

MR. HAMERSLEY brought up the Address, and moved that it be read, which was done, by the clerk. (*Vide p. 7 ante.*)

On the motion of Mr. HAMERSLEY, the Address was then adopted, and it was ordered that it be presented to His Excellency the Governor by Mr. Speaker and other members of the House.

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

LEGISLATIVE COUNCIL,

Tuesday, 1st August, 1882.

Supplementary Estimates for 1882—High School: Election of Governor—Width of Tires Bill: referred to Select Committee—Adjournment.

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

PRAYERS.

SUPPLEMENTARY ESTIMATES FOR 1882.

THE COLONIAL SECRETARY (Lord Gifford) moved, "That the House do now resolve itself into a Committee of the whole Council to consider certain expenses requisite to be incurred in certain departments over and above the sums voted in 'The Appropriation Act, 1881,' for 1882." The motion for going into Committee having been agreed to, the noble lord explained that this Supplementary Estimate must not be regarded in the light of an Excess Bill, for it was nothing of the kind. The Government had not actually expended the votes which they now asked the House to sanction; but it was found that the sums appropriated last Session for certain departments would be inadequate to meet the expenditure which it would be necessary to incur in connection with these departments before the end of the financial year; and, the Government foreseeing

this, came frankly before the House and asked it to sanction the increased expenditure which had become necessary. The original estimate of expenditure for the current year was £191,261, which however would be reduced by £2,800, being sums provided by the annual Estimates but which would not be required. This underdraft was in connection with Interest on Loans (£247), Salaries (£176 6s. 11d.), Works and Buildings (£50), Pensions (£327 6s. 3d.), and a sum of £2,000 voted by the House as a subsidy to be offered with a view to induce ocean-going steamers to make Fremantle a port of call. As there was no probability of that amount being required before the end of the year, it would lapse; so that, with the other underdrafts which he had just mentioned, the actual amount of the original estimate of expenditure was £188,460. The supplementary grants which he now asked for amounted in the aggregate to £11,673. Notwithstanding this additional expenditure, it was estimated that there would be a balance of at least £9,000 to credit at the end of the year. The original estimate of revenue for the year was £200,565, but there had already been an excess under one source of revenue alone—namely, the land revenue—of £8,875; and, under almost every other head, the receipts during the first half-year had exceeded the estimate. In some instances, the revenue derived up to the 30th June was even in excess of the anticipated receipts for the whole year. All this, he thought, was matter for sincere congratulation on the part of the House and of the country. With these introductory remarks, he would now proceed cursorily to refer in detail to the various items constituting the Supplementary Estimates which he now asked the Committee to agree to. The first item was a sum of £15 in connection with his own office, being an addition to the salary of a clerk (Mr. Steere, jun.) who had entered the service, the previous year, as a probationer, and who had become entitled to an increase. With regard to this young officer he could only trust that the High School would be able to turn out many more young men who were as conscientious and punctilious in the discharge of their duties as this one was. He was a credit to the school where

he was trained, and, for his own part, he would be glad to have a dozen more like him, in his office. The next item was a sum of £1,252 10s. 4d., in connection with the Survey Department. Of this amount, a sum of £948 8s. was for a special survey to be conducted between the Murchison and Ashburton Rivers. A proposition had been made to hon. members for a survey of the Kimberley District, to be undertaken at once, before the Legislature assembled, but that proposition was not adopted, and the Surveyor General resolved to send two strong parties to survey the country between the Murchison and the Ashburton. It was estimated that £860 of this vote would be required this year, and the balance was made up of saddlery and other equipments which were purchased by the Government in view of the Kimberley survey expedition. A sum of £100 was set down for the special survey of mineral lands at the North, which had not been defined for a considerable period. It was believed a good deal of land was now locked up as mineral land which might be thrown open for selection, and it was expected that, in the result, this vote would be returned to the revenue threefold. The remainder of the vote for the Survey Department consisted of a sum of £204 2s. 4d. for the purchase of instruments for the use of the Kimberley survey party next year. The House was asked to vote this sum now because it was necessary to send home for these instruments, and it would obviate delay in despatching the party. The next item was a small sum of £6, being half a year's increase of salary to the storekeeper, "A" store, Fremantle. For the Works and Railways Department a sum of £1,500 was asked for. As hon. members were aware, the working expenses on the Eastern Railway had been very heavy, and it was estimated that it would require this additional sum to carry us to the end of the year, or as near it as possible. He was not for one moment going to bind himself, considering the expenditure during the first six months of the year, that this sum would be sufficient to cover the working expenses for the next half, but they would endeavor to curtail the expenditure as much as possible. The receipts on the line up to the 31st July (yesterday)

