

THE ATTORNEY GENERAL (Hon. H. H. Hocking): I do not know what is the parliamentary practice, but I think we ought not to countenance the introduction of amendments like this, without any notice being given of them. If this practice were allowed, it would be competent for hon. members, on the recommittal of a bill, to spring a new clause upon the committee which a full House would not have agreed to. I do not mean to say that anything of the sort has been attempted in this instance, but I think it would form a bad precedent, and I would suggest to the honorable member that he should move that progress be reported and leave obtained to sit again.

MR. BROWN: I perfectly agree with the remarks that have fallen from the Attorney General. I should be sorry indeed to spring a clause like this upon the House, and I shall be happy to adopt his suggestion. I may say that the reason I have for introducing the clause at this the eleventh hour is, that those most interested in the institutions which the Bill applies to were never consulted at all as to its provisions, and it was only in course of conversation with one of these gentlemen that I discovered how inadvisable it would be to apply the provisions of the first clause to aborigines.

Progress reported, and leave obtained to sit again on Wednesday, 1st August.

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

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## LEGISLATIVE COUNCIL,

*Monday, 30th July, 1877.*

Vaccination—Coastal and Intercolonial Steam Communication—First Readings—Marriage with Deceased Wife's Sister Bill: second reading; in Committee—Dangerous Matches Act, 1876, Repeal Bill, 1877: second reading; in Committee.

THE SPEAKER took the Chair at seven o'clock.

PRAYERS.

## VACCINATION.

MR. STEERE asked the Colonial Secretary whether, in consequence of the report of the Colonial Surgeon, which states that "the law with regard to vaccination may be considered a dead letter," is it the intention of the Government to propose any fresh legislation, or to issue any fresh regulations to endeavor to ensure a more frequent compliance with the present Vaccination Act?

THE ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) said it was not; but the question was under the consideration of the Government and papers on the subject would be presented to the Council in due course.

## COASTAL AND INTERCOLONIAL STEAM COMMUNICATION.

MR. CROWTHER, in accordance with notice, moved the following resolution: "That in the opinion of this Council, monthly steam communication between Geraldton, Fremantle, Albany, and South Australia, so regulated that the steamer on the return trip from Adelaide to Geraldton should meet the homeward bound Colonial mail steamer at Albany, would prove of more benefit to this Colony than the existing arrangements for steam communication upon the coast; and that an humble address be presented to His Excellency the Governor by this House, praying that he will be pleased to make such arrangement with the owners of the s.s. *Rob Roy*." This subject was to his mind one of the most, if not the most, important question which the House would have to deal with during the session, and he had no doubt it would obtain the support of the Government and of all the members of the House, as well as every well-wisher of the Colony outside the House. From the earliest stage of the Colony this question of steam communication had been the subject of more or less agitation. Formerly it was regarded as a luxury to be indulged in sparingly, but now-a-days it was looked upon as one of the necessities of our social and commercial existence. It was a boon, however, which the Colony had to pay for, and was content to pay for; but it was the duty of the Government to see that the public had ensured to them as much of the

benefits derivable from steam communication as could be possibly had for the money they paid for it. It was in the belief that the existing arrangements between the Colony and the owners of the *Rob Roy* were such as admitted of much improvement, and of being rendered a good deal more advantageous to the Colony, that he had tabled the motion which stood in his name. There could be very little doubt that the arrangements as they now existed were not satisfactory to the public; they were certainly not satisfactory to the Government; and, most unquestionably, they were not satisfactory to the owners of the steamer. In the Speech with which the Governor had opened the present session, His Excellency had said that the report of the Surveyor General relating to the Conference held at Sydney in January last, together with further correspondence with reference to the proposed duplication of the Anglo-Australian cable, would be placed before the House; and he (Mr. Crowther) regretted very much that these documents had not been laid on the table before now, because he knew from correspondence which he had had with the other colonies, in connection with this subject, that great stress was there laid on the question of direct steam communication between us and them, by the hon. the Commissioner of Crown Lands, who so efficiently represented this Colony at the Conference. A practical commentary upon the inconvenience of the existing arrangements with reference to the shipment of goods for this Colony from Adelaide had appeared in an article published in the *Argus* of the 18th June last, in which was pointed out the very disadvantageous terms upon which shipments could be made from Adelaide to this Colony, owing to the goods having to be taken by way of Melbourne before reaching their destination. Fully two-thirds of the cargo—with the exception of flour and grain—imported to this Colony from South Australia went by that circuitous route, instead of being shipped direct to the Colony. All this inconvenience and wasteful expenditure would be avoided in the event of our establishing direct communication with Adelaide. It certainly did seem absurd that mercantile houses at that port having regular busi-

