

was a question which ought never to have been brought before the House. This petition was addressed to the Governor and not to the Legislature, and he failed to see why it should not have been dealt with by the Executive.

MR. VENN said he knew very little about the petition, or its merits, but, as the representative of the district where the company carried on its operations, he would have been glad if the Committee had agreed to report Progress, in order to enable him to ascertain from the petitioners what they conceived to be the grounds which they had for asking for a remission of the duties. He did not think the House was acting properly in treating petitions sent for its consideration in the cavalier manner in which some hon. members seemed inclined to deal with this memorial.

MR. MARMION wished to add that, for his own part, he had no intention of supporting the motion. He had simply moved it out of courtesy towards the hon. member for Wellington.

Question put—That the words proposed to be struck out, be struck out.

Aye.

Question put—That the words proposed to be inserted, be inserted.

THE COLONIAL SECRETARY (Lord Gifford) moved, as an amendment, To strike out all the words after the word "That," and insert the following in lieu thereof:—"This Council having considered Your Excellency's Message "No. 3, regret that they cannot entertain the prayer of the Petition which "it conveys, as it is a precedent that "this Council would rather not recommend."

This was agreed to, and the House resumed.

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

## LEGISLATIVE COUNCIL,

*Tuesday, 2nd August, 1881.*

Oyster Fisheries Bill: first reading—Despatch relative to employment of Crown Agents—Papers relative to the claim of Messrs. Beaver & Co.—Ecclesiastical Grant, How disposed of—Protection of Immature Sandalwood: Report of Select Committee—Brands Bill, 1881: referred to Select Committee—Scab Act Amendment Bill: re-committed—Adjournment.

THE SPEAKER took the Chair at seven o'clock, p.m.

PRAYERS.

### DESPATCH RELATIVE TO EMPLOYMENT OF CROWN AGENTS.

SIR T. COCKBURN-CAMPBELL, in accordance with notice, moved, "That an "Humble Address be presented to His "Excellency the Governor, praying that "he will be pleased to furnish, for the "information of the House, a copy of a "Despatch received in the year 1870 by "Governor Weld from Lord Kimberley, "then Secretary of State for the Colonies, "informing him that upon the adoption "of a Representative Constitution, such "as that which the Colony at present "possesses, the Government of Western "Australia would be at liberty to employ "any other agency in lieu of the Crown "Agents." Hon. members were aware that there was an idea abroad that, for business purposes at home, it was absolutely necessary that the Colony should employ the Crown Agents, but he was aware, as a matter of fact, that a despatch which reached the Colony in 1870 informed the then Governor that when the number of the elected members of the Legislature exceeded that of the nominated members, there would be no necessity for us either to send the public accounts home for audit or to employ the Crown Agents—although Lord Kimberley stated as his opinion that we could not employ a better agency. He believed that these gentlemen were universally considered to be very good managers of financial affairs; New Zealand, he believed, although it possessed Responsible Government and had its own Agent General at home, still employed the Crown Agents in matters of finance. But we had reason to believe that in other matters of business they were not so successful, and, as a matter of fact, the

Colony had reason to complain, in more than one instance, of the manner in which its business had been conducted by them. Possibly they might have been hampered with some instructions which prevented them from doing the best they could for the Colony; at any rate, he thought it was very desirable that we should know whether it is absolutely necessary for us to employ them or not.

The motion was agreed to.

#### PAPERS RELATIVE TO THE CLAIM OF MESSRS. BEAVER & CO.

SIR T. COCKBURN-CAMPBELL, in accordance with notice, moved, "That an 'Humble Address be presented to His 'Excellency the Governor, praying that 'he will be pleased to furnish, for the 'information of the House, papers tend- 'ing to disclose the liability of the 'Colony for payment of the amounts 'recovered by Messrs. Beaver & Co., of 'Melbourne, on account of non-fulfil- 'ment of Contracts for Guano entered 'into with the Government.'" It appeared from the Supplementary Estimates laid on the Table the other day that the amount recovered by Messrs. Beaver & Co. was over £6,900, which, with some other charges yet to be made, would bring the amount up to £7,000—a very large sum indeed for this unfortunate Colony to be mulcted in, in its present financial condition. It was difficult to believe that this loss to the Colony had been brought about in any other way than through gross mismanagement, and he thought that the public, who had to bear the loss, had a right to know how this mismanagement arose.