amounted to £4,917, and it was anticipated, in view of the development of the goods traffic, that the estimated revenue from this line for the year would be considerably exceeded. The next item was a sum of £678 6s. 8d. in connection with the Postal and Telegraph Department. Of this amount, £10 was for the rent of a building which the Government had taken over at the Bannister for a post office. An additional sum of £600 was asked for covering the expenditure connected with the conveyance of inland mails throughout the Colony, owing mainly to the high price of forage, and to the fact of the Government having had to run extra mails overland, in consequence of the accident to the steamer *Rob Roy*, but which the contractors (Messrs. Lilly & Co.) had refunded. The remainder of this vote (£68 6s. 8d.) was for new post offices—one at the Arthur River, and another at Jarrahdale, where it was also proposed to establish a savings bank. Hitherto, the post office work at this station had been undertaken by the company, but the Government thought it was only just and fair that the company should now be relieved from this work. The next item was a sum of £82 10s. for the Land Titles Department, of which £62 10s. was for the salary of the officer provisionally employed in the preparation of the indices, who, it was stated, would complete the work in about three months time. The work in this office was excessively heavy, and it was now proposed to give the department a probation clerk, for whose salary a sum of £20 was placed on these Estimates. There was a great deal of copying and other work which it was not fair to ask the head of the Department to perform, and as the revenue derived was considerably in excess of their expectations, the Government thought they might well afford the Commissioner an additional clerk. For the Harbor and Light Department a sum of £14 7s. 10d. was asked, for the salary of a lightkeeper at Cossack. It was estimated that a further sum of £250 would be required in connection with the Judicial Department, for the payment of witnesses and jurors, in view of the number of prisoners, natives, and others brought down from the North-West, and from other distant parts of the Colony.

He believed this sum would barely be sufficient. For the Police Department an additional vote of £1,271 was asked. The "Caretaker, Mt. Wittenoom, £45," was intended to relieve the police at that station, which is undermanned, so that the police may be able to render every possible assistance to Mr. Fairbairn on his visit up there. With regard to the next item "Itinerary Magistrate, Gascoyne, £100," it was proposed, after Mr. Fairbairn returned, to have a paid Magistrate to itinerate about the district, as detailed in the scheme embodied in Sessional Paper No. 22. The salary of this officer was to be £300 per annum, with £75 for forage and allowances. He was to have an escort consisting of two white constables and three native assistants. The item "Contingencies" might appear to hon. members a very heavy one, but it must be borne in mind that Mr. Fairbairn's mission would cost a good deal of money, and a large proportion of this vote was for the Gascoyne force. With regard to the next item, "Gaol Department, £281," it was mainly in connection with the transport of prisoners. The next item was the item of contingencies in connection with a department where an excess vote generally cropped up—the Printing Department; but the Census papers had entailed a great deal of additional printing, as had also the Railway Department, and it was absolutely necessary, if the work was going to be kept up to date, to employ extra labor. He had gone into the matter personally, and he failed to see how it was possible to reduce the expenditure if the work of the department is not to fall into arrears. The extra vote asked for was £250, which, he was afraid, would not be a penny too much. The next item was £100 for the maintenance of paupers and relief of the destitute, which was an expenditure that could not be avoided. For Works and Buildings an additional vote of £2,445 was placed on the Estimates, but he proposed to reduce that by £300, in connection with Roebourne buildings, as a sum would be available out of the Re-Appropriation Act. A sum of £125 was required for the Steam Dredge, which he might say had been a most reproductive machine. Up to the present we had only expended

