rial or Colonial Government, or at their own cost and expense, may select from any unimproved rural Crown Lands open for selection—

If of the age of 21 years or over..... 50 acres.
Or between the ages of 14 and 21 ... 25 „
Or under such age, if with parents... 12½ „

Provided that no greater quantity than 150 acres be allotted to one family, and that every selection be made within twelve months after the arrival of the selector;

"When selected, such lands may be allotted to such immigrants as may immediately then occupy them, by occupation certificates, which shall only be deemed transferable in case of death of the holder on application of the executors or administrators and on payment of a fee of ten shillings. These certificates may be exchanged for Crown grants after three years from date of each, provided that the land described in such has been enclosed with a good and substantial fence, and at least one-fourth shown to be in cultivation, and that if at the end of the said term of three years the above conditions, or any of them, be not fulfilled to the satisfaction of the Commissioner of Crown Lands, the lots in which default shall have been made shall revert to the Crown, with any or all improvements that may be thereon."

MR. RANDELL did not consider the new regulations as liberal as the existing regulations. They were calculated to mislead, by holding out baits to the immigrant of which he could not, in most cases, possibly avail himself.

THE COMMISSIONER OF CROWN LANDS said the great objection to the present regulations was the provision for compulsory residence for two years before selection.

MR. RANDELL moved, That the words "twelve months" in the 10th line, be struck out, and the words "three years" inserted in lieu thereof.

Motion agreed to.

MR. MARMION considered it very hard that, in case of any default being made, the land, with all improvements thereon, should revert to the Crown. He thought it would be wiser, and certainly more liberal, that, in case of default, the term should be extended, on payment of a small fee per acre. He would suggest the omission of the last four lines of the proposed new regulation.

MR. STEERE: Extend the term, if you like; but I certainly think there ought to be some provision made with respect to the fulfilment of the conditions. I would move that the term be five years, and not three.

Motion agreed to.

MR. PEARSE: Supposing an immigrant fulfilled the required conditions within a year, he would now have to wait four years longer before the land would become his own.

MR. RANDELL moved, That the following words be added:—"Provided, however, that if the conditions as above mentioned, in regard to cultivation and fencing, be complied with at any time prior to the above term of five years, the Crown Grant shall be issued."

Motion adopted.

The new regulation, as amended, was then agreed to, and the Report of the Select Committee adopted with amendments.

LEGISLATIVE COUNCIL,

Friday, 8th September, 1876.

"Wines, Beer, and Spirit Sale Act, 1872, Amendment Bill, 1876": first reading; motion for suspension of Standing Orders—Wells between Upper Murchison and Gascoyne Rivers—Estimates: recommitted—"District Roads Act, 1871, Amendment Bill, 1876": in committee—High School Bill: in committee—Slaughter Houses Bill: second reading; in committee.

"THE WINES, BEER, AND SPIRITS SALE ACT, 1872"—AMENDMENT BILL, 1876.

MR. MARMION, with leave, introduced and moved the first reading of a Bill to amend "The Wines, Beer, and Spirits Sale Act, 1872."

Motion agreed to.

Bill read first time.

MR. MARMION said there were several country members about to leave for their respective homes before the next sitting day of the Council, and as the Bill before the House was a very short one and very intelligible, he would move for

leave to suspend the standing orders in order to allow of the Bill, if approved, to pass through its various stages that evening.

MR. CROWTHER seconded the motion.

THE ACTING COLONIAL SECRETARY opposed the suspension of the standing orders for such a purpose. The Bill before the House had for its object the repeal of a very important provision of the existing Act, namely, that which renders a publican liable to a penalty for allowing an intoxicated person to remain on his premises. He could hardly imagine that hon. members would allow a measure proposing to effect so radical a change in the licensing law to be hurried through the House without due consideration. The Bill had been brought forward in a hasty manner, and with a view to run it through its various stages without affording hon. members time for deliberation. The clause in the existing Act which it proposed to amend had been assented to by that House after serious consideration, and had for its object the prevention of the spread of intemperance in its worst form, and the protection of the laboring man from being fleeced of all he possessed while undergoing the process familiarly known as "lambing down." The question involved was, he repeated, one closely affecting the interest of the bush working classes, who in too many instances placed no restraint upon their appetite for strong drink when they got into a public house, with a year or two's hard earnings. There, under the former provisions of the Act, they were kept in a morbid state of intoxication, until every farthing of their money was spent, and then turned adrift, penniless. The Act, as now in force, by inflicting a penalty upon a publican who allowed an intoxicated man to remain on his premises, provided to some extent a remedy for this monstrous evil, and he hoped the House would not seek to perpetuate the evil by removing the remedy, as contemplated in the Bill now before it. He trusted at any rate that the measure would not be hurried through its various stages with that unseemly haste which seemed to be the object of its introducer.