MR. HIGHAM, in seconding the motion, said it was a very hard thing indeed for the people of this Colony that they should be called upon to pay this large amount, simply through the neglect or bungling of its own officials, and he hoped whoever was to blame in the matter would be made responsible for his neglect, and that in this case the right horse would be saddled with the blame.

Motion affirmed.

#### ECCELESIASTICAL GRANT: HOW DIS- POSED OF.

MR. S. H. PARKER, in rising to move that an Humble Address be presented to His Excellency the Governor praying that he will be pleased to furnish to the House a full statement of how the vote for ecclesiastical purposes is apportioned by the Government and expended by the various religious bodies, said he had brought forward the motion in order that, when the Estimates came to be considered by a Committee of the House, hon. members might be in possession of the information which he now asked for. He did not make this proposition in any feeling of antagonism to the ecclesiastical grant, for, so far as he was concerned, he was perfectly willing to go on voting that grant as at present. Last year when the vote was under discussion, the question arose as to whether the House should not be furnished with some information as to how it was expended, and whether the Council was acting wisely in voting away public funds without any knowledge as to how it was expended by the heads of the various denominations to whom it was apportioned. If that was the feeling of the House, it had occurred to him that, if the information which he now asked for were obtained and furnished to the House before the Estimates came on this Session, the result would doubtless be that the vote would pass more readily. He was fully aware that His Excellency, in the distribution of the grant, did nothing more than apportion it, as voted by the House, to the various religious bodies concerned, and that if His Excellency knew no more than that House did how the money was expended by the heads of the various denominations. At the same time, he felt sure that if His Excellency, in furtherance of the interests of these religious bodies, would request to be furnished with the information which the House sought, no difficulty would be experienced in obtaining such information.

MR. SHENTON, in seconding the motion, hoped the statement asked for would be furnished before the Estimates came to be considered in Committee, so that hon. members might be aware how the money which they were voting was being expended.

MR. MARMION: I am not in any way interested in the question before the House, but it certainly appears to me that we are asking for a little more—I was going to say than the privileges of the House warrant us, and certainly more than I think is desirable. Some years ago, I believe before the present Council was established, some legislation took place with regard to this ecclesiastical grant, but I have searched in vain among the records of the House for any particulars of such legislation, and possibly the only one who is in a position to enlighten us on the subject is the hon. member for the Swan, who is the only member of the present Council who was also a member of the House before the existing constitution was established. I believe, however, I am correct in saying that it was then arranged that a certain sum of money should be allotted out of public funds for the various religious denominations that might think proper to accept it, and allotted in proportion to the numerical strength of the members of such denominations. I am not aware, so far as I have been able to ascertain, that there was any particular line of action laid down as to how the money was to be expended by the various religious bodies to whom it was apportioned—except of course that it should be devoted to assist them in carrying on the ministrations of their respective churches; and if that is the case, if no conditions were imposed as to how the heads of the religious bodies who participate in the grant should expend the money it appears to me that, in asking for the information now sought to be obtained, the House is travelling somewhat beyond its legitimate province. If the hon. member who had submitted this motion had attached to it some complaint, or endeavoured to show that some of the denominations to whom this grant was apportioned had expended the money in such a manner as he conceived was contrary to the wish and intention of the Legislature in granting it, I could see some reason for his seeking to pry into the internal administration of the various religious bodies concerned. Instead of that, the hon. member has favored us with no reason whatever why the House should be furnished with this information. It appears to me that if it was the