£100 on it, but it was found that an additional vote would be required to keep it going till the end of the year. A sum of £800 was asked for the Albany sandpatch, papers with reference to which hon. members had been presented with. Most excellent work had already been done at this place. The Director of Public Works had personally inspected it, and spoke in very high terms of the manner in which the work had been executed. They hoped to be able to complete the job with this £800. The additional vote required under the head of repairs and additions, minor works, etc., was chiefly owing to the fact that the contract for the Gascoyne Police Station had been considerably in excess of the estimate, and it was also proposed to provide accommodation for the Itinerary Magistrate. The next item he would refer to was the vote of £1,000 proposed for the formation of a road from the DeGrey to the Fitzroy, which included the cost of well-sinking so as to enable sheep and stock to travel between these two districts. A sum of £225 was required to meet the claims of Volunteers entitled to a money grant in lieu of land, there being more applicants than the Government had anticipated. The next item was a sum of £57 18s. for Pensions. Through some slight oversight on his part two pensions had been left out of the original Estimates, one of which—"Mrs. Marsh, oldest settler, £12"—had always been paid hitherto out of the "Miscellaneous" vote. Regan, the telegraph lineman, who was now engaged as a messenger in the Supreme Court, had broken his leg while doing duty as lineman, and had to retire from that service, becoming entitled to a small pension, which, with his salary as messenger, made up what he would have received on his being superannuated. The other pension for which provision had to be made was for Mr. Blackiston, who was schoolmaster at York for many years, and was so employed before the present Education Act came into operation, and was therefore entitled to a pension on his retirement from the service. The additional sum of £1,800 for "Incidental Expenses," he was obliged to ask for because the vote of £2,000 passed under this head had all been paid into Court in connection with

the McDonald guano claims, some of which, however, they hoped to get back. There was also a sum of £100 for stationery; owing to the heavy demand made by the Railway and other departments, the vote made last Session for this purpose would be insufficient. He had now glanced at the various items which constituted the Supplementary Estimates, and he hoped he had satisfied hon. members that he was justified in asking the House to make this further provision for the year's services. He now begged to move that the first item "*Colonial Secretary's Department, £15,*" stand part of the Estimates.

This was agreed to without discussion.

Survey Department, £1,252 10s. 4d.:

Agreed to *nem. con.*

Customs Department, £6—salary Store-keeper "A" Store:

MR. MARMION advocated the claims of this officer to a further increase, as recommended by the Departmental Commission. He was a very old officer, and a very efficient one, holding an office of trust and responsibility. He hoped the noble lord would see his way clear when framing next year's Estimates to further recognise the claims of the officer in question to higher pay than he now received.

The vote was then agreed to.

Works and Railways Department, £1,500:

MR. STEERE said, of course he did not mean to dispute that this amount would be required during the remainder of the year, for the working expenses of the Eastern Railway, but he would draw the attention of the Committee to this fact: they had already voted £6,000 for the working expenses of this line for 1882, and this additional vote would bring the amount up to £7,500 for the yearly expenses of a railway twenty miles long—a very large sum indeed, for a railway that was almost new, and consequently could not require any large expenditure in repairs. Of course during the first year after the opening of the line a great many things were required in order to render its equipment complete and perfect, but nearly the whole of that was paid for out of loan money raised for the second section of the line. He thought, as he had already said, it was absolutely necessary that there ought to be an inquiry instituted into the work-

ing of this railway, otherwise we shall have it like the Northern Railway, and the receipts will not cover the working expenses. He was not going to oppose the vote now before the Committee, for no doubt it would be required to carry on the line to the end of the year, but he must enter his protest against what seemed to him to be an altogether excessive expenditure, which ought to be reduced, and which he hoped would be reduced.

MR. MARMION: Will the noble lord inform the House what the working expenses of the line amount to?

THE COLONIAL SECRETARY (Lord Gifford): The expenditure is at the rate of £600 a month. I may state that the Commissioner of Railways hopes to be able to curtail the expenses in many directions, but we have asked for what we consider a fair amount to carry us to the close of the year, and I could not ask for less, in view of the expenses already incurred. I may also add, not only have things been done on the first section out of the loan money raised for the second section, but a great deal of the actual working expenses of the line has been charged to items which it had no business to be.

