

these men, by unprincipled employers, if payment by cheque were recognised as valid within the meaning of the agreement. It might be a valueless cheque.

MR. STEERE moved that the words "coin of the realm" be struck out, and the word "money" inserted in lieu thereof.

This was agreed to, and the schedule, as amended, adopted.

Bill reported.

The House adjourned at half-past three o'clock, p.m.

LEGISLATIVE COUNCIL,

Friday, 25th August, 1882.

Trespass, Fencing, and Impounding Bill: first reading
—Legislative Council Act Amendment Bill: first reading—Dog Bill: in committee—Adjournment.

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

PRAYERS.

TRESPASS, FENCING, AND IMPOUNDING BILL.

THE ATTORNEY GENERAL (Hon. A. C. Onslow), in accordance with notice, moved the first reading of a Bill to consolidate and amend the laws relating to Trespasses by Live Stock and the Poundage thereof, and to consolidate the laws relating to the construction of Fences.

Motion agreed to.

Bill read a first time.

LEGISLATIVE COUNCIL ACT AMENDMENT BILL.

THE COLONIAL SECRETARY (Lord Gifford) moved the first reading of a Bill to increase the number of Members to serve in the Legislative Council.

Motion agreed to.

Bill read a first time.

DOG BILL.

The House then went into Committee of the whole for the consideration of the Dog Bill.

Clause 1.—Act to come into operation on 1st January, 1883:

Agreed to.

Clause 2.—Repealing existing Acts:

Agreed to.

Clause 3.—Interpretation of the word "owner" of dog:

MR. MARMION moved an amendment, To insert the words "not being an aboriginal native of the Colony," after the word "person," in the first line. He did so because he did not think it was desirable that the Bill should apply to dogs owned by natives.

MR. BROWN thought it would be no true kindness, either as regards the dogs or the natives themselves, to allow them to keep an unlimited number of half-starved mongrels about them. There was literally nothing for these dogs to kill in a great many districts. On sentimental grounds there might be something said in favor of the amendment, for undoubtedly the natives were, in some unaccountable manner, extremely attached to their canine followers; but that was no reason why they should be allowed to become a nuisance. The Government, years ago, recognised the keeping of hordes of starving curs by natives as a nuisance to the settlers, and legislated against it; but they had winked at it ever since, and the result was there were more of these worthless animals about than ever. He had seen as many as forty or fifty of them on some camps. There was no doubt these dogs were the source of great loss to the sheep farmer, and a greater nuisance to the settlers than the native dog itself. The intention of the Legislature, in days gone by, when it framed a law imposing a tax upon dogs was to preclude the natives from keeping a lot of useless curs roaming about the country; but the law had been allowed to remain a dead letter, as regards the natives, though the settlers were compelled to pay a tax for their dogs, while the blacks were still allowed to go scot free. He did not think the natives had any strong claim upon us, or were entitled to be overleniently dealt with, as regards these pests. Perhaps a dog

or two might be of service to them; but those natives to whom a dog would be of any real service were as well able to pay the tax as Europeans were,—they earned plenty of money. The hon. member for Fremantle was no doubt animated by a sentimental feeling of sympathy for the native, but if the hon. member had had as much experience of the aborigines and their dogs as he (Mr. Brown) had, he did not think the hon. member would have brought forward this amendment. He should most strenuously oppose it.

MR. STEERE hoped that, after what had fallen from the hon. member for Geraldton, the amendment would be withdrawn, especially in view of the fact that it was prompted by a feeling of sentimentality rather than anything else. He did not know whether the hon. member who had introduced it was under the impression that the provisions of this Bill as regards the dogs of natives were something fresh; perhaps the hon. member was not aware that these dogs were now liable to be taxed or destroyed. In the earlier days of the Colony—with so much disfavor did the Government view the custom of natives keeping dogs, that it was rendered penal to give any native a dog. As had been stated by the hon. member for Geraldton, the natives did not, as a rule, keep their dogs for hunting purposes, but out of a sentimental attachment towards them. So far from the dogs being of any service to them, they might as well be without them, and better; while, on the other hand, they were a source of great loss to the settlers. He hoped the Committee would not accept the amendment.

MR. SHENTON said he had received complaints from natives themselves of the nuisance caused by the number of mangey curs which were kept by black-fellows in the vicinity of Perth; and the subject had been brought under the notice of the municipal authorities by Dr. Scott, who pointed out the danger which existed of these filthy dogs spreading disease. He (Mr. Shenton) then felt it his duty as Mayor to report the matter to the police, and the result was that in one native camp alone no less than nineteen miserably mangey curs were destroyed.