intention of the Legislature, when the ecclesiastical grant was first apportioned, to draw a hard and fast line as to how the money should be expended by the heads of the various denominations who participated in the grant, it would have made it a condition, as it did in other cases where grants were made for a specific purpose, that a return should be furnished to the House, annually, showing how the money had been expended. As this has never been done with regard to the ecclesiastical grant, the obvious inference is that no such condition was originally attached to the grant, and that the Legislature laid down no hard and fast line as to how the money, when handed over to the heads of the religious bodies concerned, was to be expended. I do not myself think that this House has any cause of complaint with regard to the expenditure of this grant. Allusion is sometimes made to the prospect of the grant being altogether withdrawn, and it has been advocated in this House that it should be gradually diminished, by annual reductions; but I would remind hon. members that, in one sense, the grant has been considerably diminished since it was first apportioned eleven or twelve years ago. The grant, as hon. members were aware, was apportioned in accordance with the numerical strength of the various denominations participating in it, but it should be borne in mind that within the past ten or twelve years the population of the Colony has increased from 22,000 or 23,000 to 30,000, and that no corresponding increase has been made in the amount of the grant for ecclesiastical purposes. It is but natural to suppose that with this increase of population there has been a proportionate increase in the numerical strength of our various religious bodies; and as this grant has not been augmented in any way, it is obvious that, relatively speaking, it has already been considerably reduced. This fact has probably never struck hon. members, and I think it would be well that it should be borne in mind. Reverting to the motion before the House, I must repeat that I really am at a loss to know what has induced the hon. member to ask for this return, and I should certainly like him to throw some additional light on the subject, before I can support his motion.

The probability is that His Excellency, in the first instance, will reply that he is not in a position to grant the information asked for, inasmuch as there is no condition attached to the grant, binding the heads of the various religious denominations to inform the Governor or this House how they expend the money. Of course it will be in the power of the House, if it thinks proper, to legislate afresh on the subject, and to lay down certain rules and regulations for the expenditure of this grant; but I think we have no right, under existing circumstances, to institute the inquiry contemplated by the hon. member who has submitted this motion. Personally, as I have already said, I am in no way interested in the matter. I have not consulted any one connected with my own denomination on the subject; but, regarding the matter from a common sense point of view, it does appear to me that the motion is one that will not commend itself to a majority of hon. members, unless the hon. member who has brought it forward gives the House some stronger reasons in support of it than he has already favored us with; in fact, the hon. member has assigned no reason at all for moving in the matter.

MR. STEERE said the hon. member who had just sat down had alluded to him as being possibly the only one present likely to be able to throw any light upon the arrangement originally made with regard to the distribution of this grant. He could only say that while he was a member of the old Council, this subject was never discussed in the House, but he was under the impression that certain despatches on the question passed between Governor Weld and the then Secretary of State for the Colonies (Lord Granville), which would probably throw some light on the subject.

MR. S. H. PARKER said he had been challenged by the hon. member for Fremantle with having assigned no reasons for bringing forward the motion before the House. He was under the impression that he had stated that his object in moving for the information asked for, was in order to facilitate the passing of the vote when the Estimates came to be discussed. It would be in the recollection of hon. members that, last Session, a strong feeling of opposition was mani-

festes with regard to the Ecclesiastical Grant, and one of the arguments urged in favor of its discontinuance was the fact that the House possessed no information as to how the money was expended. He had reason to know that a similar motion to the present one would have been made on that occasion, but for the fact that it was felt it was too late then to move in the matter, as regards that Session. He was inclined to think that, if the information sought were before the House when the Estimates came on, the Ecclesiastical Vote would be more readily assented to than would otherwise be the case. He was aware it was quite competent for His Excellency to state that he could not furnish the House with this information; but he thought, if this address were presented to him, and His Excellency were informed that the mover of it admitted that it was not within the power of the Governor to furnish the information, but that the House requested His Excellency would be kind enough to endeavour to obtain it from the heads of the various religious bodies—if this were done, he did not think His Excellency would decline to interfere in the matter. If the heads of the various denominations declined to furnish the information asked for, the House would naturally arrive at the conclusion that there was some reason for the refusal, and if they urged as an excuse for not doing so the simple fact that no such condition was attached to the grant, why, of course, it would be competent for the House to strike out the vote altogether. But, if it were pointed out to the parties concerned that it would be advisable, in their own interests, that the House should be placed in possession of this information, he did not think they would be so unwise as to refuse to furnish it. Personally, he might say, he was as little interested in the subject as his friend the hon. member for Fremantle (Mr. Marmion); but he knew that, if he had not made this motion, another hon. member, on the Government side of the House, would have done so, and had the hon. member in question been present that evening, he should have delegated to him the task of moving this address.