MR. SHENTON thought it was the wish of every member of the Committee to place ample funds at the disposal of the Commissioner for the proper working of the line. No doubt a part of this additional vote asked for had been necessitated by the introduction of skilled labor for the workshops at Fremantle, which undoubtedly was very much required, looking at the constant breakdowns which there used to be on the line, but of which they had not heard anything of late. At the same time, whilst that House was quite willing to vote all necessary funds for the proper working of the line, he quite agreed with what had fallen from the hon. member for the Swan, that every economy ought to be observed by the Commissioner and his subordinates, and every effort ought to be made to curtail the expenses, without at the same time impairing the efficiency and safety of the line. He thought money might be saved if the smaller details of the working expenses were more carefully watched. The other day, for instance, he noticed three men

employed in cutting up firewood for the locomotive with a handsaw, whereas with the use of steam and a circular saw double the quantity of wood might be turned out, with the assistance of a boy to mind the engine. It was in trifling matters of detail, such as these, that a saving might be effected.

The vote was then put and passed.

Postal and Telegraph Department, £678 6s. 8d.:

MR. S. H. PARKER asked whether it was the intention of the Government to carry out the suggestion of the Postmaster General with reference to affording postal facilities to the inhabitants of Wanneroo. The Postmaster General in his report on the working of his department for the past year says:—"The District of Wanneroo is, I believe, the only exception in which the settlers are not enjoying the facilities of postal communication, the absence of which, it has been represented to me, is attended with serious inconvenience in the transaction of business. Taking into consideration that this district has been settled for upwards of 40 years, and the number of settlers 100 or thereabouts, I venture to hope that His Excellency the Governor will favorably consider the claims of the district, and be pleased to sanction the establishment of a post office, having a weekly communication with the capital; the cost of which, I am of opinion, would not exceed £30 per annum."

THE COLONIAL SECRETARY (Lord Gifford) said Wanneroo had not been lost sight of by the Government, and on the Estimates for next year provision would be made for the establishment of a post office there, as suggested by the Postmaster General.

The vote was then agreed to.

Land Titles Department, £82 10s.; Harbor and Light Department, £14 7s. 10d.:

Agreed to without discussion.

Judicial Department, £250:

MR. S. H. PARKER said he understood from the noble lord that this additional vote was required in consequence of the increased provision necessary to be made for the payment of witnesses and jurors. If he was rightly informed it was for the payment of witnesses rather than of jurors. No

doubt it was a very difficult matter to deal with, and a rather delicate subject to interfere with, but it appeared to him it arose in a great measure from over-zealousness on the part of Magistrates in committing prisoners for trial without seeing there was a *prima facie* case against them. A great many cases were sent to the Supreme Court which ought never to go there, thus entailing a great deal of unnecessary expense in the payment of witnesses from distant parts of the Colony. If Magistrates would take a little more precaution to inquire into cases coming before them, and not put the country to the expense of prosecuting in these rotten cases, this vote might be considerably reduced. They could not blame the Attorney General in the matter, for of course he was simply guided by the depositions. If Magistrates would go to the trouble of considering both sides of a case and not confine their entire attention to the case for the prosecution, probably there would be fewer cases sent to the Supreme Court, there to break down. He regretted to say that his own experience of the matter was this—that our Magistrates as a rule had no idea what constituted an unlawful conversion in the eye of the law. A charge is made of a felonious intent, without there being any proof whatever to substantiate it, and forthwith a warrant is issued—a most arbitrary proceeding—for a criminal prosecution, when the remedy ought to be by a civil action. No doubt, as he had already said, this was a very delicate subject to touch upon, but he thought it would be well that Magistrates should exercise a little more discretion and care before committing people for trial at the Supreme Court, and putting the country to a great deal of unnecessary expense. Our Magistrates were entirely independent of the Government, and had a good deal of discretionary power vested in them; and if they were to exercise a little more of this discretionary power this vote would not be so large as it is.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) was much obliged to his hon. and learned friend for saying what he had said with reference to the discharge of his (the Attorney General's) duties as Grand Jury—functions which it seemed to him were among the most important duties that devolved upon him.

