

FIRST READINGS.

The following Bills were read a first time, in accordance with notice, on motions by the Colonial Secretary (Hon. F. P. Barlee): Confirmation of Expenditure Bill, The Auctioneers' Bill, Increase of Members in Legislative Council Bill, Wines, Beer, and Spirit Sale Act, 1872, Amendment Bill, Duty on Transfer of Landed Property Bill, Administration of Criminal Law Bill, and Warrants of Distress Bill.

LEAVE OF ABSENCE.

Mr. STEERE, in accordance with notice, asked for leave of absence for the member for Perth (Mr. Carr).

The COLONIAL SECRETARY (Hon. F. P. Barlee) laid on the Table of the House a copy of a letter dated 19th February, 1873, from Mr. Carr to His Excellency the Governor, applying for leave of absence for 12 months, and a copy of His Excellency's reply of the 24th February.

Motion agreed to.

PAPERS TABLED.

The COLONIAL SECRETARY (Hon. F. P. Barlee) laid on the table a copy of a letter from the Chief Secretary of South Australia to the Colonial Secretary of Western Australia, relative to the necessity of adopting measures to ensure none but genuine jarrah timber was shipped as such from Western Australia.

Also, a copy of a letter from Mr. Thomas Hayward of Pinjarrah, to the Colonial Secretary submitting for consideration a few remarks on a minute forwarded by His Excellency the Governor to the Wellington Roads Board; also a copy of the minute of His Excellency on Mr. Hayward's letter.

ADDRESS IN REPLY TO THE GOVERNOR'S SPEECH.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Address to His Excellency the Governor in reply to his Speech be presented by the Speaker and other members of the House.

Mr. STEERE seconded the motion.

Question put and passed.

Sitting suspended.

The Council reassembled at 3 p.m.

The SPEAKER announced that the Address to His Excellency the Governor had been presented in accordance with the resolution of the House.

The Council adjourned at 3.15 p.m.

LEGISLATIVE COUNCIL,

Wednesday, 2nd July, 1873.

Papers Tabled—Northern District Representation: petition—Sessional Clerk Assistant—Concessions of Land: select committee—The Williams District—Confirmation of Expenditure Bill: second reading: Chairman of Committees: in committee—The Auctioneers' Bill: second reading: in committee—Wines, Beer, and Spirit Sale Act, 1872, Amendment Bill: second reading—Administration of Criminal Law Bill: second reading: in committee—Warrants of Distress Bill: second reading: in committee—Importation of Cattle, Sheep, and Pigs Bill: second reading.

The SPEAKER took the Chair at 6 p.m.

PRAYERS.

PAPERS TABLED.

Mr. BICKLEY laid upon the Table of the House the questions referred to in the Harbor Improvement Board's report, and correspondence relating to their rejection.

The COLONIAL SECRETARY (Hon. F. P. Barlee) laid upon the Table of the House a copy of a letter from Thomas Elder, Esq., of Adelaide, to the Colonial Secretary of Western Australia, dated the 14th June, 1873, relative to the disposal of the camels and the persons accompanying Colonel Warburton's expedition from Alice Springs, in the event of the expedition being successful, and moved that the same be read.

The letter was read.

NORTHERN DISTRICT REPRESENTATION: PETITION.

Mr. LOGUE presented a petition from 43 settlers residing in the northern district praying that the Council would take into consideration the desirability of no longer denying to that district the privilege of returning its own representative to the Legislative Council.

The petition was received and read.

SESSIONAL CLERK ASSISTANT.

Mr. Laurance Stirling Eliot was sworn in as Clerk Assistant.

CONCESSIONS OF LAND.

Select Committee.

The COLONIAL SECRETARY (Hon. F. P. Barlee), in moving for a select committee to consider and advise upon the expediency of making concessions of land to persons who may establish industries in, or otherwise benefit the colony, said that the Government had received several applications from persons desirous to introduce new industries and to prosecute others on condition that they be granted a concession of land, and that the

Government before entertaining any such applications was anxious to obtain the opinion of the House as to the expediency or otherwise of acceding to the request of the applicants.

