

IMPORTED LABOR REGISTRY BILL.

This Bill was recommitted for the purpose of introducing a verbal amendment, which was agreed to, without discussion.

PUISNE JUDGE'S SALARY BILL.

This Bill passed through committee *sub silentio*.

SHIPPING AND PILOTAGE ACTS AMENDMENT BILL.

This Bill, also, passed through committee without discussion.

RABBITS BILL.

The House went into committee for the further consideration of this Bill.

New Clause (moved by Mr. Shenton on Sept. 3): "Notwithstanding anything to the contrary in the preceding section contained, it shall be lawful to keep or have rabbits upon any island within the territorial dominion of the colony, situated not less than five miles from the seaboard, and which may not be leased by the Crown for pastoral purposes."

This clause, upon being put, was now passed without discussion and ordered to stand as clause 4.

Preamble and title—agreed to.

Bill reported.

PRIVATE BONDED WAREHOUSES BILL.

This Bill passed through committee *sub silentio*.

The House adjourned at midnight.

LEGISLATIVE COUNCIL,

Thursday, 6th September, 1883.

Tramway between Roebourne and Cossack—Intestate Estates Bill: in committee—Puisne Judge's Salary Bill: third reading—Shipping and Pilotage Acts Amendment Bill: third reading—Rabbits Bill: third reading—Consideration of Message (No. 35): Adelaide Steamship Company's Offer re Postal Steam Service between Fremantle and Albany—Message (No. 37): Grand Juries Abolition Bill—Message (No. 38): Bonus to Steamers between London and Fremantle: Fender Piles for Railway Bridge, Fremantle—Imported Labor Registry Bill: third reading—Telephone Exchange (Mr. B. C. Wood's letter)—District Roads Act Amendment Bill: in committee—Private Bonded Warehouses Bill: recommitted—Transfer of Land Act, 1874, Amendment Bill: second reading—Immigration Bill: second reading—Ecclesiastical Grant: how expended—Suspension of Standing Orders—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.**TRAMWAY BETWEEN ROEBOURNE AND COSSACK.**

MR. SHENTON said that when the motion in favor of a tramway between Roebourne and Cossack was under discussion the other day, he moved the Chairman out of the chair, and so caused the matter to drop. But he understood the hon. member for the North (Mr. Grant) had desired to speak on the motion, and he now begged to move that the hon. member be heard.

MR. GRANT: I decline to have anything to say in the matter, until a future occasion.

INTESTATE ESTATES BILL.

The House went into committee for the consideration of the Bill for the better administration of the estates of deceased persons.

Clause 1—A Curator to be appointed: Agreed to, without discussion.

Clause 2—Estate of deceased persons to vest in Curator:

Agreed to, *sub silentio*.

Clause 3—Powers of Curator until probate, or letters of administration granted:

Agreed to, without comment.

Clause 4—"The absence of probate of the will of a deceased person for six years, or the absence of any person from Western Australia for six years

"and there being no person in Western Australia claiming any estate, right, title, or interest through, under, or in trust for, or as the duly constituted agent of such person during that time, shall be deemed to constitute an intestacy for all the purposes of this Act."

MR. SHENTON asked how this clause would affect a case under the following circumstances: a man died and left his will in possession of his widow, a very eccentric woman, who refused to part with the will, and the property was going to wreck and ruin. It was a great deal more than six years since the testator died, and, according to this clause, it appeared the property would go to the Crown.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said he proposed to move a new clause, hereafter, dealing with cases in which wills were not proved within a given time. All that this clause did was, in the event of a person dying and no will was proved for six years, it should be considered an intestacy, for the purposes of this Act,—that was to say, it would be open for the Curator to apply for an order, to protect the estate.

MR. MARMION asked if the Bill was intended to be retrospective in its operation?

THE ATTORNEY GENERAL (Hon. A. P. Hensman) did not think that was the effect of it. The object of the Bill was to prevent people from obtaining possession of estates to which they had no right, by gradually closing upon them, in the absence of the rightful owners.

The clause was then agreed to.

Clause 5—"In every case the Court may direct that the Curator shall receive out of the estate of a deceased person such reasonable remuneration for what he shall do or cause to be done under this Act as the Court may think fit, not exceeding Five pounds per centum on the full estimated or ascertained value of personal estate and One pound per centum on the value of the real estate. The amounts herein prescribed for the remuneration of the Curator may be paid to him personally, or to the Colonial Treasurer for the purposes of the General Revenue, as the

Governor in Executive Council may from time to time direct and appoint."

THE ATTORNEY GENERAL (Hon. A. P. Hensman) moved, as an amendment, that all the words after the word "estate," in the 11th line, be struck out, thus leaving it to the Court to make such rules and orders with regard to the Curator's remuneration as the Court might think fit, under the circumstances of the case.

The amendment was agreed to, *sub silentio*, and the clause, as amended, put and passed.

Clause 6.—Curator to pass his accounts, and powers to cease on probate or letters of administration being granted: Agreed to, without discussion.

Clause 7.—Application for order to administer the estate of a deceased person:

MR. BROWN noticed that this application might be made by the Curator within six months of the reported death of an intestate. How would it be, if it turned out that the report was untrue, and the man was alive?

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said the clause only applied to persons who were actually deceased.

Clause agreed to.

The remaining clauses of the Bill, as printed, were agreed to without discussion.

New clause:

THE ATTORNEY GENERAL (Hon. A. P. Hensman) moved the following new clause:—"If twelve years shall elapse from the time when any real or personal estate of a deceased person shall have vested in the Curator under this Act, and no probate of the will or letters of administration of the estate of such person shall have been granted, and no entry shall have been made as aforesaid, and such estate or part thereof shall still remain vested in the Curator, and there shall be no suit or action then pending in any Court of the colony by or on behalf of any person claiming such estate, the said estate shall thenceforth vest absolutely in and become the property of the Crown." The hon. and learned gentleman said this clause would meet the case of the eccentric widow referred to by the hon. member for Toodyay when

the fourth clause was under consideration.