ness relations with merchants in this Colony should be compelled, when they wanted to send goods to Western Australia, to ship them first to Melbourne. Apart from this, there was no denying the fact that the present arrangements with respect to the movements of the coasting steamer *Rob Roy* were bad in every respect. It was delayed for six days, idle, at Albany, and this delay would be still further extended in the course of a month or two, inasmuch as according to the new time-table of the P. & O. Co. a delay of eight days would be necessitated. In fact, the loss of time under the existing arrangements was wasteful in the extreme, and discreditable to the Colony. For instance, according to the present time-table the steamer left on the 25th April, arriving at Albany on the 26th, returning to Fremantle on the 12th May, and reaching Champion Bay on the 17th—a period of about three weeks. Yet out of all that period the actual time consumed in the conveyance of the mails was 150 hours, for which the Colony paid the present subsidy of £3,500 a year,—which was the best arrangement that could be made at the time. But the purchased experience of the past had clearly demonstrated that a great many advantages would be derived from the adoption of the scheme now before the House, and that, too, at the same cost as we paid for the present coastal service. The intermediate trip to Champion Bay might be given up with great advantage to the Colony, if the steamer were to make a monthly trip to Adelaide. Supposing the mail cart did not run down to meet passengers, we should be in a fix; the *Rob Roy* left generally Fremantle with the English mail two days and six hours before the steamer with the mails from the colonies for England left Melbourne, thus arriving at the Sound about the same time that the P. & O. Co's. steamer was leaving the other colonies, and necessitating a delay of eight days awaiting the mail packet at Albany. Hence, were it not for the overland mail, our English letters, if they had to wait for the *Rob Roy*, under existing arrangements, would be ten days before reaching Perth after their arrival at King George's Sound. There had been some stress laid on the fact of passengers arriving from England

not having a steamer to bring them on at once to Fremantle, but looking at the number of persons who were likely to be inconvenienced by this arrangement, as compared with the number of passengers arriving from the colonies, he did not think there would be ground for much complaint. It appeared, from a return which he had before him, that during the past twelve months forty-five passengers had arrived at Albany for this Colony by the English steamer, and of these only twenty-eight had come up to Fremantle by the coasting steamer. The number of arrivals from the colonies during the same period was 147, and he believed nearly all of them were passengers by steamer from Albany to Fremantle. So that, if numbers had any weight, the preponderance was altogether in favor of colonial passengers, whose interests and convenience should be studied as much as those coming from England, a considerable proportion of whom, instead of availing themselves of the facilities afforded by the coasting mail steamer took advantage of the opportunity which a journey overland afforded them to enjoy the delightful scenery of the country between Albany and Perth, and the luxurious ease of travelling over colonial roads. He thought some consideration should also be given to the convenience of passengers leaving the Colony as well as those coming into it. In April last, forty—and in May, thirty—passengers were left at Albany because the P. & O. Co's. steamer could not accommodate them, and in May all the passengers from this Colony who went to Albany by the *Rob Roy* to proceed to the other colonies had to go second-class, there being no room for them in the saloon of the P. & O. Co's. steamer. If the arrangement contemplated in the resolution before the House were adopted, all this vexatious delay, inconvenience, and discomfort would be avoided. Passengers to and from the neighboring Colony would go direct to their destination in the steamer in which they embarked at the port of shipment. In the motion before the committee he had inadvertently omitted to include Bunbury and the Vasse as ports of call for the steamer *en route* to and from Adelaide, and, with the leave of the House, he would amend the