MR. CROWTHER thought that the hon. member for Fremantle was perfectly justified in moving for the suspension of the standing orders, looking at the fact that several country members who were interested in the measure were leaving town on the following day. The question at issue had been discussed and re-discussed over and over again, in all its bearings, and nothing that could be said in that House would do away with the fact that the clause proposed to be amended was a crying evil. When the hon. the Acting Colonial Secretary talked about protecting the working man, and spoke of the duty of a paternal Government to exercise a beneficent guardianship over the "lamber down," he was afraid the hon. gentleman was indulging in a little bunkum.* It reminded him of the claptrap election cry "Beer and the Bible," not long ago introduced on the hustings in the mother country. The working men of this Colony were well able to take care of themselves, and, as a rule, did so. As to making people sober by legislative enactment, they might as well try to send them to heaven by machinery. Drunkenness was an evil that no legislation in the world could effectually grapple with. But the licensing law as now in operation in this Colony was not only powerless in this respect, but was a fruitful source of annoyance to the publican as well as the sober man. As to the "lamber down," towards whom the Government was moved by a paternal solicitude for his welfare and regeneration, he was the representative of a class that seldom or ever came within the pale of the law. These men took good care to carry on their periodical orgies beyond the supervision of the police, and where they were not likely to be disturbed, and the law as it stood afforded no protection to such as them. On the other hand, several cases of oppression such as would not be tolerated in any other part of the world, had come within his own knowledge from the operation of the existing Licensing Act; and, unless the Government gave some intimation to the House that at the next session the question would be dealt with, he would certainly support the Bill introduced by the hon. member for Fremantle. The enforcement of the provisions of the Act was entrusted to a lot of boys, who had neither sense nor discretion to use it wisely or discreetly. Carried out by men of experience and tact, the law as it now stands might not be so oppressive as it is. It was all very

well so far as a place like Perth was concerned. He had witnessed proceedings at public houses in this city which, had they occurred in the district which he represented, would have resulted in the immediate shutting up of the public house. It was all nonsense talking about repressing drunkenness by such means as these. The licensing magistrates, it appeared to him, had the remedy in their own hands, by withholding a license from any publican whose house was not respectably conducted. If a publican did not keep himself within the bounds of the law, let them come down upon his sureties; but let him not be subjected to all sorts of petty annoyances and to acts of oppression. The result of the existing enactment, as now carried out, must inevitably be the surrendering of licensed houses to the charge of a disreputable class of publicans, for no respectable man could stand it.

Mr. PADBURY said this drinking question was a very difficult one to grapple with. Personally, he would like to see the Maine Liquor Law put in force; he would have no spirituous liquors come into the Colony, or manufactured in it. But that was a state of affairs, however devoutly to be wished, not at all likely to come to pass. As the law now stood, it pressed very hard upon one section of the publicans, whilst others got off scot free. In towns, it did not operate harshly, but in the country districts he believed it was quite the reverse. On the other hand, there were plenty of road-side inns, far away from the supervision of the police, where "lambing down" was carried out with impunity. If the existing Act could be fairly enforced, and were fairly enforced, he should be glad to see it carried out. But it was not, and it could not. Wherever a public house was established they would need have at least two policemen in the neighbourhood, and this could not very well be done in every country place. He thought the better way would be to raise the license fee of country publicans to the same amount as the fee paid in the towns. This additional sum would go some little way to pay for police supervision.