MR. MARMION asked the Attorney General whether the term "deceased person" throughout the Bill meant as a matter of course a person who died intestate?

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said an intestate must, generally speaking, be deceased,—although, for the purposes of this Act, absence from the colony for a period of six years, without any claim whatever being made, or right exercised, in respect of an estate, would be deemed to constitute an intestacy. The estate would then be vested in the Curator, but it would not become the property of the Crown for a further period of twelve years, or eighteen years in all.

MR. MARMION said it appeared to him that as regards the statute of limitation private individuals and the Crown ought to be placed on the same footing.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said it was rather late in the session to make any fundamental alteration in the law. He was informed the Bill was a very desirable measure, but he looked upon it as a tentative measure, and perhaps it might be as well to give it a trial for a time. It might be found not to work—he did not know; but it would always be open to be amended, and he thought the time had arrived for legislating in this direction.

MR. BURT said that the 4th clause worked an intestacy, and the Curator at the end of the six years entered and took possession of the estate, and unless probate or letters of administration were granted within twelve years afterwards, and the estate still vested in the Curator, the Crown then entered in. So far as his own feelings went, he should be glad to find the Curator ousting some of these fellows who closed upon other people's estates.

MR. BROWN would like to see the Bill operating for the protection of absent persons as soon as possible; but he gathered that no estate could be protected by the Curator until a period of six years had elapsed. There might be persons who at the present time had been absent for six years, but whose estates had been closed upon by some other people, and he thought it would be

very desirable that the Curator should be empowered to enter into possession without delay, so as to protect the absent but rightful owner.

The new clause was then put and passed.

Preamble and title:

Agreed to.

Bill reported.

PUISNE JUDGE'S SALARY BILL.

Read a third time and passed.

SHIPPING AND PILOTAGE ACTS AMENDMENT BILL.

Read a third time and passed.

RABBITS BILL.

Read a third time and passed.

CONSIDERATION OF MESSAGE (No. 35): ADELAIDE STEAMSHIP CO'S. PRO- POSAL TO DO AWAY WITH THE ALBANY OVERLAND MAIL.

The House then went into committee for the consideration of His Excellency's Message, covering Messrs. Lilly & Co's. communication relative to the establishment of a weekly steam service between Fremantle and Albany.

THE COLONIAL SECRETARY (Hon. M. Fraser) said the terms of His Excellency's Message would be fresh in the recollection of hon. members, and it would be observed that the Governor virtually left the matter to their decision. With regard to the proposals made by Messrs. Lilly & Co., he could not do better than read the letter which they had addressed to him on the subject, and which in reality formed the subject upon which the House was asked to give an opinion. The letter was as follows:—

Fremantle, September 3rd, 1883.

SIR,—

We have the honor, acting for the management in this colony for the Adelaide Steamship Company (Limited), to ask whether His Excellency the Governor would be pleased to entertain proposals for the conducting of the colony's inward English mails from Albany seaward, by such powerful steamships as the said company would submit if proposals were entertained. The movements of the steamers would be so based as to arrive at Albany from Melbourne and Adelaide on such alternate days and dates to contact with P. & O. Steamers due there each fortnight from Colombo, and to bring the mails via Vasse and Bunbury so far as Fremantle.

We are inclined to think, from communications to hand from the company, that a saving to the Government would ensue seaward, as compared to overland, with up-keep of roads, coaches, horses, &c., &c.

We are only empowered to make this a *pro forma* proposal by the company until their new steamers (*Adelaide* and *Melbourne*, each 1,800 tons and 500 horse-power) arrive, expected at the close of this year. They are not in a position to make definite negotiations. At the same time, we think this company would be in a position to further consider the proposals emanated from them at the close of this or early in the ensuing year.

We thus early submit this letter in case an opinion of the Legislative Council now sitting should be wished before its prorogation.

We have, &c.,

JAMES LILLY & Co.

The Hon. Colonial Secretary, Perth.

It would be seen that the proposals made by the firm would give us weekly steam communication between Albany, the intermediate southern ports, and Fremantle, and that the overland mail to Albany would then only be required for the transport of roadside and inland letters and newspapers. He understood from the Agents that pending the arrival of the company's two new steamers, they would employ the *Victorian* and the *South Australian*, two powerful steamers already belonging to their intercolonial fleet, for carrying out the proposed new service. The arrival of these steamers at Albany would be so timed as to alternate with the P. & O. boats, bringing the English mails on from Albany, and taking back the mails for the Eastern colonies, now sent overland. The great advantage which the colony would derive from the proposal would be the establishment of a weekly steam service to and from King George's Sound, and he might say to and from Adelaide and Melbourne. Whether or not the traffic would come up to the company's expectations, to justify them in continuing such a service, was not for him to say,—that was a matter for the company to consider. It would be observed that the company expressed an opinion that the substitution of this service for the present overland mail would be a saving to the colony, in view of the great cost of maintaining the overland service, what with the upkeep of roads, coaches, horses and their equipment. Hon. members were aware of the difficulty and expense entailed in keeping the Albany road in

the condition which it ought to be kept for the conveyance of mails travelling at the rate which mails on that line had to travel. In addition to the annual grant large sums had been spent on the road out of the Road Loan, and yet, as they were told by His Excellency the other day, in his message, the Government were informed that, on careful estimate, it would cost over £20,000 to place that road in good repair, and not less than £10,000 to make it even fairly passable for traffic. The question was whether the substitution of a steam coastal service for the present overland service would not be a saving to the colony, in addition to affording increased facilities for communication. Due regard, however, must be had to the interests and the convenience of the settlers residing along the overland route, and who were now served by that mail service. If these proposals were accepted, sufficient provision would have to be made for the conveyance of the inland mails to and from the settlements between Perth and Albany; but he was given to understand that this might be done without asking the House for any extra vote, and his instructions were not to ask for any extra vote. Liberal provision had been made by the Council for the conveyance of mails, and there was no intention on the part of the Government to ask for any more, whether these proposals were accepted or not. With a view to elicit the opinion of the House on the subject, he would now move: "That this Council is of opinion that weekly steamers to and from Albany, so timed as to forward without delay the Colonial and English Mails, would justify the suppression of the present expensive Overland Coach Mail Service, and the substitution, therefor, of an economical equipment sufficient for the local postal needs of the districts traversed by the Perth-Albany Road; provided such arrangement can be effected without additional charges, beyond those now provided for the Postal Departments of the colony."