resolution to that effect. He considered the present steamer (the *Rob Roy*) well adapted for the service; it afforded ample accommodation for our requirements, both as regarded passengers and cargo. He had pointed out to the House, briefly, the increased benefits which would be derivable from the arrangements which he proposed, with reference to the convenience of passengers; and as further illustrative of the delay, and consequent loss, arising from the present available means of conveying goods from South Australia to this Colony, he might mention that some days ago a vessel arrived at Albany from Adelaide. She would stay at the Sound for a short time, and then go on to Bunbury, where she would make a further stay. She would then proceed to Fremantle, and of course there would be additional delay there; so that, with good luck, she might be expected to land her cargo at Champion Bay in about three months from the day she left Adelaide. This was a practical commentary upon the disadvantages under which the Colony labored at present, and he thought it was anything but creditable to us as a community. It might be said outside the House—no honorable gentleman inside would regard it in that light—but it might be said outside that the scheme which he proposed in the resolution standing in his name, would, if carried out, interfere with local interests and vested rights. But if the Government were to put on a first-class schooner to perform the service, vested rights would not be thought of. Vested rights had been interfered with long ago. In fact there were no vested rights in trade and commerce, and in looking at a question like this, in which the progress and prosperity of the Colony was to a considerable extent involved, it was the duty of the House to regard it from a national point of view, and not from any narrow, local stand-point. Once Western Australia had direct steam communication with the sister colonies, on the one hand, and let the scheme put forward by the Banda Steam Association to connect us bi-monthly with the Straits Settlements on the other hand, be but carried out, and our telegraph line to Eucla completed, and our isolation would be at an end. We should then be united to the other portions of the Australian

group, and share in the advantages which our relationship with our thriving sisters ought to confer upon us. Even as a matter of commercial enterprise the scheme which he proposed had much to recommend it, and, without stretching a point, he would venture to assert that were the project carried out, as he hoped and trusted it would be, one-fourth of the floating capital of Western Australia (in connection with the other colonies) could be diverted to other and more profitable channels than were now open for it. With these introductory remarks, he commended the resolution to the favorable consideration of the House.

MR. STEERE seconded the motion, in the belief that it would be a very great advantage to this Colony if it were brought into direct steam communication with South Australia, and he did not think it would be such a bad thing for the owners of the steamer. He thought she could very well afford to perform the service contemplated in the resolution before the House even at a smaller subsidy than she receives for the performance of the service which she is now carrying out. He had always been of opinion—and the opinion had been confirmed by the House last session—that it would be better not to hamper the steamer with the mails, but let them go overland. The English mail, especially, ought to be conveyed by land, and he was very sorry indeed that the *Rob Roy* was fettered with the mail service at all. No doubt that even under the existing arrangements the steamer was a source of great convenience to the Northern Districts, but not at all so to the Southern Ports. When she first began to run, he took the trouble to keep an account of the time she stopped at Bunbury and the Vasse, and he found that instead of remaining (as she was timed to do) four hours at the former port, and two hours at the latter, she generally stopped at Bunbury half an hour, and at the Vasse a quarter of an hour—and that too at such an inconvenient hour that passengers could hardly embark, and certainly no cargo could be got on board. This was entirely in consequence of her being hampered with the mails, and it was no wonder, under the circumstances, that the steamer did not pay. It was all very well to say to

the owners, they ought to get more cargo than they did, but how could they do it, if there was no time allowed for the vessel to take it aboard. If the owners would enter into an agreement with the Government to run the steamer once a month to Adelaide, the commercial and other advantages which would accrue from such an arrangement would be so great that he had no doubt the owners would be perfectly content to accept a smaller subsidy than they now receive, hampered as they are with the mail service. He had been told by the owners of the *Georgette* that the trip she made from this Colony to Adelaide for the purpose of being overhauled was a most lucrative one, and that the trip she was making when she met with the unfortunate accident which had resulted in her loss would have been even more so, the passenger money alone amounting to about £500. He hoped the Government would be able to enter into some such an arrangement with the owners of the *Rob Roy* as was proposed in the resolution under discussion, which he had much pleasure in supporting.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) thought it would be a mistake to regulate the arrival of the *Rob Roy* from Adelaide so as to meet the homeward bound Colonial Mail Steamer, as contemplated in the resolution before the House. It appeared to him it would be more advantageous in many respects that it should meet the steamer from Galle. It would then be in a position to bring on the English passengers by the P. & O. Company's steamers, and also the English mail, which was much heavier than the mails from the Colonies, which might easily be brought overland.

MR. MARMION feared the House was inclined to be rather hasty in dealing with the question under consideration. The subject, no doubt, was one of very great importance, but he would have liked that more time had been given hon. members to think over it. He quite concurred in the desirability of establishing direct steam communication between this and the other Colonies—that was to say, more direct than what we had at present, for it must be borne in mind that we were not without regular means of communication with our neighbors under existing arrangements. The *Rob*