MR. BURT said there was such a thing as asking for too much, and, although he did not for one moment desire to put

himself in the way, in order to block the purpose of the hon. member who sought to obtain this information, he would again remind the House that there was such a thing as asking for too much. They were sometimes told that the craving of the House for information in respect of matters connected with the Government and the public service generally was almost insatiable; and in regard to the particular information now asked for, His Excellency might, he thought, very properly reply that it was out of his power to furnish it. True the hon. member suggested that His Excellency might ask for it, but the Governor might retort by saying that it was competent for the hon. member himself to go to the heads of the religious bodies and ask for it. The matter, so far as he could see, was one over which the Government had no control whatever. They handed over the money in a lump sum to the various denominations entitled to it, and; so far as the Government were concerned, there was an end of it. He thought the House would be placing itself in an awkward position if it left itself open to be told that the matter was one in which it had no right to interfere. It struck him that the same purpose would have been served, if the hon. member himself went to the heads of the various sectarian bodies, for the information which he wanted, and, if his request were not complied with, of course he could draw what inferences he thought fit from the refusal, and his hands would be correspondingly strengthened.

The motion for the presentation of the address was then put, and a division called for, when there appeared—

Ayes	...	...	10
Noes	...	...	4
			—
Majority for	...		6

AYES.  
 Lord Gifford  
 The Hon. A. C. Onslow  
 The Hon. M. Fraser  
 Mr. Burges  
 Mr. Higham  
 Mr. S. S. Parker  
 Mr. Shenton  
 Mr. Steere  
 Mr. Venn  
 Mr. S. H. Parker (Teller.)

NOES.  
 Mr. Hamersley  
 Mr. Marmion  
 Mr. Stone  
 Mr. Burt (Teller.)

The motion was therefore carried.

#### SANDALWOOD PROTECTION: REPORT OF SELECT COMMITTEE.

MR. STEERE moved the adoption of the following report of the Select Committee appointed to consider and report upon the necessity of adopting certain precautions for the protection of sandalwood of immature growth:

"YOUR COMMITTEE, having duly considered the matter which was referred to them, have to report to Your Honorable House as follows:—

"Your Committee have taken the evidence (a copy of which is attached) of Messrs. Monger and Loton, two of the largest exporters of Sandalwood, and Your Committee have arrived at the conclusion that the best means to preserve the Sandalwood tree, and to prevent its being cut at an immature age, is to limit the exportation to trees not less than 18 inches in circumference.

"Your Committee are also of opinion that all persons having licenses to cut Sandalwood should be compelled to grub up and remove by the roots all Sandalwood trees.

"Your Committee recommend that the foregoing suggestions should only apply to that portion of the Colony lying South of an East and West line passing through the South end of Yarra Lake.

"Your Committee have drawn up a Bill to carry out their recommendations, and which, if enacted by Your Honorable House, Your Committee believe will effect the purpose for which it was appointed.

"JAS. G. LEE STEERE,  
 "Chairman."

"I am opposed to making compulsory the grubbing of Sandalwood, on the following grounds:—The men employed at present in cutting that wood, and in carting it to market, make a very small profit; the cost of grubbing would reduce that profit, and probably result in checking a valuable industry to the Colony and an injury to those employed.

"I may also state that a short time since roots were actually unsaleable in the Singapore and Chinese markets.

"I agree to the Report with the above exception.

"ED. HAMERSLEY."