MR. BROWN thought the proposal was one that might well be accepted by the committee. At the same time, in saying so, he could not lose sight of the fact that for some time past these contractors have had all the best of the

bargain with the Government, and there was an impression abroad that they did pretty much as they liked. He could not help feeling that some tighter hold over them should have been exercised by the Government in the past; but we had now a change of Administration—at any rate to some extent, and he did trust that, in any arrangement that might be entered into, very great care would be taken to protect the interests of the colony. The colony certainly ought to be well served for what it paid for these services. If this proposal were carried out, it would bring the subsidies we were paying for steam services up to something like £10,000 a year. The House had already voted over £7,000 for next year, which of course would not embrace this new service. Before arriving at any decision on this subject he should like to know whether the Government intended continuing the coach service between Albany and Perth. He was given to understand it would be quite impossible to serve these inland settlements by means of pack horses, and that it would be necessary to have a coach service. Of course there would be no necessity for travelling at the present rapid rate, and he supposed a fortnightly service would suffice. He should imagine that the Government, with the provision already made for the conveyance of mails, would be able to provide for a coach service along this road as well as granting an increased subsidy for the proposed steam service. He must confess he should hesitate to vote for a largely increased subsidy unless the Government could see their way, out of the vote already at their disposal, to provide this coach service. [The COLONIAL SECRETARY: Hear, hear.] But, so far as the resolution now before the committee was concerned, he dared say, from the views expressed by many hon. members, that the majority would be quite satisfied with it, in its present shape, namely, that the Government should only recognise the service between Fremantle and Albany. One of the arguments used in favor of the proposal was that it would give us weekly communication with Melbourne, and he saw no reason why the contract, if entered into, should not stipulate for that being carried out.

MR. MARMION said it certainly seemed to him rather a doubtful argument, and a singular argument, to say that we could obtain this extra steam service, and still keep up an overland service, without any additional cost to the colony. He thought the House ought to be very cautious before committing itself to this resolution. If it was proposed or intended to curtail the present inland mail service in any way, he would remind the committee that this would be going dead against what had been the policy of the Legislature of late years, namely, to extend as far as possible the means of internal communication, and to afford increased facilities to country settlers as regards postal conveniences. It appeared to him indispensable that the coach service between Perth and Albany should be kept up, whether we multiplied our steam services or not. We kept it up to other parts of the colony, and it would be most unfair towards the settlers between here and Albany if the present overland service were discontinued, or the facilities now afforded them reduced. He thought the committee should pause before it committed itself to a resolution which involved an indefinite expenditure, however desirable this proposal might appear on the face of it. For his own part he should be very sorry indeed to be a party to any increased subsidy. He thought the time had arrived when we should cease to continue giving subsidies, right and left, for these steam services. The policy might have been a good one years ago, but surely the mere fact of our having given a subsidy in days gone by, in order to inaugurate a coastal service, was no reason why we should continue it for ever. It seemed to him that if the exigencies of traffic demanded an extended service the company might, in their own interests, very well provide such extension, and, to his mind, it was altogether unnecessary for the colony to increase the subsidies it already paid. It had been said that large sums of money were expended in keeping up the Albany road for the present overland mail service, but surely this road was not kept up for the mail service alone, but for the convenience of the settlers on the road, and for general traffic; and, in any case, whether we got

this steam service or not, we should still be compelled to vote large sums of money for the upkeep of this road. It appeared to him that if the House agreed to the resolution it would be committing itself to a very indefinite arrangement involving very indefinite expenditure,—in fact, it would be giving the Government *carte blanche* to deal as they liked with this steamship company. If it was considered desirable at all to enter into this arrangement, he thought the House should specify a definite sum beyond which the subsidy at present paid should not be increased, and, if any saving could be effected, let the colony have the benefit of it, and not the contractors.

THE COLONIAL SECRETARY (Hon. M. Fraser) said it might further assist the committee if he were to remind hon. members that the present contract with Messrs. Lilly & Co. terminated towards the end of next year, and the House this session had voted the last subsidy which it would be asked to vote in respect of the present contract; therefore whatever new arrangements were now made with the company would only have force during the continuance of the existing contract. Next session the whole question would have to be dealt with, in view of fresh arrangements having to be made. He entirely agreed that, in any arrangement we now make, we should not exceed the sum already appropriated for mail conveyance, and that unless we can provide a sufficient amount to maintain an overland service, for the convenience of the settlers, out of the present vote, the whole thing must fall through. Hon. members need not be alarmed that the Government would enter into any contract which will entail any additional outlay beyond the sum now available for postal services, or which would extend over the term of the present contract. Any arrangement made would be for next year only, and it would be open for the House, at its next session, to say whether the contract should be renewed or not, and upon what terms. There was no intention on the part of the Government to plunge the Council or the colony into any "indefinite expenditure," for, as he had already said—and he said it by direction of His Excellency himself—there was no intention or desire on the

part of Government to ask the House for a shilling more than was already voted. Of course he could not say whether the terms which the Government would be prepared to offer would be accepted by the company. If it should be accepted—if the House approved of the proposal, and the company did accept the terms which the Government offered—he could not help thinking the arrangement would be an advantageous one to the colony, provided it could be carried out without any increased charge to the revenue and without materially affecting the interests and convenience of the settlers between here and Albany. And, as he had already said, the Government would not be prepared to enter into it on any other terms.