Mr. MONGER supported the motion before the House. The very first evening the Council met this session, it was arranged among the elected members that the hon. member for Geraldton should introduce a Bill of this nature, but the hon. member had been called away and he had been unable to do so. He (Mr. Monger), being the owner of two hotels, did not like to bring forward such a measure, and the same feeling, he believed, had hitherto prevented the hon. member for Fremantle from doing so, he also being a proprietor of a hotel. Finding, however, that no steps were likely to be taken to amend the present Act, the hon. member had at last determined upon bringing in the Bill now before the House. His Excellency the Governor, in his opening speech, congratulated the House on the successful working of the section of the licensing Act which the present Bill proposed to amend, the statement being borne out by the decrease of drunkenness. He (Mr. Monger) was prepared to admit that the number of arrests had decreased, but drunkenness itself had not been one whit abated. In the town of York, for every three men that used formerly to be fined for being drunk, there was only one now. It was a common occurrence now to see policemen passing drunken men in the streets, time after time, and taking no notice of them; they waited until they got hold of the men in some public house, so as to have a chance at the publican, this being the special object of their ambition. As illustrative of the operations of the Act as now carried out in the district which he represented, he would mention one or two cases which had come within his own knowledge. A man went to bed at ten o'clock in a respectable public house at York. Half an hour afterwards, in walked two policemen, who, having demanded a candle, lit it, and went into the bedroom where they expected to find the man who, they believed, had gone to bed. One of the innkeeper's assistants, knowing that the lodger was sober enough, directed the attention of the constables to the kitchen, where they came upon their man. They made him get up, and ordered him to walk up and down the room. After a careful inspection and comparison of notes they found they could not agree whether he was drunk or sober; so one of them went to the police-station for the corporal—a connoisseur in such matters — who pro-

nounced the man drunk. Next morning he was let off with a fine of 5s., and the unfortunate publican mulcted in the sum of £2. In another instance, a hotel was closed at the usual hour—ten o'clock—and the landlord and his family went to bed. At half-past ten, in walked two police constables, lighted a candle, coolly walked into a back bedroom, and took three men out of bed. There was no noise, no row, no disturbance. Next morning the publican was fined £2 for allowing persons in a state of intoxication to remain on his premises. He certainly did think that this system of persecuting the publicans would never tend to diminish drunkenness. In his opinion, the best way would be for the committing magistrates, instead of inflicting a nominal fine, which in the majority of cases was no hardship whatever, to sentence each offender to three weeks on the roads. Twenty-one days on the public roads might have the desired effect, but a fine of a few shillings was regarded as nothing. Even if the man had not the money to pay it, it was soon subscribed by his boon companions, so that the penalty was, in point of fact, no punishment at all.

MR. STEERE did not think it advisable that a Bill of this importance should be passed through its various stages at one sitting, and he would therefore oppose the suspension of the standing orders for that purpose.

MR. RANDELL said he coincided with the hon. member for Wellington. He did not consider it at all advisable or desirable to force a Bill of this character through the House in the way it was sought to do. It involved a question of very great importance, and had for its object the repeal of a clause which, after calm and deliberate discussion, had been adopted by that House in the belief that it would accomplish, to a great extent, the end which the advocates of a reform of the licensing laws had in view.

MR. SHENTON: Looking at the time which has elapsed since the commencement of the session, I think the hon. member who introduced the Bill has had ample opportunity to bring it forward before now, and, for that reason, I shall oppose the suspension of the standing orders.

MR. MARMION said he would not press his motion. He had been induced to bring forward the Bill by the fact that it had been apparent to him since last session, when the Licensing Act was amended—indeed it had been apparent to him when the clause under consideration was under discussion—that it was a very foolish provision to enact, and one calculated to cause a great deal of annoyance. He had said so at the time, and subsequent events had proved that he was right. As to the statement of the hon. the Acting Colonial Secretary that the law as now in force tended to diminish drunkenness, he begged to differ from the hon. gentleman on that point; he did not think it did so in the slightest degree. As to the "lambing down," what difference did it make whether the men who underwent this debasing process—and he would remind the hon. gentleman that these men came in from the bush with the deliberate intention of spending their money in a spree—what difference did it make whether they spent it in the tap-rooms of public houses or in low brothels? If they spent it in public houses they spent it under the surveillance of the police, who were paid to look after licensed premises. The law as it now stood did not diminish the evil of drunkenness; nor would it ever do so. At the same time it had resulted in the publicans being subjected to a system of petty annoyances and persecution that had really become intolerable. All that the Bill before the House sought to amend was that portion of the sixth clause of the "Amendment Act, 1875," which related to publicans allowing an intoxicated person to remain on his premises. What he proposed doing was to revert to the provisions of the Act of 1872, which provided that a publican allowing an intoxicated person to remain "more than twelve hours" on the premises was liable to a penalty. The object of the framers of the latter clause was that a publican should not be bound to turn a man—a boarder, for instance—off his premises, at eleven or twelve o'clock at night, without giving him a bed. Under the law as it now stood, a hotel-keeper who did not do so, whether the man be "lamber down," a laborer, or a gentleman—for gentlemen occasionally got intoxicated as well as other people—rendered himself liable to be fined. The clause, as amended last session, had been carried out with a