The motion was agreed to, and the following members were appointed to sit thereon:—Hon. M. Fraser, Mr. Steere, Mr. Monger, Mr. Logue, Sir Thomas Cockburn-Campbell, Mr. Marmion, and Mr. Padbury.

THE WILLIAMS DISTRICT.

Mr. MARMION, in accordance with notice, asked the Colonial Secretary whether it was the intention of the Government to make provision in the Estimates for 1874 for a resident magistrate and medical officer for the Williams district.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said that it was the intention of the Government to do so.

CONFIRMATION OF EXPENDITURE BILL.

Second Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Bill be now read a second time. He said that it was a Bill to confirm the expenditure for the service of the year 1872 beyond the grant for that year. In doing so he said he was quite certain that the Bill would require very little consideration, inasmuch as the amount of the overdraft, he was exceedingly glad to say, was much less than for many years past. The total amount of overdraft on estimates of £100,000 had been no more than £4,688 9s. 1d. and this was still more gratifying when it would be borne in mind the fact that there had been an overdraft of £4,627 0s. 2d., reducing the actual overdraft to £61 8s. That, he contended, was going as close as possible to the Estimates.

The Bill was read a second time.

Chairman of Committees.

The COLONIAL SECRETARY (Hon. F. P. Barlee) called attention to the fact that, in the absence of Mr. Carr, the House was without a Chairman of Committees, and as it was necessary, pursuant to parliamentary practice, that the House should then resolve itself into a Committee of the whole, for the further consideration of the Confirmation of Expenditure Bill, he would, with leave, move that the House do at once appoint a temporary Chairman. He was not aware what were the wishes of hon. members in regard of the appointment, but inasmuch as it was desirable that the gentleman who occupied that position should be conversant with parliamentary practice, he thought that he could not do better than ask the hon. the Speaker to act also as Chairman of Committees.

The SPEAKER said it appeared to him that such a proposal was very unfair, and would bear very hard upon him and his constituency. The duties which already devolved upon him in his present position were such as necessitated an iron constitution to perform, and he certainly did not feel justified in rendering those duties still more onerous by accepting the position of Chairman of Committees.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said the House, under the circumstances, would have to throw out its net again. There was one hon. member in the House who probably, excepting Mr. Speaker himself, was more conversant with May than any other, and he would propose that he be asked to accept the vacant Chairmanship of Committees. He alluded to the hon. member for Geraldton, Mr. Logue.

Mr. LOGUE acknowledged the compliment, but said that, representing as he did one of the most important constituencies in the colony, he could not desert his present post as its representative in the House. He would move that the Chair be offered to the hon. member Mr. Bussell.

Mr. BUSSELL declined the honor, with thanks.

Mr. STEERE said he conceived it to be the duty of each member of that House to undertake any duties that a majority of the Council sought to impose on him; otherwise he could not see how the business of the House could be proceeded with. Probably no other Legislative Assembly had ever been placed in the predicament they were placed in at the moment, and he thought the only way to get out of the difficulty was that the vote of the House be taken on the subject. Two hon. members had been proposed, and they had declined to accept the position; he would, therefore, suggest that the House divide, and that the appointment be made by a majority of votes.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said he felt some reluctance in nominating another gentleman, in consequence of the position which that gentleman held in the House, but he knew of no one else who could discharge the duties of Chairman of Committees more efficiently than the hon. member for Wellington.

Mr. STEERE said he was quite sensible of the honor sought to be thrust upon him, but he certainly thought it scarcely fair, taking all things into consideration, that he should be asked to accept a position which would preclude him from taking his full share in any discussion before the House.

After some further conversation,

The COLONIAL SECRETARY (Hon. F. P. Barlee) pressed his motion in regard to the member for Wellington.

Question put, "That Mr. Steere be Chairman of Committees," upon which a division was called for, the result being as follows:—

Ayes	6
Noes	8
Majority against	2

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

Question thus negatived.

Mr. LOGUE moved that Mr. Russell be elected Chairman of Committees.

Mr. STEERE seconded the motion.

Motion, by leave, withdrawn.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Speaker be elected Chairman of Committees.

The ATTORNEY GENERAL (Hon. H. H. Hocking) seconded the motion.