MR. BURT agreed with the hon. member for Fremantle that the time had arrived when we ought to stop these subsidies, or, at any rate, that no increase should be made to the amounts already placed on the Estimates for next year, which he considered was quite enough. Of course the contractors found that it would suit their own convenience to run once a week, in view of the intercolonial trade which they secured, and they thought they might as well run straight on, as keep their steamers waiting at Albany for a few days. It appeared to him that this was only another attempt to extract more money out of the Government, who up to the present had been very anxious apparently to shovel money into their laps; but it struck him the company would be fully prepared in their own interests, if they knew them, to perform this service without any extra subsidy whatever. Whether they were or not remained to be seen. The proposal from the Government, as he understood it, was this: they asked the House to consent to their entering into negotiations with the company with the view of providing this weekly steam service, if they could obtain out of the vote of £12,000 for mail services a sufficient amount to subsidise this extra service, without materially affecting the overland service. He should like to know how any hon. member could fancy that could be done. They could judge pretty well what the company would ask for this service from what they received for other services, and if the mail coach service along the Albany road could be kept up intact—which he

submitted must be insisted upon—he failed to see how the Government were going to get the money out of the present vote, for subsidising this extra steam service. He was afraid if the House agreed to this resolution it would give the Government an opportunity of crippling this overland service, which, in his opinion, ought to be preserved intact. It had been suggested that the overland service should be carried out by means of pack horses. [The COLONIAL SECRETARY: No.] Then if the coach service cost so much now, how would it cost less because of this extended steam service? The Government seemed to think they would be able to effect some wonderful economy in this overland service, or, on the other hand, they did not care how much they crippled it. If they considered they ought to be able, and would be able, to do it cheaper than at present, why did they not do so? Why should they come to that House, year after year, asking for this vote, if they thought less would suffice? If they did not think less would suffice, how were they going to carry out the service without crippling it? The road would have to be kept up whether the mail travelled over it or not. There was a large amount of traffic on this road; the export of sandalwood from Albany of late years had probably been as large as the export from Fremantle, and it was absolutely necessary in the interests of the settlers that the present road should be kept up, otherwise we should be cutting off the settlers from all business communication on this important line of road. They had been talking a great deal lately about schemes for the opening up of country, but this appeared to him a scheme to shut up country already opened. He hoped hon. members would agree with him in opposing it.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said the hon. member for Murray and Williams had asked how any saving was to be effected with regard to the present overland service between Perth and Albany, without at the same time crippling the efficiency of that service. It occurred to his mind that this could be done very easily. The rate of speed need not be nearly so great as at present, and reduced speed meant reduced cost. Instead of travelling at

full speed, night and day, with fresh relays of horses, there would be no necessity for keeping up this great pressure, and it was obvious that a slower rate of travelling, with less relays, would not be so expensive as the present rate of travelling, necessitated in order to catch the mail steamers at Albany, and to bring back the mails from the Sound to the General Post Office. He looked upon this proposal as one of the very best things that could happen to the colony. It would bring us into constant communication with the other colonies; weekly steamers running to and fro, bringing us into still closer intercourse with the outside world. He thought they could hardly over-estimate the advantage it would be to the colony. They had the assurance of the Colonial Secretary that it would not entail any additional expense, and, as time went on and the intercolonial trade became more developed, the amount of the present subsidy would no doubt be reduced, and other companies would enter into competition.

MR. SHENTON said if the hon. gentleman would look at Messrs. Lilly & Co.'s proposal again he would see that it did not contemplate a weekly service to the other colonies, but a weekly service to Albany.

MR. MARMION could not refrain from expressing an opinion that we had already done what could reasonably be expected from a comparatively poor colony like this in the way of subsidising steam services, in all directions. He thought the time had arrived when we should curtail rather than extend these subsidies, or at any rate look for increased accommodation in return for what we were now paying, and he believed that if we only waited a little we should get it.

MR. S. H. PARKER could not help thinking that hon. members had forgotten that the real question was one of public expediency, and not whether they were going to further subsidise Messrs. Lilly & Co. What they had to consider was whether we could not obtain increased accommodation in the way of the conveyance of mails and passengers, without at the same time increasing the expense. If this proposed steam service could be carried out at no greater cost than we were now saddled with, it

appeared to him it would be most wise and prudent on their part to enter into the arrangement. There could be no doubt that it would serve the general public much better than the present overland service. If the Government would take his advice, he thought he could point out how they could subsidise Messrs. Lilly & Co. and still make a great saving in carrying the mails. They all knew that Government could not carry out even a mail contract with anything like the same economy as private contractors could. They had only to look at the contracts entered into with the Post Office, and they would see that the cost of those services which were tendered for by private contractors was considerably less, proportionately, than the cost of the Government Royal mail coach services. Arguing from analogy, and basing his calculations upon the figures given by the Postmaster General himself as the cost of other mail services, tendered for by private persons, this Albany overland service would not cost more than about £800, for a fortnightly service, whereas at present it cost £2752, and the receipts last year only amounted to £750, so that this service actually cost the colony £2000 a year. He believed, from what had come under his notice when serving on select committees, that there were other expenses connected with this service which were charged under another head; but, taking it at £2000—if the Government adopted his suggestion of calling for tenders for this service they would effect a saving of about £2000 a year. There would no necessity for the present expensive overland mail service to the Southern districts, if we had a weekly steam service to Albany calling at the intermediate ports going and coming. Passengers from Vasse and Bunbury would then travel by sea, and an ordinary spring vehicle would answer every purpose for the conveyance of the inland mails. He found that at present the Southern royal mail service to the Vasse cost £2316, and that the receipts last year were only £917, leaving £1400 as the net cost of this service to the colony. He believed that in years gone by this service had been, and that in the future it might be, carried out for about £600, so there would be a further saving