*Roy*—a very suitable boat for the service—plied monthly between our northern ports and Albany, there to meet the P. & O. Co's. steamer proceeding to the Colonies. This afforded passengers and cargo from this Colony every opportunity of reaching Adelaide or Melbourne. On the other hand, passengers from the other Colonies coming here, could embark on board the P. & O. Co's. steamer, and, on arriving at Albany, were met by the *Rob Roy* and brought on to their destination. With all due deference to the opinion of the hon. member for Greenough, he did not think it was the duty of the Government to subsidise a steamer for the purpose of affording greater facilities for merchants to obtain their goods from the other Colonies. All they had to consider was the convenience of passenger traffic, and it appeared to him that the existing facilities in this direction were all we could reasonably wish for. The scheme contemplated by the hon. member for Greenough would no doubt increase and cheapen those facilities, but the result would be that we should thus be affording greater inducement for people to leave the Colony. Hon. members might smile, but they would find that such would be the case, and he did not think we should derive any compensating advantages in any influx of people here from the other Colonies. Another reason why he objected to this hasty piece of legislation—for such it would be, if carried into effect—was that this question of steam communication was altogether a matter for private commercial enterprise, and he believed that, as soon as the telegraph line to Adelaide is opened, the speculation would be found sufficiently tempting to induce parties to place a steamer to run between this Colony and the others without any large amount of bonus from the Government. The trade between South Australia and this Colony would no doubt be considerably increased when the two Colonies were in telegraphic communication with each other, and sufficient inducement would be afforded for private enterprise to introduce a steamer. If the resolution before the House were carried, the owners of the *Rob Roy* would have the Colony at an advantage, and it would place the Government at a corresponding

disadvantage, in so far as His Excellency was asked to deal with the owners of the *Rob Roy* and no other steamship company. The former, being shrewd men of business, would of course take advantage of the position, and drive as hard a bargain with the Government as they could. This is what he particularly wished to guard against. If the House was of opinion that it would be advisable to subsidise a steamer to trade between the ports of this Colony and Adelaide, the matter should be thrown open for public tender. The existing arrangement with the *Rob Roy* would expire at the end of the present year, and he would suggest that no agreement should be entered into with the owners until that time, when tenders might be invited for the performance of the proposed intercolonial service. He would also remind the House of the proposal of the Banda Steam Navigation Company to run a line of steamers bi-monthly between Singapore and Fremantle, for a subsidy of £4000 per annum. This company might find it would be more beneficial for themselves and the Colony if they were to extend the service to Adelaide or Melbourne. So that, altogether, he thought the House would do well to wait a short time before entering into the arrangement contemplated in the resolution of the hon. member for Greenough.

MR. PADBURY said he would wish to see the owners of the *Rob Roy* doing well, for that very fact would be an inducement to other steam companies to try what could be done here. At the same time they must remember that they had already steam communication between this and the other colonies, by means of the P. & O. Co's. steamers, which were met by the *Rob Roy* at Albany every month. If the present arrangement with the owners of the coasting steamer did not pay, all he could say was, he was very sorry for it, and if it would assist them, and increase their returns by making an occasional trip to Adelaide, he would not object to such an arrangement, provided we got our mails conveyed without any additional cost. But he would much sooner see the steamer make half a dozen trips in the year to the North-west Settlements and half a dozen to Adelaide, than make a

monthly trip to South Australia, thus shutting out our northern settlements from any participation in the benefits derivable from steam communication. It was not at all unlikely, in his opinion, that the Banda Navigation Co., would run their steamers right through to Adelaide, and possibly arrangements might be made with them to call at Champion Bay and Nicol Bay on their way to and from Singapore. The moment our contract with the P. & O. Co. for the conveyance of our mails terminated, these steamers could bring our European and Indian mails to Albany just as cheap, and just as well, and just as expeditiously, as they are being now conveyed, and the same facilities would be afforded to passengers.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said he looked upon himself as the godfather of this MacGregor steamer, the *Rob Roy*. It would be in the recollection of the House that when on an official visit to the neighboring colonies, he had been empowered by the Government to treat for a steamer to ply on our coast. He had experienced a great deal of difficulty in making arrangements for such a service, but the difficulty would have been removed if the steamer was allowed to make a monthly trip to the other colonies, independent of the P. & O. Company's packets. He was sorry that the mover of the resolution before the House had not come forward with some definite proposal from the owners of the *Rob Roy* to carry out the service contemplated in the motion under discussion. He was not aware that the Government had received any formal notification from the owners of their intention to withdraw the steamer from the coastal service, but he would tell the House this much—if the *Rob Roy* should be withdrawn it would be perfectly useless their going to the other colonies to try to procure another steamer. When visiting those colonies a short time ago, he had seen almost every shipping firm in Melbourne, Sydney, Hobart Town, and Port Chalmers (in New Zealand)—where nearly all the steamers in the Australian Colonies were represented—and, from what he had gathered in the course of conversation with the representatives of the various firms whom

he had made his business to interview, he could assure the House that, in the event of the *Rob Roy* leaving our coast, it would be perfectly useless to attempt to get another steamer to replace her.