The SPEAKER, so that the business of the country should not be delayed, and on condition that his constituency offered no objection to his accepting the dual position, consented, after much pressure to do so.

In Committee.

Clause 1—

The COLONIAL SECRETARY (Hon. F. P. Barlee) begged leave to offer a few remarks on the various items of overdraft. With respect to the first—Civil List Schedule, £82 6s. 8d.—that item had arisen consequent upon the salary of the late Attorney General for December, 1872, and January, 1873, being advanced to him during his absence. This arrangement was due to the magnanimity of the Crown Solicitor undertaking to perform the duties of his own office in conjunction with those of the Attorney General, thereby enabling the latter, during his leave of absence, to draw his full salary. The £68 6s. 6d. in connection with the Surveyor General's Department had been expended in surveying instruments absolutely necessary to carrying on the work of the department; and the same applied to the next item—Harbor and Light Department, £119 7s. 11d., which sum had been expended in anchors and chains brought into use during the current year. The excess in

the item "Administration of Justice" had arisen consequent upon the additional charges and fees incurred in connection with that department, and the extra sum now required for the payment of jurors. The increase in the next item—Medical Establishment, £390,—arose out of the fact that several of the convict depot hospitals throughout the colony had been transferred to the Colonial Government, which has now to bear the expenses attendant upon maintaining such establishments. The item of "Charitable Allowances" was a heavy one, but it could not be avoided; pauperism was on the increase. The next item—pensions—arose out of the superannuation allowance made to the late Auditor General, to the Colonial Surgeon (Dr. Ferguson), and to the Resident Magistrate of the Swan district. Of the item Miscellaneous Services (£754), no less than £600 had been expended upon the Geraldton sandhills; £30 on the steam dredge; and £100 in improving the coffee plantation in the Geraldton district.

Mr. STEERE said the statement made by the hon. gentleman who had just sat down was on the whole a very satisfactory one.

Some observations were made by Mr. LOGUE, on the item "Administration of Justice"—having reference to the case of Mr. L. C. Burges, which he intimated would again be brought before the consideration of the House before the prorogation.

Clause agreed to.

Preamble agreed to.

Title agreed to.

Bill reported, without amendment.

THE AUCTIONEERS' BILL.

Second Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved the second reading of a Bill to repeal the duties on sales by auction, and to impose a new duty on the license to be taken out by all auctioneers in Western Australia. He said there had existed a strong feeling outside for some time past, that the duties on auctions should be removed—a course which he believed would tend to increase the number of public sales and to expand trade generally. The object of the Bill was, while repealing the duties paid by vendors at auction, to increase the fees paid by auctioneers for licenses.

The Bill was read a second time.

In Committee.

Clause 1 agreed to.

Clause 2—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the word "Ordinance" in the second line be struck out and the word "Act" inserted in lieu.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 3—

The COLONIAL SECRETARY (Hon. F. P. Barlee) said that from and after the passing of this Act licenses to act as an auctioneer shall be of three kinds; a general license, a country license, and a district license. A general license shall authorise the holder to act as an auctioneer in any part of the colony; a country license shall authorise the holder to act as an auctioneer in any part of the colony except within the limits of the City of Perth and Town of Fremantle; a district license shall authorise the holder thereof to act as an auctioneer within the district of any Resident Magistrate or Police Magistrate that may be named in the license, except in Perth and Fremantle. There shall be payable for and in respect of such license the sums following:—for a general license, £25; for a country license, £15; for a district license, £5.

An animated discussion ensued.

Clause agreed to.

Clause 4—

Mr. MARMION moved that the words "except Perth and Fremantle," in the ninth and 10th lines be struck out, and after the words "five pounds," in the 12th and 13th lines the words "excepting within the districts of Perth or Fremantle, in which the fee shall be £10," be inserted.

Mr. BICKLEY moved, as an amendment, that there shall be only one class of license, and the fee shall be fixed at £20 per annum.

Amendments not agreed to.

Clause agreed to.

Clause 5 agreed to.

Clause 6—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved to fill up the blank with the words "one hundred."

Amendment agreed to.