of £800 in this connection, or a saving of about £2800 on the two services. Hon. members might say that the public would not be so well served as they now are, under the Government mail coach system; but he did not think this Royal mail service had proved of such very great convenience to the public after all. People could not secure their passages by them until the very last day, and the coaches at best could only take a limited number. He noticed that during the year 1882 the passenger traffic by the Albany coaches decreased from 200 to 196, which did not give an average of four passengers per trip, and it was well known that passengers had often been refused a seat, in consequence of the badness of the road. It had been said that the Albany road was not kept up for the mail service alone. That might be true, but he thought hon. members would agree with him that a sum of £10,000 or £15,000 out of the Road Loan would not have been spent on this road had it not been for the mails. There was no such expenditure on the Northern roads. There could be no doubt that the mere fact of having a great unwieldy vehicle running night and day along this road at a break-neck speed entailed an enormous outlay in keeping the road in repair,—much more so than for ordinary traffic. There was one thing in connection with the proposal before the committee which should not be lost sight of. He thought if the Government should enter into an arrangement for a weekly steam service with Messrs. Lilly & Co. it would be wise for them to make a stipulation with the company that every convenience should be given for passengers at the outports, and especially Bunbury and the Vasse. He had travelled only yesterday by the *Franklin* from Bunbury, and he could say from his own experience that no convenience whatever was afforded by the steamer. He mentioned the fact because he did not suppose his own experience was worse than the experience of other people. He took his ticket about nine o'clock, from the company's agent, yesterday morning, and asked him when the steamer would sail? He said probably about 9 or 10 o'clock that evening. The steamer arrived about half-past 11 a.m. He made every inquiry to find out when

she would be leaving but no information could be obtained, and although he sent off a messenger he could not hear or ascertain by any means when she was likely to leave. About 3 o'clock he walked down to the jetty, and met one of the officers, who told him he (Mr. Parker) had kept the steamer waiting, and that they would have gone straight on if he had not had a ticket. He was informed that sometimes people have to wait on the jetty three or four hours—half the night—so as to catch the steamer, as there was no means of knowing when she may come in or go out. The agents would not even go to the trouble of telegraphing from the Vasse to Bunbury to let the public know when the steamer left, and when she might be expected to arrive. He did not know whether the Government had made any representations on the subject to the contractors. He should imagine the steamer people would be glad to get all the traffic they could, but their course of conduct certainly did not show that they were very desirous of meeting the public convenience. These steamers ought to be made to go alongside the jetty at Bunbury, and at other ports where it was possible for them to do so. When the Governor travelled by them they did go alongside, but, when ordinary people travelled, the steamers anchored a short distance off, and people have to get into a small boat, and when they go alongside there were not even steps for passengers to climb up, only a sort of rope ladder. That was his experience. He did not think that was a proper way to treat the public: he did not think that was proper conduct on the part of contractors who were liberally subsidised out of public funds. For all they knew, there might have been ladies coming on board yesterday, and the conveniences afforded for getting aboard were certainly such as no lady would be able to avail herself of. He merely mentioned these things, in order to show what little attention the company or their agents paid to the public convenience, and he hoped, if any new service be entered into, the Government would take care that these outports were properly served, which they were certainly not at present. He thought it would be a great inducement to passengers coming to Albany by the mail

steamers, to come on to Fremantle if we had this weekly steam service. Most of these people had a strong objection to travelling overland, or to wait a week at Albany for the coastal steamer. Under all the circumstances, he agreed perfectly with the Colonial Secretary that if this service was carried out well and properly it would be an excellent thing for the colony in many ways. He felt sure that if the Government adopted the advice which he had ventured to throw out to them, with regard to selling off their mail coaches and entering into contracts with private individuals for the Albany and the Southern mail services, they could afford to subsidise Messrs. Lilly and Co. without any further cost to the colony.

MR. VENN thought the arguments made use of by the Colonial Secretary the other evening, when the question of subsidising a direct steam service from London was under discussion, applied with equal force here—there would be such a small sum available for subsidising this proposed coastal service that it was hardly worth while for the contractors to consider it, and we might expect to have the service carried out, subsidy or no subsidy. With regard to inland communication, if we once committed ourselves to a steam coastal service, as now proposed, the overland service would very soon dwindle into a pack horse service. No one could realise the advantages of the present inland coach services except those people who were served by them, and anything that would tend to impair the efficiency of these services would be a source of great inconvenience and hardship to the settlers of the districts concerned. It must be borne in mind that when the Southern districts mails were carried by contract there was no opposition then in the shape of steamers, and the contractor had all the passenger traffic for himself. But it would not be so now, and they could not expect to have the service performed for the same money. He doubted very much, taking all things into consideration, whether it would be any great saving on the Royal Mail service. It could not be said that the old system was anything so convenient to the public travelling as the present system, and any little extra

expense now entailed was duly appreciated by the public. He should not support the resolution, for he thought it was the insertion of the thin end of the wedge to do away with the present inland service, or at any rate to impair its efficiency and to limit the advantages now derived by the public from it.

MR. BURT said they heard on all sides one and the same complaint as to the manner in which the public were treated by the steamer people at present. The same complaints came from Champion Bay as from the Vasse and Bunbury; passengers and shippers joined in the chorus that these steamers either could not or would not wait any time to suit the convenience of the public. What did that point to? Did it not point to the fact that we were giving too much subsidy already, and that they were so independent that they had no necessity to lay themselves out for passenger or goods traffic.