rigour, and an interpretation that never was contemplated by its framers. He was not going to say who was to blame in the matter—whether the magistrates or the police; but the fact remained as he stated. As illustrating how the Act had worked in another district than that referred to by the hon. member for York, he would with the leave of the House read one or two extracts from letters addressed to the hon. member for Vasse, by two publicans in that town. The first was from Mrs. Earnshaw, who had held a publican's license for many years, who stated that a short time ago three strangers came into her house one evening, and called for some refreshments—bread and cheese and ale—and ordered a bed. One of them, however, did not remain, but the other two, being fatigued, retired to bed. Shortly afterwards the police entered the house, and proceeding to the bedroom allotted to the two men, dragged them out of bed, and pronounced them to be drunk. Next morning she was fined £2, for allowing two weary men to rest themselves. On a subsequent Sunday, six men who were engaged in loading the ship *Ashburton*, went to a public house kept by a Mr. Bovell, and engaged beds for the night. They retired about nine o'clock, and in half-an-hour afterwards the police went in and demanded to see them. Next morning the publican was fined for allowing drunken men to remain on his premises. This was the way the Act was enforced, to the annoyance of the licensed victuallers. He thought an interpretation had been put on the clause under consideration which was never intended by those who supported it in that House, and it was high time it were amended. He had no desire to push the Bill through the House hurriedly; its introduction had, unfortunately, been put off from day to day. Had it been brought forward at an earlier stage of the session, it would have been carried by the votes of the elected members, even against the wishes of the hon. gentleman who, on the part of the Government, had so strongly opposed the suspension of the standing orders. He would not press his motion.

THE ATTORNEY GENERAL did not think he was altogether in order in rising to offer any remarks upon the subject to which hon. members had addressed themselves, the real question before the House being the suspension of the standing orders. But as the matter was not likely to crop up again during the present session, he would, with the indulgence of the House, say a word or two with reference to the clause under review. He could not help thinking and saying, with regard to the representations made by the hon. member for York, and the statements embodied in the letters read by the hon. member for Fremantle, that if those representations were not exaggerated, the police had behaved in a way which was perfectly scandalous. He did not think for a moment that a police constable had any right to invade public houses in the way described, and turn people out of bed. Such proceedings, he repeated, were scandalous and unwarrantable, and he could only hope that if such a thing should ever come within the cognisance of any hon. member in future, he would deem it his immediate duty to lay the matter before the Government and demand an investigation. He would direct attention to the provisions of the 54th section of the Wines, Beer, and Spirits Sale Act, which enacted that Justices of the Peace and constables armed "with a general authority," were alone empowered to demand entrance into any licensed house. These persons, and these persons alone, had any right to invade a publican's premises; and he could not help thinking that the power thus vested in them was a power that ought to be exercised with very great discretion. He was not aware whether, in the particular instances referred to, the police constables had been authorised by a Magistrate to enter the public houses as they did; if they had not, their conduct was altogether illegal, and he could only say, speaking for himself, he should have liked to have seen an action brought against them. Were he on the jury in such a case, he would have been disposed to give very substantial damages. He did not think that the grievances complained of on the part of the publicans were fairly attributable to the clause itself, but rather to the strained interpretation put upon it by the police, and the consequent unwarrantable invasion of licensed houses —if the representations made to the House were to be relied upon. He