MR. SHENTON explained that the reason why the Select Committee had fixed upon the boundary mentioned in their report—namely, that portion of the Colony lying South of an East and West line passing through the South end of Yarra Lake,—was that the sandalwood in the Champion Bay District was of a much smaller description than that growing in other parts of the Colony, and the total quantity exported from that district annually was so small that the Committee did not consider it advisable to recommend that the Victoria District should be embraced within the operations of the proposed Bill.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) moved the following amendment upon the motion for the adoption of the Report: "This House, whilst approving of the Report of the Select Committee so far as it goes, recommends that the 'Act to prevent the unauthorised occupation of 'Waste Lands of the Crown,' 36 Vic., No. 8, Sec. 1, be amended by the omission of the words 'except sandalwood,' in the ninth line; and further, that in order to validate the intention of the Report, the attention of His Excellency the Governor be drawn to the opinion of this House that it is desirable to take such steps as may be necessary to amend the Land Regulations so as to accord with the wording of the Bill proposed to be brought up in order to carry out the recommendations of the Committee."

MR. STEERE said this was provided for in the Bill prepared by the Committee.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said he had never seen the Bill, and as the Land Regulations would require altering, it appeared to him that the proper course to pursue was to call the attention of His Excellency to the matter, so that the proposed alteration should be in harmony with the provisions of the Bill.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) understood that the Bill contained a clause which would, in the strict sense of the term, interfere with His Excellency's prerogative with regard to the Land Regulations, and that consequently the measure might possibly come into collision with that prerogative

—a position which they ought carefully to guard against. It appeared to him they would not be following a constitutional course if they attempted to alter the Land Regulations by legislative enactment, rather than by the exercise of the prerogative of the Crown, which he understood was one of the objects of the Bill prepared by the Select Committee.

MR. STEERE: That is not so.

THE ATTORNEY GENERAL (Hon. A. C. Onslow): Then I am afraid my speech has been thrown away. I understood from my hon. friend the Commissioner of Crown Lands that that was the only reason why he wished to add his rider to the report of the Committee. If the Bill does not in any way interfere with His Excellency's prerogative with regard to the Land Regulations, I fail to see the necessity of the rider.

MR. STEERE said he did not intend to oppose the amendment, though it appeared to him it was totally unnecessary.

MR. BURT moved that the debate be adjourned until next day. He thought it would be unwise to hurry the adoption of the report.

SIR T. COCKBURN-CAMPBELL, in seconding the motion for adjournment, said that personally he was in favor of prescribed areas rather than limiting the size of the wood, but the evidence taken by the Select Committee was so overwhelming in favor of the latter remedy that the Committee felt bound to recommend it for the adoption of the House.

The debate was then adjourned until next day.

#### BRANDS ACT, CONSOLIDATION AND AMENDMENT BILL.

THE COLONIAL SECRETARY (Lord Gifford) moved the second reading of a Bill to consolidate and amend the laws regulating the branding of live stock, to provide for the due registration of brands, and to make regulations for collecting stock on private lands. The noble lord said the Bill was one of great importance to a large section of the community, and would no doubt create a considerable amount of discussion. The main object which the Government had in introducing it, was in order to endeavour by timely legislation to prevent the confusion and