MR. CAREY said that so far as his vote went he certainly would be no party to increase this subsidy, and he trusted the present was the last contract our Government would ever enter into with Messrs. Lilly & Co. He was glad the hon. member for Perth had mentioned what had been his own personal experience of the manner in which the company treated the public. The same thing occurred almost every trip the steamers made to Bunbury and the Vasse. The same complaints had been heard for years past, and he remembered very well that a select committee of which he was a member asked the Postmaster General last year whether these complaints had not come to his ears. The Postmaster General was asked this question: "Have any complaints been made that the steamers do not stop as long a time as is specified in the contract, at Bunbury and the Vasse, when having cargo and passengers on board for, or to receive from these ports?" To that question the reply of the Postmaster General was that there had been no complaints made officially, but that people from those places had made complaints. Being afterwards questioned as to whether he had ever heard of the steamer refusing to take cargo when required to do so, Mr. Helmich admitted that he had heard it had refused to take cargo from the Southern

ports. Complaints, then, had reached the Government over twelve months ago, and yet there had been no change for the better. The Postmaster General was also asked this question: "As far as postal conveniences are concerned, do you think that it is any advantage for the steam service to be subsidised beyond Albany?" The reply of the Postmaster General was: "It is no convenience whatever, so far as carrying the mails is concerned." On the same occasion he (Mr. Carey) himself was examined before the select committee, when he handed in a letter from Mr. Cookworthy, enclosing the times of arrival and departure of the steamers at the Vasse, by which it appeared that the steamers during fifteen visits to the Vasse, in August, September, October, and November, 1881, only remained the proper contract time on one single occasion. Mr. Cookworthy's letter also stated that the steamer had refused to take on board cargo at Fremantle which was desired to be sent to the Vasse, and had also refused to take on board cargo at the Vasse for Fremantle. Mr. Lilly himself was examined before the same select committee, and he was asked this question: "Can you give any explanation as to the cause of a passenger and cargo being left behind at the Vasse on the 9th of July, although the steamer remained five hours at Bunbury after leaving the Vasse?" Mr. Lilly's reply was: "I can give no explanation as to the circumstance. I never heard anything about it till the Government wrote to me with reference to it." He was then asked: "Did the steamer refuse to take cargo to the Vasse from Fremantle in July last, and, if so, why?" To this Mr. Lilly replied: "Yes, cargo was refused, because we could not take more than five or six tons at a time to that port." That was the sort of accommodation which the southern ports got for this large subsidy. As to the permission required under the contract before the steamers could leave Bunbury—permission which ought to be obtained on each trip, from the Resident Magistrate—that was a perfect farce. These permits were left in the office already signed, and the agent took them with him in his boat when he went to the steamer, whether there was any necessity for the steamer to remain her contract time or not. The Southern

ports, in fact, had been neglected in every way, and the convenience of the public in no way studied, and, so far from being in favor of increasing the subsidy to the present company, he hoped they would never get another subsidy, after their present contract expired, from this Government.

MR. RANDELL said, whatever might be the result of this debate, he hoped the House would unmistakably express its opinion as to the utmost importance of continuing overland communication with Albany and the intermediate stations. He considered this of paramount importance. There were always risks attached to sending mails by sea which were not to be encountered on land, and if they were to abolish this overland service they would be creating an even greater monopoly than at present in favor of the owners of these steamers. He earnestly hoped, whatever arrangement might be entered into, nothing would be done to diminish the efficiency of the overland mail service.

The resolution was then put, and the committee divided, with the following result:

Ayes	7
Noes	9
Majority against			2

AYES.	NOES.
Hon. A. P. Hensman	Mr. Carey
Hon. J. H. Thomas	Mr. Grant
Hon. J. Forrest	Mr. Higham
Mr. Brown	Sir L. S. Leake
Mr. Glyde	Mr. McRae
Mr. S. H. Parker	Mr. S. S. Parker
Hon. M. Fraser (Teller.)	Mr. Randell
	Mr. Venn
	Mr. Marmion (Teller.)

The motion was therefore negatived.

MESSAGE (No. 37): AMENDING ABOLITION OF GRAND JURIES BILL.

MR. SPEAKER notified the receipt of the following Message from His Excellency the Governor:

"The Governor has the honor to return to the Honorable the Legislative Council the Bill intituled 'An Act to consolidate and amend the Laws providing for the Abolition of Grand Juries, and for the Summary Discharge (in certain cases) of Persons under Committal for Trial for Felonies and Misdemeanors.'

"It appears necessary that the Bill should be further amended, as follows:—

"(a) The words 'or shall have been' to be inserted after the words

"'shall be,' in Clause 5;

"(b) The following words to be added, as Clause 15:—'This Act shall commence and take effect from and after the first day of November, 1883.'

"Government House, Perth, 6th September, 1883."

THE ATTORNEY GENERAL (Hon. A. P. Hensman) moved the House into committee to consider the amendments proposed by His Excellency.

Agreed to.

IN COMMITTEE.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) moved the amendments as suggested by His Excellency in his message, which were agreed to without discussion, as was also the following reply: "This Council having considered His Excellency's Message (No. 37) has agreed to the amendments proposed."

MESSAGE (No. 38): BONUS TO STEAMERS: FENDER PILES, FREMANTLE BRIDGE.

MR. SPEAKER notified the receipt of the following Message:

"With reference to the Address of the Honorable the Legislative Council No. 56, of the 4th inst., the Governor has thought it better to place on the Estimates of 1884 the whole sum of £1200 required for the bonus to a line of steamers between London and Fremantle.* The sum of £600 was named through a misapprehension of the wishes of the Council.

"In accordance with the request contained in Address No. 55, of the 4th inst., the sum of £100 has been provided for fender piles to the Railway Bridge at Fremantle.

"Government House, Perth, 6th September, 1883."

IMPORTED LABOR REGISTRY BILL.

Read a third time and passed.

TELEPHONE EXCHANGE: MR. B. C. WOOD'S LETTER.

MR. BROWN, referring to the letter laid on the table by the Colonial Secretary from Mr. B. C. Wood, of Fremantle,

relating to a proposal to establish telephone exchanges, said hon. members were aware of the press of work that had been before the House for some days back, which had prevented members from giving this and other matters their consideration. At this late period of the session, when hon. members were anxious to get away, and when others had already left, he thought it would be unwise to enter into these proposals—for he noticed there were other proposals besides Mr. Wood's, in reference to the same subject. He therefore begged to move a resolution, which he thought would meet the case. It was as follows: "That in reference to the proposals of certain persons to establish telephonic communication in and between Perth and Fremantle upon certain terms, this House is of opinion that it is undesirable to enter upon the consideration of the proposals at present, and trusts that the Government will be prepared to submit to the Legislature, at its next session, some scheme for providing such communication." He thought all hon. members were desirous that a telephone exchange should be established between Perth and Fremantle, but he also thought the work was one which ought to be undertaken by the Government itself rather than by private individuals.