thought it could not be too widely known that the police, as a general rule, had no such power; it was only a constable specially authorised in that behalf by a Justice of the Peace who had the power to search licensed houses. Of course the Government could not control the Justices, who had this discretionary power vested in them by the Act, and they could exercise it as seemed to them best; but he could hardly believe that any Justice of the Peace would ever authorise policemen to invade houses in the manner described. He felt quite sure that the subject they had to deal with was a difficult one, but he could not help thinking that if the section alluded to was to be carried out in this way, the result would be that every respectable publican would be driven out of the trade. It was quite possible, in sumptuary legislation of this kind, to defeat the very object they had at heart. He could only express his regret that the subject had not been brought forward at an earlier stage of the session, for, if reliance could be placed upon the representations made to the House, he thought it had been shown very clearly that a real evil existed, and one for which it behoved the Legislature to find a remedy. He had no authority to speak on behalf of His Excellency the Governor in the matter, but he was sure that the statements made that evening would receive very careful consideration at the hands of the Government; and, so far as within their power to do so, they would take every precaution to prevent a recurrence of what he thought was a real grievance — namely, the indiscriminate invasion of public houses by the police in search of drunken men.

Question—That the Standing Orders be suspended—put and negatived.

Bill withdrawn.

WELLS BETWEEN UPPER MURCHISON AND GASCOYNE RIVERS.

MR. CROWTHER, in committee of the whole House, moved, with leave, without notice, That an humble address be presented to His Excellency the Governor, praying that he will be pleased to grant a sum of money sufficient to sink wells and lay down troughs to enable sheep being driven to the Upper Murchison and Gascoyne Rivers.

Motion affirmed.

ESTIMATES—RE-COMMITTED.

Item: Works and Buildings,—"Jetty extension, £1000."

THE ACTING COLONIAL SECRETARY said, the House having by a resolution asked His Excellency the Governor to place an additional sum of £250 on the Estimates for jetty extension, he had now to move, That the sum "£1,000" be struck out, and "£1,250" inserted in lieu thereof.

Agreed to.

Estimates of Expenditure for 1877, reported as having been agreed to, with amendments.

DISTRICT ROADS ACT, 1871—AMENDMENT BILL, 1876.

IN COMMITTEE.

Clause 1—agreed to.

Clause 2—"Complaint may be made to any Resident Magistrate touching any election:"

MR. STEERE said the clause as it now stood only gave the right of complaint to a person claiming to have been returned at an election, and he proposed moving an amendment which would extend the right of complaint to any candidate, or to any six persons entitled to vote at the election with regard to which cause of complaint had arisen. To that end, he would move, That all the words after the word "person," in the second line, and before the word "it," in the fifth line, be struck out, and that the words "who was a candidate at any election held under the said Act of 1871, or by any six persons entitled to vote at any such election, that any such election for any road district within such Resident or Police Magistrate's district was invalid, or that any other person ought to have been returned thereat as a member of the local board for such road district in preference to the person actually returned as elected," be inserted in lieu thereof.

Agreed to, and clause as amended ordered to stand part of part of the Bill.

Clause 3—"Resident Magistrate and "Justice may adjudicate upon any such "case:"

MR. STEERE moved, That all the words after the word "that" in the sixth line, and before the word "it" in the seventh line, be struck out, and the following words inserted in lieu thereof:—

"Such election was invalid, or that any other person ought to have been returned thereat in preference to the person returned as elected." Also, That all the words after the word "declare" in the eighth line, and before the word "and" in the tenth line, be struck out, and the word "accordingly" inserted in lieu thereof. Also, That after the word "thereupon," and before the word "the," in the tenth line, the following words be inserted:—"if the said Justices shall declare the said election to have been invalid, the same shall be deemed to have been null and void, and a fresh election shall be held as upon an extraordinary vacancy, and if the said Justices shall declare that any person ought to have been returned in preference to any other person:"

Amendments—agreed to.

Clauses 4 to 12—agreed to.

Clause 13—"Powers of court for "settling register of voters:"

MR. MARMION considered that too much power was proposed to be given to these courts, especially as regarded the production of the books and papers of witnesses. He would therefore move, as an amendment, That the following words be struck out of the clause—"and to produce to such court all books and papers in their possession, or under their control, as may appear necessary for the purpose of their examination."

MR. CROWTHER seconded the amendment. He thought it was a very objectionable power to be placed in the hand of a District Roads Board.