difficulties which had arisen and been experienced in the other colonies, with regard to branding, by reason of the great increase taking place in the number of cattle and sheep. It was here proposed to meet the difficulty before it assumed such dimensions as would prevent them from dealing with it successfully and effectually. The number of registered brands at present in the office of the Registrar was comparatively very small, especially as regards sheep brands, of which he did not think there were more than a hundred different brands, although registration was supposed to be compulsory. He need not point out that there were a great many more than a hundred sheep-owners in the Colony, and it was hoped that the present Bill would result in a more strict observance of the compulsory principle as regards registration, and also tend to prevent the mistakes and confusion caused by the similarity which at present existed between the brands used by many sheep and stock-owners. The Bill would also, it was believed, interpose a salutary check upon a class of offences which he understood was somewhat prevalent in some parts of the Colony—cattle stealing and cattle “duffing.” Owners of brands already registered would, upon application to the Registrar and the payment of a small fee, have their brands re-registered in accordance with the provisions of the Act; and if such application was not made within three months after the passing of the Bill, the Registrar would be empowered to cancel the brand or brands belonging to the owner making such default, and all stock bearing a cancelled brand would be liable to a penalty, in like manner as an owner using an unregistered brand. The Bill also provided a penalty for branding in contravention of the Act, and rendered any person guilty of wilfully branding any stock of which he is not the rightful owner liable to be imprisoned for any term not exceeding two years. It also provided a heavy penalty for a practice which there was reason to believe was at present very often resorted to—the defacing or blotching of brands upon horses and cattle; in addition to which penalty, the stock bearing the defaced brand would be impounded. All registered brands would be published quarterly in the *Government Gazette*, and

any person who, after such publication, branded any sheep with a brand or mark of a similar design to any registered brand of which he was not the registered owner, would be liable, for every sheep so branded, to forfeit a penalty of not less than ten shillings nor exceeding £10. Provision was also made for ear-cropping sheep, and for otherwise affording stock-owners greater protection against dishonest neighbors or cattle duffers, than was at present afforded them. The Bill would not entail much expense in carrying out its provisions, as it was proposed to entrust the inspectors of sheep with the duty of enforcing the regulations framed under it, and it was intended to remunerate them for their trouble, by appropriating for that purpose a moiety of the fines inflicted under the Act. The Bill, as he had already said, was one of great importance to a large section of the community, and the Government would be prepared to receive any suggestions calculated to increase its efficiency and usefulness. If it was the wish of the House that the Bill should, before being considered in Committee of the whole, be referred to a Select Committee, the Government would offer no opposition to such a course being adopted. With these few explanatory remarks, he now begged to move, That the Bill be read a second time.

The motion was agreed to.

THE COLONIAL SECRETARY (Lord Gifford) formally moved, That it be now considered in Committee.

MR. STEERE moved, as an amendment, That the Bill be referred to a Select Committee. The measure, he had no doubt, was a very valuable one, and were it merely a consolidation of existing statutes, there would be no necessity for referring it to a Select Committee; but as there were principles introduced into the Bill which, so far as this Colony at any rate was concerned, were of a novel character, and would require very careful consideration on the part especially of country members who were practically acquainted with the matters dealt with, he thought it would much facilitate the passing of the Bill through Committee of the whole, if it were, in the first place, referred to a Select Committee.

This was agreed to, and the following members were appointed to sit on such

Committee:—The Attorney General, Mr. Brown, Mr. Venn, Mr. Hamersley, and Mr. Steere.

#### SCAB IN SHEEP ACT AMENDMENT BILL.

On the motion for the third reading of this Bill, the Order of the Day was discharged, and the Bill re-committed.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) said the fourth clause of the Bill provided that, when a district shall have been reported "clean" during a period of three years, it shall be lawful for the Governor to exempt such district from paying any contribution under the Scab Act. Since the Bill had passed through Committee, it had been brought to his attention that this clause, as at present worded, did not provide who it was whose duty it would be to report to His Excellency the Governor that a district was "clean;" and, as it was necessary that somebody should be authorised to make this report, he proposed constituting the board of advice as the proper body for doing so. He would therefore move an amendment to that effect. It would be open for the board to get this information from any reliable source, and, being satisfied of the fact that a district was "clean," would report accordingly to the Governor, who would then declare the district exempt from contribution.

MR. BURT: Who is this board of advice? Has it any legal status?

THE ATTORNEY GENERAL (Hon. A. C. Onslow): The board is an incorporated body appointed to advise the Governor.

MR. BURT: Any connection with the Central Board?

MR. RANDELL: Which Central Board does the hon. member mean?

MR. BURT: The Central Road Board of course.

THE ATTORNEY GENERAL (Hon. A. C. Onslow): I can assure the hon. member that the board of advice is a very solid body, whose existence is an undoubted fact, and had it not been for that board the present Bill would probably never have been introduced.