MR. SHENTON thought it would be as well to postpone the determination of the question until the Banda scheme was more matured. The House would probably be summoned to meet again shortly after the prorogation, for the purpose of dealing with the Fremantle railway question, and possibly by that time the Government would be in receipt of some definite offer from the Banda Steam Navigation Co. He would therefore move that the resolution before the House be postponed until the next session.

MR. PADBURY seconded the motion.

MR. BURT would indeed be sorry to see the matter postponed until the House were summoned to deal with the railway question. There was no knowing when that would be ripe for settlement. Hon. members should not lose sight of the contingency that the *Rob Roy* might be the last steamer we might ever expect from the other colonies to perform the service she was now engaged in. He was not prepared to support the motion before the House as at present worded, but he would readily give his adhesion to any resolution that would enable the Government, in the event of the *Rob Roy* abandoning her contract, to enter into some arrangement for the performance of the service contemplated by the hon. member for Greenough. He would therefore move, as an amendment, "That in the opinion of this Council "steam communication between Geraldton, Fremantle, Bunbury, Busselton, Albany, and South Australia, so regulated as to meet the homeward bound colonial mail steamer at Albany, would "prove of more benefit to this Colony "than the existing arrangements for "steam communication upon the coast; "and that an humble address be "presented to His Excellency the Governor, praying that he will be pleased "to make arrangements, if possible, to "carry out this object in lieu of the "service now performed by the s.s. *Rob Roy*, and at a subsidy of not more than "£4000 per annum."

MR. BROWN seconded the amend-

ment, because he believed it embodied the intention of the mover of the original resolution. The hon. member for Fremantle (Mr. Marmion) was afraid that we should lose a valuable portion of our population if we afforded them the increased facilities for leaving the Colony which the scheme before the House was intended to provide. Now it was in consequence of these increased facilities being provided that he was prepared to support the proposal, for if a steamer plying regularly with the other Colonies afforded facilities for people leaving Western Australia, it would, on the other hand, afforded equal facilities for persons coming from the other colonies to this. The amendment proposed by the hon. member Mr. Burt did not commit the Government to treat with the owners of the *Rob Roy* and with no other steamboat proprietors, but left it altogether to their discretion and good judgment to make such arrangements as might in their opinion prove advantageous to the Colony.

MR. BURGESS considered the question of steam communication one of the utmost importance, but he would sooner see it extended in the direction of the North-West Settlements of the Colony than to the "other side." He thought that the present arrangement, whereby the *Rob Roy* met the P. & O. Co.'s steamers at Albany, was all that we required in that direction, and to extend the service of the coasting steamer to Adelaide would benefit South Australia far more than it would this Colony. But whatever arrangements were made, he thought the service, if extended at all, should embrace the Nickol Bay district, and he hoped the House would not fail to recognise the claims of that remote settlement to participate in whatever increased advantages the extension of steam communication would bring about. He trusted the House would not come to any hasty conclusion in this matter.

MR. CROWTHER said he would not oppose the amendment. He certainly had been surprised and disappointed at what had fallen from the hon. member for Fremantle, in opposing the proposed arrangements on the ground that the scheme if carried out would harm the Colony by affording increased facilities for people to leave it. That argument

cut both ways. The proposed scheme would afford equal facilities for people coming into the Colony from the other side. At present, immigrants imported into the Colony from the mother country cost the public £18 or £19 per head, and he believed he was not wrong in saying that a large proportion of them were not worth the money. On the other hand every immigrant coming here from the neighboring Colonies was entitled to £5 or £6, and surely out of every four of these immigrants we might calculate upon one decent man. This would be equally advantageous to the Colony as importing immigrants from the mother country. The majority of the laboring classes who left Western Australia for the neighboring Colonies remained there for the simple reason that they had not the means to return. If the resolution before the House were carried into practical effect, these men could arrange with the owners of the steamer to bring them back on condition that they (the owners) should receive the amount of the immigration grant allowed by the Government in the case of immigrants coming here from the neighboring Colonies.