Amendment adopted, and clause, as amended, agreed to.

Clause 14—agreed to.

Clause 15—"Costs, in cases of frivolous "or vexatious claims or objections, not to "exceed £1:"

MR. RANDELL considered the penalty far too small. A person might be subjected to a great deal of trouble and inconvenience by reason of frivolous complaints against his election, and he (Mr. Randell) would move, as an amendment, That the words "one pound" in the fourth line, be struck out, and "three pounds" inserted in lieu thereof.

Agreed to, and clause adopted as amended.

Clauses 16 to 20 put and passed.

Clause 21.—"Omission to notify by "public advertisement voters' lists for "perusal or inspection, not to invalidate "proceedings:"

MR. STEERE said it appeared to him that the very essence of the Bill was to make the proceedings of these courts as public as possible, and if any omission to publish the list of persons claiming to have their names inserted on the electoral roll did not invalidate any of the proceedings with regard to the compilation of such lists, he thought that the object in view would to a certain extent be frustrated.

MR. RANDELL: It appears to me that the Roads Boards may do as they like, under the provisions of this clause. I think it would be advisable to provide that, in cases of informality, the Magistrates should step in and decide.

THE COMMISSIONER OF CROWN LANDS thereupon moved, as an amendment, That the following words be struck out: "No omission to notify by public advertisement with regard to any list, or to keep any list for perusal or inspection, shall be deemed to prevent, invalidate or render imperfect any of the proceedings hereinbefore provided with regard to the compilation or completion of every such list."

Amendment agreed to, and clause adopted.

Clauses 22 and 23 agreed to.

Clause 24.—"Rateable property may "be sold for arrears of assessments re-"maining unpaid for twelve months, on "presentation of petition to the Supreme "Court."

MR. RANDELL thought this clause would be inoperative, on account of the elaborate steps necessary for recovering arrears.

MR. MARMION considered that twelve months was too short a period to entitle the Board to take proceedings for the recovery of unpaid assessments in the manner here provided for. He thought it ought to be two, or even three years.

MR. RANDELL thought it very desirable that Roads Boards and Municipalities should be enabled to collect their rates every year.

MR. STEERE said the provisions of this clause were analagous to the provisions of the Municipal Institutions' Act, and he did not see why Roads Boards

should not have the same power in this respect as Municipal Councils.

MR. MARMION thought not. He moreover considered that more publicity should be given to the notice warning the owners of property that proceedings would be taken against them for non-payment of rates. He thought this notice should be published in two local newspapers as well as in the *Government Gazette*, and not, as provided in the clause in "three successive numbers of the *Gazette*, or of two local newspapers." He would move, as an amendment, That the word "and" be substituted for "or," and the word "two" for "three;" also that "eighteen months" be substituted for "twelve months."

Amendments agreed to, and the clause as affected thereby ordered to stand part of the Bill.

Clauses 25 and 26 agreed to.

MR. STEERE moved, That the following new clause (27) be added:—

"The members of the Roads Board in any district shall be elected by ballot by a majority in number of the votes of the persons entitled to vote in such district, such voters being present and voting in person unless resident upwards of fifteen miles from the place of election or resident out of the district, in which case such votes may be given by a proxy or agent duly authorised in writing; provided always that no votes be accepted or taken from any person professing to be a proxy or agent, unless such proxy or agent has satisfied a Justice of the Peace or the returning officer that the signature of the voter thereon is his own proper signature, and that he, the proxy or agent, has been duly authorised by the voter to deliver in the voting paper on his behalf, and such Justice of the Peace or returning officer has endorsed the voting paper to that effect. No voting paper shall be received from any proxy or agent unless it be signed by such proxy or agent, and contain his address. No inquiry shall be permitted at any election as to the right of any person to vote, except only as follows: that is to say, that the returning officer or his deputy shall, if he think fit, or if required by any two persons entitled to vote at the election, put to any person tendering a voting paper, at the time of his delivering in his voting paper and not afterwards, the following questions, and no other:—Are you the person whose name appears as *(here specify the name contained in the electors' list)* in the electors' list now in force for this district, being registered therein for property described to be situated in *(here specify the property described in the electors' list)*? Have you already voted at the present election for this district? Or in case of any voting paper being tendered by a person being or professing to be a proxy or agent, the following questions and no other:—Is the person who signed this voting paper the person whose name appears as *(here specify the name contained in the electors' list)* in the electors' list now in force in this district, being registered therein for property described to be situated in *(here specify the property described in the electors' list)*? Is the said person now, to the best of your knowledge and belief, resident more than fifteen miles from this place, or resident out of the district? Is the name signed on the paper as the name of the proxy or agent delivering the same, your name, and signed by you, and is the address of such person your address? Has the person, whose name is signed to this paper as the voter, ever revoked the authority given to you to deliver it, or has he already voted at this election?

