

Legislative Council,

Tuesday, 18th July, 1893.

Primogeniture: Abolition of custom of—Resignation of members—Appointment of New Member—Chinese: Return showing number of—Treasury Bills Bill: first reading—Leave of absence to Hon. T. Burges—Destructive Birds and Animals Bill: committee—Population Returns—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at 2:30 o'clock p.m.

PRAYERS.

PRIMOGENITURE—ABOLITION OF
CUSTOM OF.

THE HON. J. W. HACKETT: I beg to give notice that at the next day of sitting I shall ask the Hon. the Colonial Secretary whether he has been able to carry out his hope expressed in this House last session that he would be able to consult his colleagues as to the bringing in a measure for the abolition of the custom of primogeniture in this colony, and if he will be able to introduce a measure for that purpose during the present session.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I may, perhaps, state for the information of the hon. gentleman, that I have prepared a Bill, which is now before the Attorney General, and, so soon as he has approved of it, I shall be ready to introduce it for the consideration of hon. members.

Question withdrawn.

RESIGNATION OF MEMBERS.

THE PRESIDENT (Hon. Sir G. Shenton) announced the receipt of a message from the Governor, notifying the resignation of the Hons. M. Grant and R. E. Bush.

NEW MEMBER.

The Hon. G. Randell was introduced as a new member, and having subscribed the oath of allegiance, took his seat.

CHINESE: RETURN SHOWING
NUMBER OF.

THE HON. G. W. LEAKE moved that a return be laid upon the table of

the House showing the total number of Chinese in the colony on the 30th June, 1893.

Question—put and passed.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I have much pleasure in furnishing the return, and perhaps it will be as well if I read it. I may say that the figures are not given as being absolutely correct, for they are an estimate of the Registrar General's. They may, however, be taken to be as correct as it is possible to obtain them. The return reads:—

	Males.	Females.	Total.
Estimated number of Chinese in W.A. shown by Census, April, 1891	912	5	917
Increase during May to December, 1891	178	...	178
Increase during year 1892	193	2	195
Increase during January to June, 1893	186	...	186
	1469	7	1476
Decrease by departures by sea, May to December, 1891	9	...	9
Decrease by departures by sea during year 1892	58	...	58
Decrease by departures by sea during January to June, 1893	27	...	27
Decrease by deaths during 1891 to June, 1893	27	...	27
	121	...	121
Total number on 30th June, 1893	1348	7	1355

THE HON. J. W. HACKETT: Can the hon. member say where the females are located?

THE COLONIAL SECRETARY (Hon. S. H. Parker): I have not made any inquiries.

THE HON. J. W. HACKETT: It would be interesting to know.

TREASURY BILLS BILL.

This Bill was received from the Legislative Assembly, and was read a first time.

LEAVE OF ABSENCE TO HON. T.
BURGES.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that leave of absence for a fortnight be granted to the Hon. T. Burges.

Question—put and passed.

DESTRUCTIVE BIRDS AND ANIMALS
BILL.

IN COMMITTEE.

Clauses 1 to 6—put and passed.

Clause 7.—“Persons may enter upon lands.”

THE HON. J. W. HACKETT: I should like to call the attention of the Hon. the Colonial Secretary to this clause. Under its powers of a very large description are given, which amount to authorising any person to enter upon any land to destroy any bird or animal. With the authority of the Governor-in-Council a person may enter upon private land, but unless such authority is made known to the owner I am afraid that in many instances there would be trouble. I would suggest that when any such authority is given it should be notified in the *Government Gazette*. I might also point out that the right of entry upon private land is a serious matter, and should, therefore, be kept within the minimum limits.

THE HON. J. A. WRIGHT: I might also add that under this Bill, if any person obstructs another coming into his land, he is guilty of an offence, and may be fined £50, but not less than £10. Anyone, out of spite, under this Bill, could enter the land of another who was in the habit of keeping a cockatoo or parrot.

THE COLONIAL SECRETARY (Hon. S. H. Parker): They do not come within the Bill.

THE HON. J. A. WRIGHT: Then, because you want to get at the poor harmless sparrow, you are going to give scope for the levying of blackmail and all sorts of other things. The whole Bill, in my opinion, is simply absurd. We have no sparrows; and it reminds one of the man who used to ride with a rat-trap attached to his saddle, not that there were any rats in the country, but that they might come and get up behind and bite his horse.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Under the Bill a destructive bird is the sparrow or such other bird as the Governor-in-Council may proclaim. I do not think it is intended to include cockatoos or parrots. Hon. members must remember that this Bill is brought in not at the suggestion of the Government, but on the resolution of this House, which was passed last session at the instance of the Hon. Mr. Hardey; so that if it is absurd it is the fault of hon. members, and not the Government. For my part, I cannot help thinking, however, that it is a good

thing to take precautions to prevent these birds being introduced here. Prevention is always better than cure, and if there are no sparrows now it is better to stop them coming than to wait until they are introduced and then to legislate to cause their destruction. I agree with the Hon. Mr. Hackett that it would be as well to have the names published of those who are authorised to enter upon any lands for the purposes of this Bill; and if the hon. member will allow the remaining clauses to pass I will, on the report stage, move to insert a new clause under which the suggestion of the hon. member will be given effect to.

