

Bill, 1878; Vendor and Purchaser Bill, 1878; Factors Bill, 1878; Contingent Remainders Bill, 1878; Partition Bill, 1878; Real Property Limitation Bill, 1878; Wild Cattle Nuisance Bill, 1878; Waste Lands Unlawful Occupation Act, 1872, Amendment Bill, 1878.

#### BALLOT ACT, 1877.

MR. S. H. PARKER asked the Colonial Secretary whether the Government had received any despatch relative to the Ballot Act, or whether Her Majesty had been pleased to assent to the same?

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) replied that the Act referred to was sent home on the 23rd August, 1877, but up to the present time His Excellency had received no information with reference to it; nor had His Excellency's predecessor. It was only within the last few weeks that the circumstance of there having been no reply received from the Imperial Government had been brought under the notice of the Governor. Had His Excellency been aware of the importance attached to the measure by the House and by the country at large, he would have communicated with the Secretary of State by telegraph, and this His Excellency would do unless some information relating to the Bill were received by the next mail.

#### SCAB INSPECTORS.

In reply to MR. MONGER, THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said a return showing the amount of work done by the various scab-inspectors of the Colony from 1st January to 31st May, of the present year, would be laid on the Table, at the earliest possible convenience.

The House adjourned at one o'clock until Wednesday evening.

#### LEGISLATIVE COUNCIL,

*Wednesday, 5th June, 1878.*

Public Loan, 1873—Coal Seam, Upper Irwin—First Readings—Opening Mails on Sunday—Steam service between Western Australia and the Eastern Colonies: in committee—Adjournment.

THE SPEAKER took the Chair at 7 o'clock, p.m.

PRAYERS.

#### PUBLIC LOAN, 1873.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) laid on the Table the return asked for by Mr. Shenton, on the 3rd June.

#### COAL SEAM ON THE UPPER IRWIN.

MR. CROWTHER asked the Government what steps had been taken to carry out the wishes of the House with respect to testing the coal seam on the Upper Irwin.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) replied that inquiries had been made by the Government to ascertain if the services of competent persons to carry out the necessary prospecting could be obtained in the Colony, but they had been unable to discover that such was the case. Moreover, the cost of a thorough test would involve a much larger expenditure than contemplated by the hon. member last year, and could not be efficiently and satisfactorily carried out under anything less than £500.

#### FIRST READINGS.

The following Bills were read a first time: Game Acts, 1874-6, Repeal Bill (introduced by Mr. S. H. Parker); and the Confirmation of Expenditure Bill.

#### OPENING MAILS ON SUNDAY.

MR. SHENTON, in accordance with notice, called the attention of the Honorable the Colonial Secretary to a Resolution passed by this Honorable House, at its last sitting, in reference to opening Mails on Sunday:—"That in the opinion of this Council the present system of opening the Mails and distributing letters on Sundays, is not at all necessary, and is a great hardship on the officers of the Postal Department, and that an Humble

Address be presented to His Excellency the Governor, asking him to take such steps as he may deem necessary to carry out the wishes of this Council;" and moved, That the Resolution be again adopted. The hon. member said that, from a memorandum which had been laid on the Table of the House, on the previous day, showing the action which the Government had taken in the matter, it appeared that the instructions issued to the Postmaster General were "to open, sort, and deliver *letters only* on Sundays, and not to keep the office open between the hours of eleven and one." This, the hon. member said, was not carrying out the resolution of the House in its integrity, and this he found on inquiry was the view taken of the matter by the hon. members who supported the motion last year. There seemed to be an impression abroad that representations on this subject had been made to him by some of the officers of the postal and telegraph department; but such was not the case. He had brought the matter forward of his own accord, and purely out of conscientious motives. He would now move that the resolution adopted last year be revived.