Question—put and passed.

New Clause, 28.—MR. STEERE moved, That the following new clause be added:—

"No person so required to answer the said questions shall be qualified or permitted to vote until he shall have answered such question or questions in such manner as shall show that he is entitled to have the voting paper tendered by him accepted by the returning officer or his deputy."

Question—put and passed.

New Clause, 29.—MR. STEERE moved, That the following new clause be added:—

"If any person shall wilfully and corruptly make a false answer to any of the questions aforesaid, or shall knowingly tender to the returning officer or his deputy, a false, untrue, or fictitious voting paper, such person shall be guilty of a misdemeanor, and on conviction thereof shall suffer the like penalties as persons convicted of wilful and corrupt perjury."

Question—put and passed.

New Clause, 30.—MR. STEERE moved, That the following new clause be added:—

"No voting paper shall be rejected by any returning officer or his deputy for mere want of form, provided that the name or names of the candidates for whom the voter votes be intelligibly expressed, and in a manner to be commonly understood; and no candidate at any election shall be the returning officer at such election."

Question—put and passed.

Schedules agreed to.

Bill reported.

THE HIGH SCHOOL BILL, 1876.

IN COMMITTEE.

Clause 1.—"This Act may be cited as "'The High School Act, 1876.'"

MR. CROWTHER suggested, as an amendment, that it should be called the

"Perth Grammar School Act," or, better still, "The Advanced Infant School Act."

Original clause adopted.

Clause 2.—"Appointment of governors; "governors to be a corporation; retire- "ment of governors:"

THE ATTORNEY GENERAL, with a view to embody the recommendations of the select committee appointed to report on the Bill, moved the following amendments: That all the words after the word "as" in the first line, and before the word "become," in the seventh line, be struck out, and the words "the Legislative Council shall have elected three persons to act as governors of the High School of Perth, it shall be lawful for the Governor to appoint four other persons; and the election and appointment of such seven persons shall be notified in the *Government Gazette*; whereupon they shall forthwith be and" inserted in lieu thereof: Also, That all the words after the word "corporate" in the twentieth line, be struck out, and the words "Provided, that of the governors so elected by the Legislative Council as aforesaid, one shall retire at the end of three years, a second at the end of four years, and a third at the end of five years; and of the governors so appointed by the Governor as aforesaid, one shall retire at the end of three years, a second at the end of four years, a third at the end of five years, and the fourth at the end of six years, in each case from the date of the notification of their said election or appointment in the *Government Gazette*; any vacancy occurring among the governors elected by the Legislative Council as aforesaid, shall be filled up by the said Council electing another governor, and any vacancy occurring among the governors appointed by the Governor shall be filled up by the Governor; whenever a governor is to retire, it shall be the governor who has been longest in office without re-election or re-appointment; and as between two or more governors who have held office for the same period, the question shall be determined by lot. Subject to the foregoing provisions, any governor elected by the Legislative Council shall hold office for the term of three years, and any governor appointed by the Governor shall hold office for the term of four years; any governor appointed or elected to fill any casual vacancy shall go out of office at the time when the governor by whose death or retirement such casual vacancy has occurred would have gone out" inserted in lieu thereof.

Agreed to, and clause, as amended, ordered to stand part of the Bill.

Clause 3—"Cost of education not to "exceed £9 a year for each pupil:"

THE ACTING COLONIAL SECRETARY, pursuant to a recommendation of the select committee moved, That "£9" be struck out, and "£12" inserted in lieu thereof.

Agreed to.

Clause as amended adopted.