MR. MARMION thought the House should be careful in binding the Government to limit the period of whatever contract they might make. He believed that in a short time the proposed arrangement would be found so remunerative that they need not pay any subsidy at all, or, at all events, but a very small one. He quite concurred with the hon. member for the North district as to the desirability of extending steam communication to that settlement, which he regarded as one of the most important parts of the Colony, destined at no distant date to be populated from Sharks Bay to the Fitzroy River.

MR. SHENTON moved, That as the House will meet again for the despatch of business in a short time—and in all probability by that time a definite answer will have been received from the Banda Steam Navigation Co.—the resolution of the hon. member for Greenough be postponed until next Session.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser), referring to the amendment proposed by Mr. Burt, thought it would be inexpedient to tie

the Government down to a subsidy of £4,000, which would lead the contractors to a knowledge of what they had to expect, and induce them to tender accordingly. He thought it would be far better to invest the Government with a discretionary power with reference to the amount of subsidy to be granted.

MR. PADBURY was quite of the same opinion, and thought—whatever arrangement was entered into—it should not extend over twelve months. In fact, he would not alter the existing arrangements at all, unless Nicol Bay were included in the scheme.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) rose to move an amendment, whereupon

MR. SPEAKER ruled that he was out of order. According to *May*, page 306, a member who had already spoken to a question could not rise again to move an amendment, though he might speak to any new questions when proposed by other members.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) said he bowed to Mr. Speaker's ruling, but at the same time he would suggest to the hon. member Mr. Burt the desirability of withdrawing that part of his amendment specifying the amount of subsidy which the Government should be empowered to offer.

MR. BURT said he was quite willing to do so, and, with leave, amended his motion by striking out the words "and at a subsidy of not more than £4,000 per annum."

The amendment thus amended was agreed to.

#### FIRST READINGS.

The Closing of Streets in Fremantle Bill, and the Pawnbrokers Ordinance, 1860, Amendment Bill, 1877, were read a first time.

#### MARRIAGE WITH DECEASED WIFE'S SISTER BILL.

MR. BROWN moved, The second reading of a Bill to legalise the marriage of a man with his deceased wife's sister. The hon. member said the Bill had been slightly altered from what it was when passed by the House last Session, the alterations being in conformity with certain suggestions made by the Secretary

of State for the Colonies. The only alteration made in the first clause was the substitution of the word "affinity" for the word "relationship." In the second clause the words "within this Colony" had been added. The Secretary of State seemed to be of opinion that there was no necessity for the second clause at all; but he (Mr. Brown) had discussed the matter with several legal gentlemen, all of whom considered it advisable to adopt the second clause of the Bill. There were no other alterations in the Bill, which he had no doubt would meet with the same measure of support as it had last Session.

MR. BURT moved, as an amendment, That the Bill be read a second time that day six months, and expressed a hope that some of those hon. members who had voted for the measure last year had altered their minds as to the necessity and expediency of such a Bill, which would uproot one of the standard marks of society, and legalise a relationship prohibited for years past by all decent people. Some hon. members seemed inclined to deal with this question more as a joke than in real earnest, but he regarded it as a very serious question, and one which ought not to be trifled with. Hon. members would observe that the first clause of the Bill was retrospective in its operation, and aimed at legalising all marriages of this character which had already taken place in the Colony. At present these marriages were of course illegal, and the parties thereto had been guilty of an illegal act. Why should the House be called upon to legalise the unlawful acts of such persons? If the Bill were merely prospective,—and not retrospective as well—in its provisions, it would not be quite so objectionable as it was in its present form. It would be a very pretty state of affairs indeed if the House affirmed such a principle. What would be thought of him if he were to introduce a Bill dealing retrospectively with other unlawful acts, and rendering them legal by an Act of parliament? Why, he would be simply laughed at, and by no one sooner than the hon. member for Geraldton himself. He hoped the House would seriously pause before agreeing to the second reading of such a Bill.

SIR T. COCKBURN-CAMPBELL



said he would on this occasion support the motion for the second reading, not that he had in any way altered his opinion as to the objectionable nature of such marriages as the Bill sought to legalise. No one could object to such unions more than he did, but still, regard being had to the fact that the measure last year was approved by a considerable majority of the House, and that the Country had accepted it—at any rate, only a very small class had expressed any objection to it—he thought, under these circumstances, it was the duty of those who had opposed the Bill last Session to give way. For that reason he could not support the amendment that it be read a second time that day six months.

Bill read a second time, and passed through Committee, without amendment or discussion.