It depended upon him to say whether a man shall go before a jury or not, and, in deciding that question, he felt that it was incumbent upon him to give every case that came before him his most careful attention. So far as his experience went, he did not think the Magistrates of this Colony were deserving of the strictures which the hon. member for Perth had passed upon them. He gave every case his best attention, and he did not think he could tax his memory with having had to throw out, certainly not more than a dozen bills—he thought he would be right in saying not more than half-a-dozen—since he had the honor of acting in the capacity of Grand Jury. This was a fact which redounded very greatly to the credit of the Magistrates of this Colony, most of whom, as they were all aware, were not professional men, but men who had worked their way up by hard work and painstaking devotion to their duties. On the whole, he must say, they performed their work extremely well; nevertheless, he could quite understand that there should be some ground for what the hon. member for Perth had said, without at the same time there being any fault attached to the Magistrates or to himself. The hon. member said a great many cases were brought before juries at the Supreme Court which ought not to have been brought there, and perhaps in a certain sense the hon. member was right; but why was it so? Simply because our law did not provide for cases of petty larceny being summarily tried before a Magistrate. He wished the law did provide for such cases being disposed of summarily. It would save a great deal of trouble and expense. At present, Magistrates had not the power to adjudicate summarily in the case of the larceny of a shilling piece, unless the accused is a man who is under the surveillance of the police. Although it should be a rotten charge of stealing a trumpery sixpence, it was not within the discretion of the Magistrate to say “This is not a case which a jury need be troubled with.” Under these circumstances, he failed to see how they were going to reduce the expense of having to pay for witnesses and jurors. No doubt much of this expense was due to these trumpery cases, which could not be tried anywhere else than in the Supreme Court;

and, until the law is altered in this respect, there was nothing for Magistrates to do but to put the country to the expense which the hon. member deprecated. He believed that some time ago a local Act was passed giving Magistrates jurisdiction in all cases of larceny up to the extent of £5, but the Act was disallowed.

MR. STEERE said Magistrates now had the power to adjudicate in cases of larceny to that extent.

THE ATTORNEY GENERAL (Hon. A. C. Onslow): Only with the consent of the accused party, or when the prisoner pleads guilty. The Act I refer to was a compulsory enactment, giving Magistrates absolute jurisdiction to dispose of all cases of larceny up to £5, whether the prisoner wished to be dealt with summarily or not, and that Act was disallowed.

The vote was then put and passed.

Police Department, £1,271:

Agreed to without discussion.

Gaol Department, £281:

MR. SHENTON drew attention to the item £200, for transport of prisoners, and commented upon the high rate charged by the owners of the coastal steamers for the conveyance of native prisoners. Looking at the wretched accommodation provided for them, he must say that the rates charged were most exorbitant.

THE COLONIAL SECRETARY (Lord Gifford) said he had himself noticed some time ago that the charges made by the steamers for the transport of native prisoners were excessive, and he communicated with the owners of the steamers on the subject, with the result that a considerable reduction was made in the charges now made.

MR. SHENTON said that even under the reduced scale the charge was excessive. It cost £5 5s. to bring a native prisoner by steamer from Cossack to Fremantle, and the first-class fare between those two ports was only £8.

THE COLONIAL SECRETARY (Lord Gifford) believed—speaking from memory—that the fare for native prisoners had been reduced to something like £3.

MR. SHENTON: There is another thing that ought to be looked into. These native prisoners are often sent down, when, by the time they reach

Rottneſt, they have only a fortnight or three weeks of their ſentence to ſerve.

THE COLONIAL SECRETARY (Lord Gifford): We are taking ſteps to obviate that in the future.

The vote was then agreed to.

Rottneſt Priſon Department, £345; Printing Department, £250; Poor Relief Department, £100:

These votes were agreed to *sub ſilentio*.

Works and Buildings, £2,445:

MR. S. H. PARKER congratulated the noble lord upon the ſtatement he had made that the Dredge was now a reproductive work. No previous Adminiſtration had ſucceeded in making it ſo.

MR. MARMION believed this was the firſt piece of machinery imported by the Government that had ever been made reproductive.

MR. STEERE asked how it was propoſed to expend the ſum of £800 on the Albany Sand Patch? He could hardly imagine all that money would be required for planting or fencing the patch.

THE COLONIAL SECRETARY (Lord Gifford) ſaid the warden's wages would come out of this, and alſo the transport of the priſon party which would have to be deſpatched to do the work. The item of cartage, too, would be a very heavy one indeed.

On the motion of the COLONIAL SECRETARY the vote for Roebourne Buildings was reduced from £500 to £300.

The vote for "Works and Buildings" was then agreed to.

Roads and Bridges, £1,000:

MR. MARMION asked how it was propoſed to get the road from the DeGrey to the Fitzroy conſtructed? Was it intended that tenders ſhould be invited for doing the work?