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved that the words "Provided always that any person holding an auctioneers' license granted before the passing of this Act shall be deemed to be duly licensed to act as an auctioneer during the currency of such license to all intents and purposes," be added at the end of the clause.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 7—

The SURVEYOR GENERAL (Hon. M. Fraser) moved that the blank be filled up with the word "fifty."

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 8 to 10 agreed to.

Schedules A to D—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the words "These are to certify that" at the commencement of each of the schedules be struck out.

Amendment agreed to.

Schedules, as amended, agreed to.

Clause 4 reverted to—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved that after the word "Act" in the last line of the clause, the words "or to the like effect" be added.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 8 reverted to—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved that after the word "Act" in the seventh line, the words "or to the like effect" be inserted.

Amendment agreed to.

Clause, as amended, agreed to.

Preamble agreed to.

Title agreed to.

Bill reported, with amendments.

WINES, BEER, AND SPIRIT SALE ACT, 1872, AMENDMENT BILL.

Second Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Bill be now read a second time. He said that the object of the Bill was the restriction of prohibition against the holding of licenses; additional prohibition against the supply of fermented liquor to Aboriginal natives; the infliction of penalties on keepers of eating houses, boarding houses, or lodging houses, and the application of the provisions of section 64 of the existing Act to eating houses, lodging houses and boarding houses kept open to the public.

The Bill was read a second time.

ADMINISTRATION OF CRIMINAL LAW BILL.

Second Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Bill be now read a second time. He said that it was designed to remove some defects in the administration of the criminal law.

The Bill was read a second time.

In Committee.

The Bill passed through Committee without discussion.

WARRANTS OF DISTRESS BILL.

Second Reading.

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

The Bill was read a second time.

In Committee.

Clause 1—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to strike out the word "is," in the second line, and insert the words "shall be or has been" in lieu.

Amendment agreed to.

Clause, as amended, agreed to.

Preamble agreed to.

Title agreed to.

Bill reported, with an amendment.

IMPORTATION OF CATTLE, SHEEP, AND PIGS BILL.

Second Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Bill be now read a second time. He said that the Bill was introduced in pursuance of a resolution adopted at the Intercolonial Conference, its purport being the prohibition or the regulation of the importation of cattle, sheep, or pigs into this colony, on sanitary grounds.

After a few observations from Mr. LOGUE,

The Bill was read a second time.

The Council adjourned at 10.10 p.m.

LEGISLATIVE COUNCIL,

Thursday, 3rd July, 1873.

Swearing in of Member—Paper Tabled—Quarantine Station and Regulations—Steam Communication—Crown Lands and Survey Report: printing—Warrants of Distress Bill: third reading.

The SPEAKER took the Chair at 12 noon.

PRAYERS.

SWEARING IN OF MEMBER.

The SPEAKER administered the Oath of Allegiance to Mr. W. Padbury.

PAPER TABLED.

The COLONIAL SECRETARY (Hon. F. P. Barlee) laid upon the Table of the House a copy of a letter from W. R. Bunbury, with enclosures, relative to a proposed land tax.

QUARANTINE STATION AND REGULATIONS.

Mr. HASSELL, in accordance with notice, asked the Colonial Secretary what steps the Government intended to take with regard to a quarantine station and quarantine regulations at the Port of King George's Sound.

The COLONIAL SECRETARY (Hon. F. P. Barlee) replied that there existed a great diversity of opinion relative to the nature of the quarantine regulations which ought to be adopted for this colony, and that steps had been taken by the Government to procure a copy of the quarantine regulations in force in the other Australian colonies, upon receipt of which His Excellency the Governor proposes to appoint a commission to consider the same and report thereupon.

STEAM COMMUNICATION.

Mr. STEERE, in accordance with notice, moved that the contract between the Government and Messrs. Connor & McKay for placing a steamer on the coast be laid on the Table of the House.

Question put and passed.

CROWN LANDS AND SURVEY REPORT.

Printing.

Mr. CAREY, in accordance with notice, moved that the report on Crown lands and surveys, laid on the Table of the House by the Colonial Secretary on the 23rd June, be printed.

Question put and passed.