MR. VENN said that, from a squatter's

point of view, the case as regards these dogs had been very fairly stated, and he did not rise in any Exeter Hall spirit or mawkish sentimentality to say a word or two in defence of the natives. Whatever might be said to the contrary, there could be no doubt that in many instances these dogs were of great service to the natives, and he should be very sorry indeed to be a party to any legislation having for its object the wholesale destruction of these dogs. He was altogether opposed to their being allowed to keep troops of worthless curs about them, of no use to them, but a nuisance; at the same time he should not wish to see them debarred from keeping a dog or two, so long as their number was limited.

THE COLONIAL SECRETARY (Lord Gifford) thought they would be adopting an extreme course if they were to decide that evening that no native shall be allowed to keep a dog. He had never received any official complaint, in any instance, with reference to these dogs, or any charge of neglect on the part of the Government in not enforcing the law with greater rigour. If dogs were diseased, the police were authorised to destroy them, whether they belonged to natives or Europeans. Apart altogether from any Exeter Hall sentiment, he thought they were bound to show these poor natives some little consideration; and, provided the number of dogs were limited to such as were of actual service to them in procuring game for their sustenance, and they were kept within proper boundaries, he thought the amendment might be modified to that extent.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) could not help thinking that a large amount of support might be given to the amendment if we were to limit the number of dogs which a native might be allowed to keep. But the question arose, how were they going to limit the number, or how were they going to make the natives acquainted with the number of dogs they were permitted to have about them? Who was to determine which dogs they should keep and which they must destroy? There appeared to him a difficulty surrounding the question of limiting the number, but the difficulty might possibly

be obviated by limiting the areas within which the natives shall be allowed to keep dogs, and forbidding them to bring their canine followers within the boundaries of towns or municipalities.

MR. STEERE: The very places where they would do the least amount of damage. What is wanted is to provide some remedy for the ravages committed by these dogs in the country districts, rather than to prevent the susceptibilities of townspeople from being offended.

MR. CROWTHER was afraid if the Legislature were to recognise the propriety of the Government countenancing the keeping of dogs by natives, we should soon have a new department created.

MR. GRANT gave the noble lord, the Colonial Secretary, every credit for the sympathy which he showed for the poor native and his dogs; but were the noble lord better acquainted with pastoral life he would know that these dogs are a regular nuisance, even to the natives themselves, robbing them and their offspring of their sustenance; so that it was no charity at all to allow them to keep them.

MR. CAREY was astonished to find so much sympathy manifested by the Government as regards these dogs, seeing that, not so long ago, they issued orders to the police to destroy them indiscriminately.

MR. MARMION did not think the majority of hon. members would be inclined to agree with the hon. member for Geraldton that the natives were as well able to pay a dog tax as the whites are. There might be a few, here and there, who could afford it; but it was absurd to suppose that the great majority—the old and the infirm, their women and children—could do so. As to there being nothing new in the Bill with regard to natives and their dogs, the hon. member who said so must have forgotten that, whereas at present it is simply optional on the part of the authorities to destroy these dogs, the Bill now before the Committee actually offered a bonus for the wholesale destruction of every unregistered dog, including those belonging to natives; and this was the objection which he entertained to the Bill.

MR. STEERE maintained he was quite right in stating that there was no novel principle introduced in the Bill. Any unlicensed dog was at present liable to be destroyed, whether it belonged to a native or to a white man.

MR. BROWN said that, owing to a morbid sympathy for the blacks entertained by the Government, the law in that respect was now winked at. The noble lord said no official representation had been made to him, or complaint formulated by any settlers with reference to the nuisance and destruction caused by natives' dogs, and that therefore the Government could not be blamed for inaction in the matter. He (Mr. Brown) when he mentioned the fact of the law being allowed to remain a dead letter did not have the present Administration particularly in his mind; when he spoke of the apathy of the Government in the matter, he referred to every successive Administration ever since he remembered a Government. The present Bill aimed at dealing with equal justice between black and white, between the native and European,—a principle which, in his humble opinion, had not been recognised by the Government of this Colony for years past. If the noble lord represented the views of the Government, if the sentiments expressed by the noble lord were in accord with the sentiments entertained by the Government in the abstract, of what use would it be for settlers to make any representations to the Executive with reference to this natives' dog nuisance? Their representations would not be more likely to avail them than had the representations made in the past availed, and it would be of very little use making any.

The amendment was then put and negatived, and the clause agreed to.

Progress was then reported, and leave given to sit again next day.

The House adjourned at half-past eight o'clock, p.m.