THE COLONIAL SECRETARY (Lord Gifford) ſaid correſpondence was now taking place on the ſubject between the Government and Mr. Brockman. It was propoſed that the work ſhould be undertaken by contract, for which tenders would be invited; but the Government had not yet finally decided upon the courſe to be adopted.

The vote was then put and paſſed.

Volunteer Grant, £225:

Agreed to without diſcuſſion.

Pensions, £57 18s.:

THE COLONIAL SECRETARY (Lord Gifford) ſaid Mr. Armſtrong, the native interpreter, having reſigned, he became entitled to a ſmall penſion, and he had therefore to move that item "F. F. Armſtrong, £6 19s.," be added to this vote.

This was agreed to, and the vote, as amended, put and paſſed.

Miscellaneous, £1,900:

THE COLONIAL SECRETARY (Lord Gifford) moved that items "Duplication Sea Cable, £128," and "Refunds, £150," be added to this vote, which was agreed to, and the vote, as amended, affirmed.

The Houſe then reſumed.

THE CHAIRMAN OF COMMITTEES reported that the Committee had conſidered the Supplementary Estimates, and had agreed to a ſum of £11,658 11s. 10d.

The report was adopted.

HIGH SCHOOL GOVERNOR.

On the motion of Mr. STEERE, Mr. Burt was unanimouſly re-elected a Governor of the High School.

WIDTH OF TIRES BILL.

THE COLONIAL SECRETARY (Lord Gifford), in accordance with notice, moved the ſecond reading of a Bill to regulate the breadth of wheels on certain vehicles, and the weights to be carried thereon. He ſaid it might poſſibly be conſidered in ſome quarters that the Government had introduced this Bill as a retaliative meaſure, but he haſtened to remove any ſuch unfounded impreſſion. Hon. members were aware that an attempt had been made to induce the Diſtrict Road Boards to levy local rates towards the upkeep of their roads, to ſupplement the Government grant made for that purpoſe, but the Boards had not taken very kindly to that propoſal, and had, in fact, declined to have reſort to local taxation for any ſuch purpoſe. That being the caſe, it might, as he had already ſaid, be conſidered by ſome people that the preſent Bill had been introduced by the Government, in a ſpirit of retaliation; but he hoped to be able to ſhow that, ſo far from that being the caſe, the object of the Bill was to aſſiſt the various local bodies to preſerve their roads from unneceſſary deſtruction.

Hon. members were aware that it was proposed to expend £10,000, out of the public funds, next year, for the maintenance of our roads, and it behoved the Government to take care that this money was not wasted, and that every effort should be made to make it go as far as possible. The object of the present Bill was to minimise the wear and tear of the roads, by limiting the weights to be carried and by regulating the width of tires of vehicles using such roads. It went somewhat on the same lines of an Act passed nine years ago (37 Vict., No. 13), which reduced the license fee payable upon carts the wheels of which were five inches or more in width; but that Act was repealed by the 40th Vic., No. 5,—though, apparently, all our Roads Boards were not aware of that fact, for, when he incidentally mentioned it the other day to the chairman of one of these Boards, he seemed quite surprised, and begged of him (the noble lord) not to expose them, as they had been licensing carts under that Act ever since; and he had not “split” upon them up to this time. No doubt there would be a considerable difference of opinion as to the width of tire which should be decided upon under the Bill now before the House, and also as to the maximum of weight which ought to be allowed to be carried; but those were details which could be adjusted in Committee. The Government, it would be observed, proposed that the maximum width of the wheels of all vehicles travelling on the public roads of the Colony shall be five inches in the tire, and that the amount of weight which shall be carried on such vehicles shall be as follows: for each wheel of any two-wheeled vehicle a total weight (including the vehicle itself of 8 cwts., and for each wheel of any four-wheeled vehicle a total weight (inclusive of the vehicle) of 9 cwts. for each inch of width of bearing surface of the tire or fellow. Exception was made to the conveyance of any piece of heavy machinery, which could not be taken apart without great expense or loss. The Bill empowered the Governor-in-Council to make by-laws and regulations for declaring the weight of certain goods and merchandise, by measurement, and the result of such measurement was to be taken to be the