MR. MARMION thought the amendment would be useless, unless an interpretation clause was inserted defining the status of this board.

MR. BURT said the board of advice, as at present constituted, might cease to exist at any moment, and it appeared to him to be a very flimsy reed to rely upon, unless it was a legally constituted board.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) would be happy to receive any suggestion dictated by that sound common sense which always characterised the recommendations of his hon. and learned friend; but the more he looked at the difficulty raised in this instance by him, the less he thought of it. The Governor would require to be told by some distinct and authoritative body that a district was "clean" before His Excellency could exempt it from contribution, and he thought this information could not come from a more reliable source than the board of advice. It might be urged that the inspectors would be the proper persons to give the information, and he had thought so himself at one time; but it struck him, on further consideration, that it would be placing a somewhat dangerous temptation in the way of these officers; for, a sheep inspector, in reporting that a district was clean, would really be cutting away his *raison d'être*. His occupation, like Othello's, would be gone. It was therefore considered undesirable to expose the inspectors to such a temptation, and, after fully discussing the question, the Government came to the conclusion that the board of advice would be the proper body to report the fact of a district being clean to the Governor.

MR. BURT said the same argument applied as against the inspectors equally applied in the case of the board of advice, for this reason,—that, for the purposes of this information, the inspectors and the board may be said to be one and the same people. The members of the board did not travel about the country, looking for themselves whether a district was clean or not, but would gather their information from the inspectors, the very men whom the Attorney General said were not, in this respect, to be relied upon.

MR. MARMION did not think the insertion of the words proposed to be added to the clause by the Attorney General would answer the purpose in view, unless the board were legally con-



stituted under the Act. The result would be that the Act would require amending again next Session, and he really did think it was time the Council should get rid of this scab question, instead of having to deal with it Session after Session, as they had been doing for years past. First of all they had the original ordinance, then an amended ordinance, then an amended amended ordinance, then they had the amended ordinances repealed, and commenced afresh with more amendments, and afterwards they had all the Acts consolidated; then the consolidated Act had to be amended—and so it would be to the end of the chapter, unless hon. members were prepared to give the question further consideration. It appeared to him that the board of advice would not be justified in receiving this information except from some authoritative source, and the only official source open to them would be the inspector. If these officers could not be relied upon to report to the Governor when their respective districts became “clean,” neither would they do so to the board of advice.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) said the hon. member was somewhat inconsistent. His main objection to the amendment was the fact that the board of advice had not a legal status, forgetting that the mere fact of the board having a legal and corporate status would not in any way exercise any influence upon the sources of information open to it. The hon. member had raised a difficulty, and argued fifteen miles away from it.

MR. STEERE said that, so far from the board being dependent upon the inspectors for the information which it received, it had a great many other equally reliable sources of information, and it was for that very reason that the board had proved so useful. Sheep-owners would very soon acquaint the board when their districts became clean, and entitled to be exempt from contributing towards carrying out the provisions of the Scab Act.

MR. BURT said he had no wish in any way to throw cold water upon the board of advice, which, seriously speaking, he regarded as a most useful body, and what he wished was to see it vested with some legally-defined status and statutory

powers. As at present constituted it was, so far as the purposes of this Act were concerned, a mere myth. Its members were appointed and liable to dismissal at the mere will of the Governor, who to-day might say to A, B, or C, “I appoint you as members of the board,” and to-morrow he might tell A, B, and C to go to Bath. The board might continue in existence so long as the present Governor remained in office, but His Excellency’s successor might be a gentleman who did not care for sheep, and who did not believe in boards of advice. He might send the present board about its business as soon as he heard of its existence, and and who was to report to the Governor, then, that a district was clean? And talking about districts being clean, why was it that they had not a greater number of such districts than they now had? Simply because no stringent, no heroic measures, were adopted to eradicate the disease. Who ever heard of scabby sheep being destroyed in this Colony? How was it the other colonies had got rid of scab? By burning them wholesale, and burying them. But no such drastic remedy was applied here, and in this respect it might be said that, in reality, they had only been playing with the disease. The only remedy applied here was dipping—everlastingly dipping, dip, dip, dip, until the poor creatures had hardly any life left in them. There were districts in the Colony—and the one which he had the honor to represent was one of them—in which sheep, which really ought not to have been allowed to live a day, had been allowed to drag a miserable existence. They were apparently kept alive for no other purpose than to mulct the unfortunate owner. That was not the way to eradicate scab.

