additional clause should be inserted in the agreement stipulating for the arrival of the steamer and the consequent delivery of the mails at the proper time. After some remarks regarding immigration the hon. member again

expressed his satisfaction at the flourishing financial condition of the colony, and said he was reminded of the saying of an eminent English statesman that England had drunk itself out of the Alabama difficulty; he might add, that so long as the tastes and proclivities of our own population were unchanged, he thought we also would ere long be able to congratulate ourselves upon the fact of having drunk ourselves out of debt.

Mr. PADBURY characterised the financial statement as satisfactory in all respects; he certainly had no expectation that we would have come out so well. In regard of the proposed organization of pauper labor, though he would have preferred seeing it directed into the channel which he had sought to guide it, and make the labor of that class somewhat productive by employing them on a model farm, he was yet free to confess that any system would be an improvement upon the present one. With reference to the steamer contract, he would certainly not advise its being annulled, but he thought the duration of the agreement should be limited to three years.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said that would not be listened to for a moment by the contracting firm. An idea had apparently entered the minds of some hon. members that the agreement had not been carefully drawn out, but he could not bring himself to think so. For the satisfaction of the House, however, he would submit it for the opinion of the Attorney General, who might probably take a different view of the matter to what some hon. members appeared to have done. As to the time to be occupied in performing the passages along the coast the agreement was to the effect that the whole passage from King George's Sound at one end, to Champion Bay at the other, and *vice versa*, should be performed in a certain number of days; the great inducement to their accomplishing the passage within the limited time, would be the fact that during the interim between the steamer's mail passages she might be employed by the owners in making trips on their account. This, of itself, would induce them, as a matter of self-interest, to exercise all due speed in the conveyance of the mails. The question of time, and indeed all the terms of the contract had been fought inch by inch between the late Attorney General and the representative of the contracting firm, and it was very questionable whether any better arrangement could be made, without driving away the steamer from our coast altogether—a result which he trusted no hon. member of that House would wish to see.

Progress reported, and leave obtained to sit again.

RAILWAY FROM FREMANTLE TO GUILDFORD.

Mr. MARMION, in accordance with notice, moved the following resolution:—

That in the opinion of this House it is desirable that a preliminary survey should be made forthwith of a line of railway from Fremantle to Guildford, thus connecting the proposed eastern districts line with Fremantle.

It appeared to him very desirable that while we had the available engineering skill in the colony for conducting the survey we should avail ourselves of the opportunity of having the work done. Of the desirability, and the eventual construction of a line of railway connecting the principal port of the colony with the metropolis and with the terminus of the line from the agricultural districts there could be no doubt, and he thought the sooner the better the preliminary survey was done. He had the other day called upon the gentleman who superintended the railway surveys now being made—Mr. Major,—and was informed that he had already been waited upon with regard to the very same subject by the Surveyor General. He (Mr. Marmion), therefore, had not pressed for further particulars; perhaps the hon. the Surveyor General would have no objection to inform the House of the result of his interview.

Mr. CAREY seconded the resolution.

The SURVEYOR GENERAL (Hon. M. Fraser) intimated that the reply he had received from Mr. Major was that he would undertake the preliminary survey of the line proposed by the hon. member for Fremantle at the same rate as he received for surveying the line to the eastern districts, or, if it might not be deemed necessary to have a complete preliminary survey, he would undertake to give an engineering report and advice for the sum of 50 guineas. Eventually no doubt the line should be carried through to Fremantle, and he believed there would be no opposition on the part of the Government to a preliminary survey at the present rate paid per mile. He was not in a position to state what the exact length of the Fremantle-cum-Guildford line would be; but he should say from 20 to 25 miles, for which the preliminary survey would probably cost between £250 and £300.

Mr. PADBURY hoped to live to see the day when he should travel by rail from Perth to Fremantle; but he had always been of opinion that the Champion Bay district was the best locality to start a railway at. It should not be

forgotten that we possessed available water communication between Fremantle and Guildford; but, at the same time, if the preliminary survey of a line of railway could be done for the small sum stated, and if, after we paid all the expenditure for the current year, something like £8,000 or £9,000 was left for roads and bridges, he would have no hesitation in supporting a motion for the construction of the line of railway proposed by the hon. member for Fremantle.

Mr. DEMPSTER looked upon the project as leading to an unjustifiable expenditure of the public funds, so long as we had a navigable river available for water communication between the port and Guildford.

The COLONIAL SECRETARY (Hon. F. P. Barlee) thought that before any vote was given in a matter of this kind the House ought to be placed in possession of a little more information on the subject. He was not at all certain that even the line of route which the proposed railway should traverse had been decided upon, nor which side of the river the survey, if undertaken at all, should be made. He did not object to the motion altogether, for, no doubt, it was very desirable while we had a railway engineer here to obtain his advice, though probably there were other engineers in the colony whose services might be secured. If only a preliminary survey could be made for £200 or £300, he certainly would not oppose the resolution, for doubtless the information would eventually be useful to us. Before any steps, however, were taken in the matter, he thought it would be desirable at any rate to determine on which side of the river the line should run, where it should start from, and where it should terminate. Perhaps it would be advisable to wait for the report of the eastern line, now in course of preparation.

Mr. STEERE had great pleasure in supporting the resolution, believing, as he did, that it would be very advisable that a survey should be made while we had the engineering skill at our command. He had always been of opinion that a railway connecting Fremantle, Perth, and Guildford would be one of the best paying lines that could be undertaken in the colony.

After some further remarks from Mr. MARMION,

Motion agreed to.

CART LICENSING BILL.

Recommittal.

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to recommit the Bill for the purpose of moving certain amendments.

Question put and passed.

In Committee.

Clause 1—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to add at the end of the clause the words "or to the carts of His Excellency the Governor or to any cart used in the Public Service."

Debate ensued.

Amendment agreed to.

Clause, as further amended, agreed to.

Clause 2—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to strike out the word "will" in the first line and insert the words "under this Act shall."

Amendment agreed to.

Clause, as further amended, agreed to.

Clause 4—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to strike out the word "plying" in the first line and insert the word "use" in lieu thereof.

Amendment agreed to.

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to strike out the words "then next ensuing" in the last line and insert in lieu the words "next after the issuing thereof."

Amendment agreed to.

Clause, as further amended, agreed to.

Clause 5—

Mr. BICKLEY moved to add the following words at the end of clause 5, "And provided also that this Act shall not extend to any cart or other vehicle while used upon and within the boundaries of any lands belonging to the owner thereof."

Amendment not agreed to.

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to omit all the words from the beginning of the clause down to the word "licensed" in the fourth line, and insert the following words in lieu thereof:—"On every cart licensed to be used under this Act there shall be legibly painted on the front or off side of the cart and on the body of the same the name of the owner thereof and of the district of the local board from which the license for such cart has been obtained and the number of such license; the owner of any cart who."

Amendment agreed to.

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to strike out the word "he" in the fifth line.

Amendment agreed to.

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.