DANGEROUS MATCHES ACT, 1876,  
REPEAL BILL, 1876.

SIR T. COCKBURN-CAMPBELL moved, The second reading of this Bill. The hon. baronet thought it would be admitted that the measure which he sought to repeal had been passed without that consideration which it ought to have received. It might be regarded as a somewhat strange proceeding that, before the original Bill actually came into operation, he should introduce a Bill to repeal it; but, very soon after the passing of the Act of last Session, public opinion made itself most distinctly felt throughout the Country as opposed to it. It evoked a feeling—a very prevalent feeling, too—of positive exasperation in the public mind. The Bill was regarded as a most tyrannous piece of legislation, and as a measure unnecessarily affecting the domestic convenience of the Colonists generally. He thought that a measure of that kind should not be passed by that House, unless they were perfectly certain of its necessity, and, moreover, that it would attain the object its promoters had in view. At the time the Bill in question was passed, very few hon. members knew anything about these patent safety matches, and the very name, probably, had thrown a glamour over their eyes. He thought that by this time

hon. members must be aware that these so-called safety matches were anything but what their name implied. Very soon after the passing of the Bill a very serious accident occurred from the explosion of some of these very matches, and he was told that, in an establishment where they had been used in large quantities, scarcely a day went by without such explosion taking place. In fact the matches, so far from being safe, were, under certain conditions, positively dangerous, and with respect to their liability to spontaneous ignition there was very little to choose between them and the ordinary tandsstickor matches on that score. The only thing which seemed to be in their favor was, that if they were dropped on the floor and trod upon they would not ignite; but he opined it was very few fires which were caused in that way. Very shortly after the passing of the Bill last Session he had read a letter in an English paper strongly advising the public to have nothing to do with these patent matches, as their highly explosive properties were the cause of many accidents, of which a list was given. He could not conceive that they possessed many advantages—if any, at all—over the ordinary lucifer match: in some respects perhaps they were a little safer, but in other respects they were far more dangerous. At any rate their superiority over the tandsstickor match in common use was not such as to counterbalance the inconvenience that must arise if the use of the latter were altogether prohibited. He did not think it was wise on the part of the House, by means of sumptuary measures such as this, to exasperate and alienate the feelings of the people who sent them there to assist in the work of legislation; and there was no doubt the Bill in question had created a very violent feeling of indignation amongst the public, especially in some parts of the Colony. From the Secretary of State downwards, the Bill had been regarded as a mistake—a mischievous and uncalled-for piece of legislation. The most manly, though perhaps humiliating, course for the House to adopt was to endeavor to remedy its mistake as soon as it was in their power to do so. To that end he had introduced the Bill before the House, the second reading of which he now begged to move.

MR. MARMION seconded the motion. That there was a strong feeling outside against the Bill passed last session there could be no doubt, and the reason why the public did not make more stir about the matter was the conviction that the Bill would defeat its own end, and the object which its promoters had in view. One of the arguments urged in favor of the Bill was that a similar measure had been adopted in the other Colonies; now he believed he was correct in stating that not one of the neighboring Colonies had such a Bill on their statute book. Occasionally, a spasmodic effort was made on the part of some district roads board to introduce legislation in this direction, but those efforts had always proved futile. It appeared to him that if the House had been somewhat hasty in passing the Bill of last session, they should not be too proud to acknowledge and rectify their mistake. He did not think they would be stultifying themselves in any way in repealing an Act which had caused so much discontent and dissatisfaction.

MR. BROWN could hardly agree that the House had been hasty in passing the Bill which he had introduced last session, for he had given twelve months' notice of his intention to bring forward such a measure. Nor was the Bill solely the child of his own conception; a great deal of pressure had been brought to bear upon him to introduce it. He was aware that among some classes of the community such a measure would prove unpopular, and it was for that reason that he had given a year's notice of his intention of bringing it forward, so as to afford an opportunity of an expression of public opinion. The local Press did not utter one word against it. [MR. MARMION: Nor in its favor.] He had intimated to his constituents, when addressing them, that he intended to bring forward such a Bill, and not a voice was raised against it. With regard to the proposal to repeal the Bill, the hon. baronet who had moved in that direction did not appear to speak from his own experience as to the relative advantages of the patent safety match and the match now in common use; he merely spoke from what he had heard from others, and, though he (Mr. Brown) honored the motives which had induced the hon.