MR. BROCKMAN seconded the motion.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) opposed it, and said that in doing so he believed he would carry with him the sense of, if not a majority of the members of the House, at any rate a majority of persons outside. The hon. member who had brought forward the resolution affirmed in one breath that the services performed by the officers of the postal department in connection with the opening of mails on Sunday was a great hardship on the officers in question, and yet—so he assured the House—he had heard no complaint whatever on that score from those officers themselves. He would like to know who or what had constituted the hon. member for Toodyay the advocate of these officers, who, if they had any cause of complaint, should memorialise the Governor in the matter, and their complaints, if well founded, would be redressed. The hon. member, to be consistent, should extend his charity a little further, and—if the Sabbath was to be observed as he wished it to be—

relieve the poor mail-drivers from travelling on Sundays, in all parts of the Colony. After all, what real ground was there for saying that the service performed at the General Post Office—for the resolution had special reference to the head office at Perth—in connection with the opening and sorting of foreign mails on Sundays involved any hardship upon the officials. From the return furnished by the Postmaster General of the dates, falling on Sundays, on which mails were made up, or sorted and delivered in each of the years 1874, 1875, and 1876, it appeared that in the course of each of the two first named years this only occurred on five Sundays, and throughout the year 1876 on three Sundays, on which occasions some five, six, or seven persons were employed for the space of a couple of hours.

MR. HAMERSLEY said he intended to vote for the resolution, and he was very much surprised to find the Government benches opposing a measure which was calculated to put a stop to the desecration of the Sabbath. He did not think any public inconvenience would be felt if the practice of delivering mails on Sunday were abolished: no inconvenience was experienced in the country towns, where there were no Sunday deliveries, and he did not see that it would entail any greater hardship on the people of Perth. From a commercial point of view, there could be no necessity for delivering the mails arriving from England on Sundays, for there was plenty of time for merchants and others in business to reply before the departure of the next outgoing mail. He thought the resolution should go further than it did, and not only insist that the Post Offices should be closed on Sundays, but that the same consideration should be shown towards the mail drivers.

SIR T. COCKBURN-CAMPBELL said that when he voted for the resolution last year, he was under the impression that the system was regarded by the officers of the department as a grievance, but, as he understood from His Excellency's memorandum, it did not appear that such was the case. Therefore his views on the matter had been very much modified. He would like to know if any representations on the subject had been made to the hon. member for Perth. He

(the hon. baronet) would regard it as a piece of impertinence on his own part, a country member, to interfere with the people of Perth receiving their letters on Sundays, more especially if they wanted to have them.

MR. PARKER said no representations of any kind had been made to him with reference to the matter alluded to. It appeared to him that His Excellency had done all that was necessary in this matter. So far from the officers of the postal department regarding the system a "hardship," he believed they were always ever ready to oblige the public. Moreover, no person was compelled to go for his letters on Sundays, unless he chose to do so.

MR. CAREY said the mails in the district which he represented, as well as in the district where he resided, were invariably made up on Sundays, and the *Rob Roy* generally arrived there on that day. If the principle involved in the resolution were carried out in its integrity the whole postal arrangements of the Colony would be thrown into confusion. He would oppose the motion.

MR. BURT thought the matter was one that might very safely be left in the hands of the Government: it was purely a matter of departmental routine. The House, last year, had done all that could be expected from it, in adopting the resolution. Personally, he failed to see any necessity for the practice condemned in the resolution, and he saw no reason why the Post Office should be opened for a couple of hours on Sunday any more than any other department of the public service. But, as he had already said, the matter was essentially a departmental question, and, as such, more within the province of the Administration than of the House. If the Government differed from him as to the necessity of continuing the system, all he had to say was they must agree to differ.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) opposed the motion, and deprecated the growing practice of hon. members trotting out their particular hobbies in this manner.