MR. MARMION, in seconding the resolution, said, even if the House had time to consider the proposals, he did not think it would be desirable for the Government to have a rival in the field, who might possibly take away a great deal of traffic from their own telegraph lines, and he thought these telephones ought certainly to be worked in conjunction with our telegraph system. He thought they could be worked much cheaper by the Government than by a private company, as the present staff employed by the Government would probably be able to work the telephone as well as the telegraph, while at the same time portions of the machinery or apparatus now used for telegraph purposes might be made available for telephonic purposes. There could be no doubt that the establishment of a telephone exchange would be of great convenience to the public, but it was undoubtedly an undertaking that ought to be taken in hand by the Government itself, and not by private in-

dividuals. He hoped therefore that the Government would be prepared at the next session of Council with some well-defined scheme, which he was sure would meet with favorable consideration.

MR. S. H. PARKER thought a telephone exchange would be found a very great convenience to the public, and, if it was the opinion of hon. members that the thing would be better worked by the Government than by a private company, the sooner the Government took it in hand the better.

MR. RANDELL said he had formed no opinion on the subject himself, but he thought it would not be wise to tie the Government down too stringently as to their line of action in carrying out the wishes of hon. members with regard to establishing telephonic communication.

The resolution was then put and carried.

DISTRICT ROADS ACT AMENDMENT BILL.

On the order of the day for the consideration of this Bill in committee,

MR. CAREY moved that the Speaker do now leave the chair.

MR. SHENTON moved, as an amendment, that the House go into committee on the Bill that day six months. Since the Bill had been read a second time he had gone carefully through its provisions, and he thought if it passed as proposed it would make the Roads Board Act far too cumbersome a measure, and that they would have the greatest difficulty in obtaining candidates for seats on these District Boards. He had spoken to several persons on the subject, and they all agreed with him it would be very awkward in many cases if candidates had to give seven days' notice of their intention to come forward. Very often, in country places, the very best men to serve as members of these Boards were men who might possibly be induced at the last moment to come forward as candidates. The present Act had been in force for eleven or twelve years, and up to the present time he had not heard any very serious complaints against the working of it. He thought if the Act were amended as it was now proposed, it would cause a great deal of unnecessary trouble in country districts.

Upon the question being put—That the Speaker do now leave the Chair—the House divided, when there appeared—

Ayes 9

Noes 6

Majority for 3

AYES.
Hon. A. P. Hensman
Hon. J. Forrest
Mr. Brown
Sir T. C. Campbell
Mr. Grant
Mr. S. H. Parker
Mr. Randell
Mr. Venn
Mr. Carey (Teller)

NOES.
Mr. Crowther
Mr. Glyde
Mr. Higham
Mr. Marmion
Mr. S. S. Parker
Mr. Shenton (Teller)

The House then went into committee on the Bill.

MR. CAREY: Before proceeding to discuss the clauses of the Bill, I wish to thank hon. members for having defeated the attempt made to shelve the Bill in a very unfair manner. The attempt however was only in keeping with the actions of the hon. member who made it, in other instances which—

THE CHAIRMAN OF COMMITTEES: The hon. member is quite out of order. There is nothing yet before the committee.

Clause 1—repealing the 24th section of the District Roads Act, 1871, Amendment Act, 1876:

MR. CAREY, continuing his remarks, said if the hon. member who had sought to have the Bill shelved had really opposed it on the ground stated—the difficulty of finding candidates, if seven days' notice was insisted upon, it would have been very easy for the hon. member to have moved to strike out that part of the Bill, in committee; but the fact of the matter was, that was not the hon. member's real reason for opposing the passage of the Bill. The main object of the Bill was to provide that the voter himself insert on his voting paper the names of the candidates he wished to vote for, and not leave it to other persons to do so.

The first clause was then put and passed.

Clause 2—Manner of taking the poll:

MR. RANDELL rose to support this clause, which, so far as his memory served him, was copied verbatim from a clause in the Municipalities Act. It provided one of those safeguards which legislation threw over the voter, and he saw no

reason why the same safeguard should not be provided for voters at Roads Board elections as at Municipal Council elections, so that the real choice of the electors might be appointed to seats on the Board. The argument of the hon. member for Toodyay seemed to him to strike at the very root of our free institutions, and it seemed to imply that there was an entire lack of patriotism and public spirit among our country settlers, who, it would appear, did not possess a sufficient spirit of self-denial to come forward at some little personal sacrifice to fill these offices. It was intended that the establishment of the District Boards should lead to the development of a stronger public spirit among the inhabitants of the colony, so as to pave the way at some future time for the introduction of political self-government in its fullest sense. He should be sorry to think that residents in the country were not prepared to come forward and sacrifice a little of their time for the common weal and the good of the colony as well as of their own particular districts. The manner of taking the poll, as provided by this clause, was one that had worked well in the Municipal Institutions Act, and he saw no reason why it should not work well at elections of District Road Boards. The expenditure of large sums of money was entrusted to these Boards, and it was highly desirable that the members should be elected in a thoroughly independent way. He understood that the present system opened the door to the exercise of persuasion and cajolery, if not fraud.

MR. CROWTHER said that patriotism and self-denial among members of Municipal Councils were very different things to patriotism and self-denial among the members of District Roads Boards. One had to ride perhaps twenty miles in and twenty miles back when attending a meeting; the other had only as many yards to go from home to attend a municipal meeting. The present District Roads Boards Act no doubt worked fairly well, but it certainly would not work so freely as it now did if they surrounded it with this new and cumbrous machinery, which was more likely to keep good men out than to get them in. It would simply enable people to get their own men in, and a stamp of men not at

all desirable, and he was very sorry indeed that the Bill had been brought forward. He thought they might well have been contented with an Act that was fairly workable.