THE ATTORNEY GENERAL (Hon. A. C. Onslow), in order to meet the objections raised to his amendment as originally proposed, amended it so that the duty of reporting to the Governor that a district was “clean” should devolve upon the board of advice, “or such other authority as may appear sufficient.”

MR. S. H. PARKER believed that no member took more interest in the Scab Act (1879) than the hon. member for Geraldton; it was his pet Bill; he took charge of it from its first introduction

and passed it through all its stages; and ever since the present Bill had been introduced, it had struck him (Mr. Parker) that they were treating the hon. member for Geraldton with scant courtesy, by passing it in his absence. As the hon. member would be in attendance in the course of a day or two, he would move that Progress be reported, in order to enable the hon. member to take part in the debate.

The motion to report Progress was negatived upon a division.

MR. STEERE said he sympathised with much that had fallen from the hon. member for the Murray and Williams, as to the desirability of giving such a body as the board of advice a legal status, and such a recommendation was made to the Governor, but His Excellency positively declined to give the board such a status on the ground that it would be creating an *imperium in imperio*. He felt bound to say, however, in justice to His Excellency, that the board as at present constituted had never made a single suggestion which had not been carried out by the Government.

The amendment submitted by the Attorney General was agreed to.

The House adjourned at a quarter past ten o'clock, p.m.

## LEGISLATIVE COUNCIL,

Wednesday, 3rd August, 1881.

Goats Bill, 1881: first reading—Diseases in Vines Bill: first reading—The Defence of King George's Sound—Cost of alterations and repairs to Tank Engines—Hospital Accommodation, Williams River—Barristers Admission Bill: third reading—Protection of Immature Sandalwood: Report of Select Committee; Adjourned debate—Scab Act Amendment Bill: third reading—Adjournment.

THE SPEAKER took the Chair at seven o'clock, p.m.

PRAYERS.

### GOATS BILL (GERALDTON).

THE ATTORNEY GENERAL (Hon. A. C. Onslow) moved the first reading of a Bill to provide for the destruction of goats, within the precincts of the municipality of Geraldton.

Motion agreed to.

### DISEASES IN VINES BILL.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) moved the first reading of a Bill for the prevention and eradication of Diseases in Vines.

Motion agreed to.

### THE DEFENCE OF KING GEORGE'S SOUND.

MR. S. H. PARKER:—I rise to move the adjournment of the House in order to draw attention to a paragraph which appeared to day in the columns of a "leading journal" (I speak in inverted commas), and which I read with surprise. It is as follows: "We are happy to learn that Colonel Scratchley, R.E., leaves Melbourne for Albany on the 15th August, for the purpose of reporting to Her Majesty's Government on the defence of King George's Sound. It may be assumed that the resolution of the late Intercolonial Conference held at Sydney on this question has formed the subject of correspondence between His Excellency and the Secretary of State, for we learn that an officer of the Colonial Government has been directed to hold himself in readiness to meet Colonel Scratchley at Albany. It is probable that the Deputy Surveyor General, or the Assistant Colonial Secretary, may be selected to proceed on this important mission." I say I read this paragraph with surprise, for this reason: I believe it is always customary, when the House of popular assembly is in Session, for the Government of the day to adopt the earliest possible opportunity for informing the House of any important topic that may have been brought to the attention of the Government, affecting the public interests. I believe this course is always adopted in the House of Commons, where the Premier or some other Cabinet minister takes the earliest opportunity of informing Parliament, while in Session, of any subject of importance