MR. CROWTHER would support the resolution, as he had done last year. The practice condemned came into operation in the days when the Post Office was a very primitive department, and when it entailed little or no hardship upon any-

one connected with it—the good old times when the York Postmaster used to carry the letters and newspapers with him to church and distribute them among the pewholders. Those happy days had gone by, and the General Post Office now was a very different sort of establishment,—though hardly as important yet as it was in some of the small villages at home, such as Liverpool, Manchester, and London. In those benighted hamlets, the mails were not sorted and delivered on Sundays, and though he acknowledged the greater importance of the metropolis of Western Australia as compared with the metropolis of an old country like England, he yet could not think that the spiritual or commercial salvation of the Colony depended on the opening of mails and the distribution of letters on the Sabbath day. The resolution appeared to him a fair and reasonable one, and it would have his support.

MR. BROWN thought the House had better divide on the question.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said no doubt the hon. member for Toodyay was actuated by conscientious motives in this matter; but to his (the Colonial Secretary's) mind it was a purely sectarian movement. He would draw the attention of the hon. member to the fact that works of necessity and of charity were not forbidden to be done on the Sabbath. The hon. member (Mr. Shenton) considered it a work of necessity to drive his carriage to town on Sundays, and he (the Colonial Secretary) deemed it a work of charity to give us our foreign letters on Sundays. The return laid on the Table of the House effectually disposed of the allegation that the practice was a source of hardship to the officers of the Postal Department. Hon. members would observe that His Excellency's instructions were that letters only should be delivered on Sundays, and that on no occasion should the office be open during the hours of divine service (between 11 a.m. and 1 p.m.), except to receive the mail. He thought this arrangement would meet the requirements of the public, and the approval of the House.

MR. SHENTON was somewhat amused at the absurdity of the argument put forward by the occupants of the Government benches, that, for the sake of con-

sistency, the mail steamer should cease to travel on Sundays if the clerks in the Post Office were released from the task of sorting and delivering letters on that day. Comparisons were proverbially odious, and, in this instance they were certainly ridiculous. As to the suggestion that the House should divide on the question, he was quite prepared to go to a division, being confident of a majority; but if his supporters were desirous that the resolution should not be pressed he was willing to withdraw it on the understanding that the matter should again receive the attention of the Government.

**THE COLONIAL SECRETARY** (Hon. R. T. Goldsworthy): There need be no such understanding. His Excellency has already given the matter his careful consideration, with the result shown in the memorandum laid on the Table of the House.

**MR. SHENTON**: Then divide.

A division then took place, when there appeared ten in favor of the resolution, and eight opposed to it, the list being as follows:

Ayes	...	...	10
Noes	...	...	8

Majority for	...	2
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AYES.	NOES.
Mr. Burt	Mr. Brown
Mr. Hardey	Mr. S. H. Parker
Mr. Glyde	The Hon. R. T. Goldsworthy
Mr. Harper	The Hon. M. Fraser
Mr. Brockman	Sir T. C. Campbell
Mr. Hamersley	Mr. S. S. Parker
Mr. Monger	Mr. Carey
Mr. Pearse	The Hon. H. H. Hocking
Mr. Crowthor	(Teller.)
Mr. Shenton (Teller.)	

The resolution was therefore carried.

#### STEAM COMMUNICATION BETWEEN WESTERN AUSTRALIA AND THE EASTERN COLONIES.

##### IN COMMITTEE.

**THE COMMISSIONER OF CROWN LANDS** (Hon. M. Fraser) said it would be in the recollection of the House that when this subject was brought forward at an earlier period of the Session he had made a statement showing what steps the Government had taken in the matter, but, on that occasion, he was not prepared to submit any formal resolution for the affirmation of the House, and progress was reported. Before sitting down he would propose a resolution