MR. CAREY regretted that the hon. member for the Swan was not present to support him in passing the Bill through the House, as he knew the hon. member was in accord with its provisions. The hon. member for the Greenough said he thought the tendency of the Bill would be to keep good men out, and to give an opportunity for manipulating the voters in order to get in partisans. His object was to put a stop to the manipulation that was practised under the present system, under which candidates were sprung upon the electors and returned by a clever manipulation of the voting papers.

MR. MARMION said he was opposed to the clause. It seemed to him it would simply have the effect of limiting the number of people who were likely to offer themselves as candidates—a number that was too contracted already. Very little interest was taken as a rule in these Road Boards elections, in respect of which there appeared a lamentable want of public interest; and the result of the passing of this Bill would be that very few people will ever think of putting themselves forward as candidates, with the result that the elections would fall into the hands of any active agent who might choose to nominate his own candidates. As to the alleged practice of voters signing their proxy papers without even filling in the names of the candidates they wished to vote for, that certainly displayed a lamentable want of interest in these elections; and it appeared to him that a clever agent would have no more difficulty in inducing these people to fill in such names as he wished to get in than he would in inducing them now to let him fill in the names himself. It appeared to him that to pass the Bill would simply be encumbering the statute book for no useful purpose.

MR. SHENTON said no doubt the system of voting under the Municipalities Act, and of obtaining candidates, worked well enough in the centres of population, but these District Road Board elections chiefly concerned the country districts, where there were very few magistrates,

as a rule, available for the purpose of attesting proxies.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) pointed out that it was not necessary for the voter to interview the magistrate; it was for the agent to satisfy him that the elector had filled in the proxy paper himself, and this could be done in the towns. It appeared to him a very reasonable provision. If people were so indifferent about these elections as they were represented to be, it was not much to their credit, nor did it augur well for the introduction of those free institutions of which they had heard so much. A great many people were looking forward to the time when the colony shall take upon itself the entire management of its own affairs, and he did not think it was quite consistent for those who advocated that change to argue that the electors were so indifferent in the matter of local self-government that they did not care for whom they voted.

The clause was then put and passed.

Clause 3.—“Any person who shall be desirous of being a candidate for election as chairman or member of any District Road Board shall by himself or his agent give notice in writing of his intention thereof to the returning officer at any election at least seven clear days before the day of such election; and the said returning officer shall give notice of the intention of such person to become such candidate by affixing a notice to that effect on the door of the accustomed place of meeting, and on the outer door of every court house throughout the district, and keeping the same there affixed until the day of election. At any such election no one shall be deemed a candidate for the office of chairman or member as aforesaid, except those who have given such notice as is herein provided.”

MR. SHENTON pointed out that this clause provided for the election of a chairman, in the same way as of members, whereas the Act now in force provided for the election of the chairman by the members of the board, who chose their own presiding officer, irrespective and independent of the electors.

MR. CAREY said the error had crept in inadvertently, and he would move

that the word "chairman" be struck out, where it appeared in the clause.

This was agreed to.

MR. CROWTHER moved, as an amendment, to insert after the word "agent" in the third line, the words "duly authorised in writing." This, he thought, would to some extent neutralise the evil effects of the Bill.

MR. CAREY thanked the hon. member for his amendment, which was carrying out exactly what he himself wished. Should there, however, be a majority opposed to this clause altogether, he had no particular wish to press it, as he had already attained the main object he had in view when introducing the Bill.

The amendment was then put and passed, and the clause as amended agreed to.

New clause:

THE ATTORNEY GENERAL (Hon. A. P. Hensman) moved the following new clause, which, he said, explained itself:

"No member of a District Road Board shall have any pecuniary interest, directly or indirectly, in any contract for the expenditure of the public moneys at the disposal of the board; and every contract hereafter made contrary to the provisions of this section shall be void."

The clause was agreed to, *sub silentio*.

Preamble and title:

Agreed to.

Bill reported.

PRIVATE BONDED WAREHOUSES BILL.

This Bill was recommitted for the purpose of introducing some verbal amendments, which were agreed to without discussion. (*Vide* "Votes and Proceedings," p. 171.)

TRANSFER OF LAND ACT, 1874, AMENDMENT BILL.

THE ATTORNEY GENERAL (Hon. A. P. Hensman), in moving the second reading of this Bill, said it was of a technical character, and that it had been brought forward in consequence of a suggestion made by the Commissioner of Titles, who had found that in certain small matters the working of the present Act had not been perfectly smooth, and it was believed that the amendments here proposed would meet the difficulty.

He had been through the amendments with the Commissioner, who had pointed out to him their advisability.

The motion for the second reading was then agreed to.

IMMIGRATION BILL.

THE COLONIAL SECRETARY (Hon. M. Fraser), in moving the second reading of a Bill to promote the further settlement of the colony by the establishment of a Board of Immigration and of an Immigration Fund, said the Bill called for no lengthy remarks on his part. The subject had already been before the House, introduced in the first instance by a message from His Excellency the Governor, and afterwards referred to a select committee, whose report was subsequently adopted by the House. The Bill simply carried out the recommendations embodied in that report, and therefore it was unnecessary for him to explain its provisions in detail at the present moment, as they could be dealt with hereafter in committee.

The motion for the second reading of the Bill was then agreed to.

ECCLESIASTICAL GRANT: HOW EXPENDED.

THE COLONIAL SECRETARY (Hon. M. Fraser) laid on the table a return moved for by Mr. Crowther, showing the expenditure of the Ecclesiastical Grant.

SUSPENSION OF STANDING ORDERS.

On the motion of the COLONIAL SECRETARY, the Standing Orders of the House were suspended, to enable the Council to meet at two o'clock next day.

The House adjourned at six o'clock, p.m.