actual weight of these goods, for the purpose of any information to be laid under the Act. But, if the owner or driver of the vehicle wished to have the same weighed, he would be at liberty to do so, at his own expense, at the nearest weigh-bridge. This reminded him of an objection which might be taken to the Bill, viz., the absence of weigh-bridges, for any such purposes. He hoped, as regards Perth, Fremantle, and Guildford, these conveniences would be soon supplied, in connection with the railway; and no doubt the various Roads Boards and Municipalities would find it to their advantage and pecuniary benefit to procure weigh-bridges for their respective districts. The Government had not yet fixed the date at which the Bill shall come into force, but he thought twelve months hence, or eighteen months at the utmost, would be ample time to give cart-owners an opportunity of complying with the provisions of the Bill. That, however, was another question of detail, which could be settled in Committee. The first clause proposed that after the passing of the Act, every vehicle the wheels whereof shall be less than the regulation width (5 inches) shall be charged double the ordinary license fee. These were the main provisions of the Bill, which he hoped would commend itself to the approval of the House. The absolute necessity of some such measure was, he believed, generally recognised, in order to prevent the wholesale and ruthless destruction of roads, which cost the Colony a considerable sum annually to keep in repair; so that the Bill had much to recommend it, even from an economic point of view, and, if it became law, he believed it might be fairly looked upon as one of the most useful and beneficial measures passed during the Session. He now begged to move its second reading.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) seconded the motion.

MR. VENN said he had not intended offering any remarks upon the Bill until the House went into Committee upon it, when he should have a good deal of criticism to offer with regard to its details; but he thought that, even at this stage, it would be well that there should be a general expression of opinion with reference to so important a measure. For

his own part, he had looked over the Bill attentively, and he did not think a more effectual measure could have been devised for—the wholesale destruction of our roads. The right hon. gentleman who introduced the Bill said the main object of the Government was to preserve the public roads, rather than to increase the revenue for road purposes; but in his (Mr. Venn's) opinion, the Bill would have a diametrically opposite effect. He noticed, by the first clause, that the owner of any dray who did not choose to widen the tire thereof to the regulation width would be permitted, upon payment of double the ordinary license fee, to carry on his dray the enormous weight of 8 cwt. per inch, per wheel,—which simply meant destruction to our roads altogether; and, when the House went into Committee, he should certainly move to strike out that clause. He thought the object of legislating in this direction would be met in every way, by simply limiting the weights to be carried, in accordance with the width of the wheels, on a graduated scale, without inflicting upon the majority of the community a very serious hardship, which would be the result if this Bill became law, in its present form.

MR. CAREY was surprised to find the hon. member for Wellington opposed to the Bill, in view of the wholesale destruction of the roads in that district by these narrow tires. The Bill no doubt might be improved in Committee, but, on the whole, he regarded it as a very good one, and a very desirable piece of legislation. As to the principle of imposing a double license fee upon all vehicles having narrower tires than the Bill provided for, he thought that a very wholesome principle indeed; and as to the “enormous” weight of 8 cwt. per inch, which the Bill allowed to be carried, there were vehicles in the Wellington District which now carried no less than five or six tons, with the result that the roads of the district were literally ploughed up. Broad tires actually improved the roads, whereas narrow tires destroyed them. The Bill, on the whole, would have his cordial support, but there was one improvement which he would like to see made in it, namely, the exemption from its operation of all carts employed upon farms, in carrying produce.

MR. RANDELL said, as a rule, he was not in favor of referring Bills to Select Committees, believing that for the most part they could be better dealt with in Committee of the whole House; but the present Bill was one which he thought might very advantageously be submitted, in the first place, to the critical ordeal of a Select Committee, who would be in a position to obtain the opinions of practical men with regard to some of its most important details. He confessed, for his own part, the Bill appeared to be a very imperfect one indeed, although one objection to it had been to a considerable extent removed by the announcement made by the noble lord that it was not proposed to bring the Bill into operation at once. But, in his opinion, the time proposed for enforcing it was not remote enough. If all the wheelwrights in the Colony were set to work, he thought it would be impossible for them to renew the wheels that would require to be widened, under the Act, within eighteen months time. If he understood the third clause rightly, it would admit of greater weights being carried by carts and drays than people at present would ever think of putting on them. It allowed 8 cwts. per inch per wheel, which would give for a two-wheeled cart—inclusive of the weight of the vehicle, say half-a-ton—four tons and a-half; and for a four-wheeled vehicle, nine tons. No one at present would ever dream of putting such weights upon any ordinary vehicle. He quite agreed that some legislation was required in this direction, but he thought the present Bill was open to considerable improvement. He hardly thought it would be fair, for instance, to charge double fees in towns, where the owners of carts have already to pay for two licenses, one to the Municipality and the other to the Road Board. There were other blemishes in the Bill, which probably would be removed before it became law, and, as the first stage towards improving it, he would move, as an amendment upon the motion for the second reading, that the Bill be referred to a Select Committee, consisting of Messrs. S. S. Parker, Brown, Venn, Fraser, and the mover, and, with leave, Messrs. Marmion and Grant.