dealing with the subject, which he believed would meet with the general concurrence of hon. members. He thought the House quite understood that the object of the Governor in submitting the matter for the consideration of the Council was merely to afford hon. members an opportunity of expressing an opinion on the subject, and, that being the case, he did not think he need trespass any further on the time of the House. He would therefore move—"That this Council having considered the negotiations entered into by the Government in reference to the provision of a Steam Service between various ports in Western Australia and South Australia, concurs with His Excellency the Governor in thinking that an end-to-end service by two steamers, if procurable at a reasonable outlay, would be more advantageous to this Colony than any other that has been proposed; but it appears that difficulties may be experienced in carrying out an end-to-end service at all times of the year, and this Council being assured that His Excellency is fully alive to the importance of establishing a Steam Communication with the Eastern Colonies, decides to leave the arrangement of the details of such a measure in His Excellency's hands, confident that he will be guided, in carrying it out, by the interests of the Colony and the wishes of this Council."

**MR. BROWN** said it would be in the recollection of the House that at the last Session a resolution was adopted affirming the desirability of establishing Steam Communication between this and the other Colonies, and the Government was requested to take steps to carry out the wishes of the House in this respect. The House having every confidence in the Government did not pledge it to the details of the scheme, but left it free to enter into such arrangements as might be regarded as conducive to the welfare and advancement of the Colony. The House felt that the Government were the Executive body of that Council, and merely required to be instructed, so to speak, by the House, as to the general principle which should guide them in carrying out the scheme. The Council having again met before the negotiations were concluded, it was highly proper, he thought, that the Government should

place the matter before the House, so that hon. members might know what progress had been made with regard to the negotiations with which the Government had been entrusted. He was able to state that the representative members had given very careful attention indeed to the subject, and had been in conference with the Government with reference to it; and they saw no reason to depart from the resolution adopted last Session, believing that the Government was entitled to every confidence in the matter. He felt that the executive members of the Government were the proper persons to continue the negotiations which had been entered upon, as they were in a much better position to attend to the details of the scheme than hon. members of that House could possibly be. At first sight it had appeared to him that the Government had come forward to ask the House to decide as to the details of the negotiations, but the result of the conference which had taken place between the representative members and the Government showed that such an impression was an erroneous one, and that the subject had been placed before them merely to show what progress had been made with regard to the negotiations. The House had every confidence in the Government doing what was best for the interests of the Colony in the matter.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) assured the House it would have no reason to regret the confidence thus placed in the Government with reference to this important matter.

The resolution was then carried *nem. con.*, and reported to the House.

The House then adjourned until Thursday.

## LEGISLATIVE COUNCIL,

*Thursday, 6th June, 1878.*

Dongara Jetty—Municipal Institutions' Act, 1876, Amendment Bill, 1878: second reading—Perth Drainage Rate Act, 1875, Amendment Bill, 1878: second reading—Land Quarantine Bill, 1876: second reading; in committee.

THE SPEAKER took the Chair at noon.

PRAYERS.

### DONGARA JETTY.

MR. CROWTHER, in accordance with notice, asked the Colonial Secretary whether it was the intention of the Government to extend the Dongara Jetty, in accordance with a resolution of the House adopted at the last Session of Council? Five years ago, a sum which was considered sufficient to carry out this work was placed on the Estimates, but, for some reason or other, the money was not expended. Four Sessions ago, he was asked by the Government to allow the matter to stand over until an official survey of the vicinity of the jetty was made, with a view to ascertain what alterations would be most expedient to make. To this request he had acceded. Three Sessions ago he was again promised that the matter would receive consideration, but nothing was done. And last Session, in reply to an address adopted by the House and presented to the then Governor, praying him to place a sum on the Estimates sufficient to repair and extend the jetty, he was informed that such sums would be expended on the work as might be found necessary for the same. Nothing, however, had been done, and he now begged to ask the Government whether there was any intention to do anything in the matter?

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) replied as follows:—On the 10th August last, His Excellency Sir William Robinson sent a message in reply, stating that he had not sufficient information to enable him to fix a sum sufficient, but that the matter would be taken into consideration and the work undertaken if found advisable, and such sum expended as found necessary, etc. The matter being left for the present Government, His Excellency the