Clause 4—"Powers of Governors:"

THE ATTORNEY GENERAL moved amendments in this clause providing that the head master of the school shall be a layman, and a graduate of some recognised University; that he shall take in boarders on terms to be regulated by the governors; and that the by-laws shall from time to time be laid on the table of the Legislative Council.

MR. CROWTHER: In the event of the head master receiving pupils as boarders, will he be supposed to carry out the principle of exclusively secular education in his house? Is religion to be strictly excluded in the domestic circle as well as in the school curriculum? If not, what are the religious tenets which the head master will be supposed to inculcate?

THE ATTORNEY GENERAL apprehended that all this would be matter for private arrangement between parents and the master with whom their children boarded. It would be impossible to legislate upon such matters, nor could the governors be expected to frame by-laws to provide for such contingencies. It was not likely that all the masters would belong to the same religious denomination, but it appeared to him it would be impossible to accommodate every sect. This, however, was, as he had just said, a matter for arrangement between parents and the teachers with whom they placed their children to board.

MR. CROWTHER: One more question. The school is to receive a fixed subsidy from the State for the first three years of its existence, and after that the grant-in-aid will depend upon the amount of the school fees. If at the end of the fourth year, or any subsequent period, the school should be found to be in debt,

who will be responsible—the governing body or this House?

THE ATTORNEY GENERAL replied there would be no obligation on the part of the country—or in other words on the part of the Legislature—to pay more than stipulated in the Bill, namely, £700 for the first year, £600 for the second, £500 for the third, and, afterwards, a sum equal to double the school fees. Should the school not prove a financial success it was of course possible for the governors to make an appeal *ad misericordiam* to the Legislature, but there was no obligation on the part of the Council beyond the stipulated grant-in-aid.

The clause was then agreed to.

Clause 6.—"Governors to keep accounts "and submit to audit:"

THE ATTORNEY GENERAL moved an amendment, providing that the governing body shall also make an annual report to His Excellency the Governor, showing the condition and prospects of the school, and that such report shall be laid on the table of the House.

Agreed to, and clause, as amended, adopted.

Preamble:

THE ATTORNEY GENERAL said the select committee had recommended the advisability of the Bill showing more clearly than it did the sort of education which it was proposed should be given at the school, and thought that this could be sufficiently done by saying in the preamble that the school was to be established for the purpose of giving to boys an education similar to that given in the public schools in England. Bearing in mind Lord Carnarvon's suggestion as to the desirability of exercising caution in introducing, in the first instance, studies which are not likely to be attended with practical advantage in a local career, it had occurred to him since drawing up the report of the select committee that it might lead to misconception if it were proposed that the school curriculum should be similar to that of the public schools in England, and that the governors might thereby be led to give greater prominence than desirable to the study of the classics. He now, therefore, proposed that the class of education to be given in the proposed school should be similar to that given in the Grammar Schools and Advanced Schools of the neighbouring colonies.

Preamble, as amended, agreed to.

Bill reported.

SLAUGHTER HOUSES BILL.

SECOND READING.

THE ACTING COLONIAL SECRETARY, in moving the second reading of a Bill to repeal certain Ordinances relative to slaughter-houses, said the object in view was to empower the Governor to resume, on behalf of Her Majesty the Queen, any place heretofore established as a public slaughter-house. Some years ago one of these slaughter-houses was erected at Claisebrook, and the building was no longer available for slaughtering purposes, for it was the intention of the Government, in pursuance of a vote passed by the House last session, to appropriate the land surrounding the slaughter-house for the purposes of sericulture and as a recreation ground. The main object of the Bill was to empower the Governor to do so.

Bill read a second time.

Bill committed.

THE CHAIRMAN OF COMMITTEES reported that the committee had gone through the Bill, and agreed to the same, without amendment.

LEGISLATIVE COUNCIL,

Monday, 11th September, 1876.

Appropriation Bill: first reading—Dog Bill: message from His Excellency the Governor; in committee.

APPROPRIATION BILL.

THE ACTING COLONIAL SECRETARY, in accordance with notice, moved, The first reading of a Bill to appropriate the sum of £153,225 18s. 8d. out of the General Revenue of the Colony for the service of the year 1877.

Motion agreed to.

Bill read a first time.

THE ACTING COLONIAL SECRETARY moved, The suspension of the Standing Orders, with a view to now pass the Bill through its remaining stages.