baronet to bring forward his repeal Bill, the fact remained that the experience he had given the House was the experience of other people. And that experience was not in accord with his (Mr. Brown's) own. The necessity for such a Bill as he had introduced might not be so apparent to the dwellers in the towns, but it was manifest to country people, who were frequently reminded of the dangerous properties of the matches now in ordinary use by the destruction which they caused. He did not think it would be fair or just towards the trading community to repeal the Bill passed last session, for the majority of merchants and importers, having regard to the fact of the Act having been passed, had made arrangements for the introduction of the patent safety matches, and made no provision for a supply of the matches now in common use. The result of the Bill before the House would be that those merchants who had made arrangements for complying with the provisions of the law would have to suffer, while those who had not acted in pursuance of the law would reap the advantage. He hoped the House would not countenance this, but, on the contrary, would ratify its action of last session,—when the House was almost unanimously in favor of the Bill—and would vote for the amendment which he had proposed, namely, that the Bill be read a second time that day six months.

MR. PADBURY seconded the amendment. It appeared to him something like child's play that a Bill which had been passed by a large majority of the House only twelve months ago, and which had received the approval of the Governor, should, before it had actually had a trial, be repealed.

MR. BURGESS supported the amendment, for he considered it premature, to say the least, to repeal a Bill which had never come into operation. If the Act proved to be the source of so much inconvenience and hardship as some hon. members seemed to anticipate, the House might with some reason be called upon to repeal it; but it did seem to him somewhat premature to repeal an Act which had never come into operation, and which had not had a trial.

MR. MONGER would support the amendment for the reason that the

House had, only a few months ago, approved of the Bill which it was now sought to repeal. He thought it would be very unjust towards merchants and others to go and repeal an Act of Council a few weeks before it came into operation. The Act at any rate ought to have a trial, though he felt certain that, ultimately, it would be repealed. But he did not think it would become the House to do so now.

SIR T. COCKBURN-CAMPBELL, referring to the statement of the hon. member for Geraldton that the House, last session, had been unanimous in its adoption of the Bill, said that he found on reference to *Hansard* that, although there was no division called for, there was a division of opinion as to the desirability of such a measure. As to the Repeal Bill inflicting any hardship upon merchants and importers, he thought that idea was simply ridiculous. Few, if any, had as yet imported the patent safety matches, to any extent, and those who had would be able to dispose of them as they had done heretofore.

MR. PARKER opposed the amendment, in the belief that the patent safety match would prevent a great deal of destruction and loss.

MR. GALE supported the motion for the second reading. He had heard of several instances in which accidents had occurred from the use of the so-called safety matches, which, under certain circumstances, ignited even sooner than the matches in common use.

MR. STEERE said he also would support the motion of the hon. member for Albany. Had he consulted his own feelings he would have preferred that the matter should have been postponed for another session, so as to give the Act passed last year a trial; but, as the Bill had been introduced he would vote in favor of its second reading. There was no doubt that public opinion was opposed to the patent safety match, and he thought it would be unwise and impolitic on the part of the Legislature to pass laws contrary to the general wish of the public.

Question put, "That the words proposed to be struck out stand part of the question," upon which a division

was called for with the following result:—

Ayes	...	...	10
Noes	...	...	8
Majority for			2

AYES.	NOES.
Mr. Gale	Mr. Randell
Mr. Steere	Mr. Crowther
Mr. Marmion	Mr. Burges
Mr. Burt	Mr. Padbury
Mr. Glyde	Mr. Monger
Mr. Pearse	Mr. Parker
Mr. Shenton	Mr. Hardey
The Hon. A. O'G. Lefroy	Mr. Brown (Teller.)
The Hon. H. H. Hocking	
Sir T. C. Campbell	
(Teller.)	

The amendment was therefore negatived, and the Bill was read a second time, and agreed to in committee.

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

## LEGISLATIVE COUNCIL,

*Tuesday, 31st July, 1877.*

Unlicensed dogs—Mode of escorting native prisoners—Opening foreign mails and distributing letters on Sunday—Resident Magistrate's quarters at Roebourne.

THE SPEAKER took the chair at noon.

### PRAYERS.

### DESTRUCTION OF UNLICENSED DOGS.

MR. STEERE said he did not think that the steps taken by the Government to abate the nuisance created by unlicensed dogs, and dogs belonging to aboriginal natives, would prove efficacious. The instructions issued by the Superintendent of Police merely directed constables to warn natives to destroy their unlicensed dogs, otherwise, unless kept out of sight of the police, they would be killed by the authorities. This would merely have the result of natives endeavoring as much as possible to keep