THE HON. G. W. LEAKE: Why not make the clause read "shall be authorised in writing by a magistrate?"

THE COLONIAL SECRETARY (Hon. S. H. Parker): It will be safer in the hands of the Governor-in-Council than in the hands of magistrates.

Clause agreed to.

The remaining clauses were agreed to, and the Bill reported.

THE POPULATION RETURNS.

THE COLONIAL SECRETARY (Hon. S. H. Parker): It may be interesting to hon. members if I make a short statement. Section 42 of the Constitution Act enacts that when the Registrar General of the colony shall have certified under his hand, to be published in the *Government Gazette*, that the population of the colony has, to the best of his knowledge and belief, exclusive of aboriginal natives, attained to sixty thousand souls this Part (that is Part III. of the Act) shall come into operation. It is also enacted that as soon as Part III. comes into operation this Council ceases to exist. I may now inform hon. members that the Registrar has, this day, given his certificate that, to the best of his knowledge and belief, the population of the colony has attained 60,000 souls, and a special *Government Gazette* has been published containing that certificate. However, to prevent this Council from coming to an untimely end in the midst of a session, there is, fortunately, a proviso to the forty-second section which enables the Governor-in-Council, by proclamation, to postpone the coming into operation of Part III. of the

Act for a period not exceeding six months, and I am happy to say that the same *Gazette* in which is published the Registrar's certificate also contains a proclamation postponing the coming into operation of this part of the Act for a further period of three months, so that on the 18th of October next this Council shall cease to exist.

THE HON. J. W. HACKETT: Does the three months exhaust the powers under the section.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Yes, there is only one power.

ADJOURNMENT.

The Council, at 2:50 o'clock p.m., adjourned until Thursday, 20th July, at 4:30 o'clock p.m.

Legislative Assembly,

Tuesday, 18th July, 1893.

Amendment of Fencing Laws—Supply Bill (£100,000): first reading—Leave of Absence for Mr. Traylen—Post and Telegraph Bill: in committee—Post Office Savings Bank Consolidation Bill: in committee—Adjournment.

THE SPEAKER took the chair at 2:30 p.m.

PRAYERS.

AMENDMENT OF THE FENCING LAWS.

MR. CLARKSON (on behalf of Mr. THROSELL), in accordance with notice, asked the Attorney General whether it was the intention of the Government to introduce, this session, a Bill to amend the Fencing Laws in such a manner as to assimilate the laws of this colony with the Fencing Laws of the other Australian colonies.

THE ATTORNEY GENERAL (Hon. S. Burt) replied that the Government had received no representations what-

ever upon the subject, and at present did not intend to introduce legislation in the matter.

SUPPLY BILL (£100,000).

Introduced by Sir JOHN FORREST, and read a first time.

LEAVE OF ABSENCE FOR MR. TRAYLEN.

On the motion of MR. CLARKSON, leave of absence for three weeks was granted to the hon. member for Greenough.

POST AND TELEGRAPH BILL.

IN COMMITTEE.

The House went into committee on this Bill.

Clause 1.—Short title and commencement:

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the blanks having reference to the date when the Bill should come into operation, be filled in by the insertion of the words "first day of September."

Agreed to.

Clause put and passed.

Clauses 2 and 3:

Put and passed.

Clause 4.—Interpretation:

MR. SIMPSON asked whether the interpretation of the word "stamp," as given, would admit of the stamps referred to being also used as revenue or receipt stamps, in the event of its being decided to make postage and revenue stamps interchangeable?

THE ATTORNEY GENERAL (Hon. S. Burt) said his opinion was that "a stamp available for denoting fees or dues payable under this Act" (using the words of the interpretation clause) would not cease to be a stamp within the meaning of the Bill, if it were also made to denote fees payable for revenue purposes. He did not think it would interfere in any way with this Bill if the Government hereafter arranged that postage stamps should also be made available under the Stamp Act.

MR. SIMPSON: Can we do it in this Bill?

THE ATTORNEY GENERAL (Hon. S. Burt): I think it would be foreign to this Bill. I have never seen such a provision in a Post Office Bill. I think it is