MR. MARMION seconded the amend-

ment. He was afraid that to some extent the Bill would prove a failure,—that is to say, it would fail to carry out the intention of the Government, namely, to compel the owners of vehicles to alter the width of their tires; and one blot on the Bill was the fact that they could avoid that by simply paying a double license fee. It was a very simple matter of calculation; in the case of a four-wheeled wagon, new wheels substantially built to carry a 5 inch tire, would cost at the lowest estimate £20, whereas the double license fee would only be £1 a year extra. No doubt this would tend to increase the revenue derived from cart licenses, but he understood that was not the object of the Government in bringing in the Bill. He agreed with the hon. member Mr. Randell that these double fees should not apply to vehicles in towns, where the residents were already taxed pretty heavily for the maintenance of their roads, whereas the proposal to levy local rates in country districts had been scouted by the various Roads Boards consulted in the matter. At any rate, if the Bill became law, and these double license fees were made to apply within the towns, the revenue so derived ought, in common fairness, to be given to the Municipalities, within whose jurisdiction it was raised. With regard to the weights to be carried, the difficulty in country districts would be to find weigh-bridges for that purpose, and if it was expected that the Road Boards would expend any of their funds in speculating in weigh-bridges, which might mean extra taxation—not a bit of it. The Government would have to find the necessary machinery to carry out the provisions of the Bill in this respect. He should support the Bill, however, if for no other reason than the desirability of increasing the revenue for roads purposes, by supplementing the parliamentary grant.

MR. SHENTON said, so far from the principle of the Bill being inapplicable to towns, the City Council had anticipated the action of the Government in this direction, a Committee having been appointed some time ago to frame by-laws dealing with the question of imposing a heavier duty upon carts carrying bricks and stones and other heavy weights, which did so much to tear up

the streets, than upon ordinary vehicles; and the proposal was simply held in abeyance to see whether the Bill introduced by the Government would meet the requirements of the case.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) said they had now evidently arrived at a more ticklish subject than the vice-regal Speech, with regard to which there had been little or no diversity of opinion. He was far from thinking that the Bill was a perfect one, but he believed that it was what he might call a shapeable one—a Bill that was capable of being licked into shape, before it emerged from Committee. The Government found itself face to face with the necessity of adopting some immediate steps to prevent the destruction and deterioration of the public roads, and there were only two ways in which the difficulty could be met—either by the insistence of the compulsory use of wider tires so as to reduce the wear and tear to a minimum, or, by increasing the license fees, so as to augment the revenue required for the repair of roads. The present Bill, it might be said, was a two-edged sword that cut both ways: it would either induce people to widen the tires of their wheels, and so prevent the present waste and destruction of the roads, which was the main object of the Bill; or, failing that, it would mulct defaulters in a double fee, and thereby increase the funds available for the upkeep of the roads. That was the whole principle of the Bill. He hoped the hon. member for Wellington would not persevere in his intention to strike out the first clause—that relating to extra duty upon vehicles whose wheels are less than 5 inches—for that would deprive the Bill of its usefulness. As had been pointed out by the hon. member Mr. Randell, it would probably be impossible to supply all the vehicles in the Colony with wider tires by the time the Bill came into operation, and, in the meantime, pending that consummation, they had to rely upon these double fees towards the maintenance of the roads. He was aware that the Bill required amending, and he did not know that it could be better done than in Select Committee.

MR. STEERE did not propose to offer any opposition to the Bill being referred

to a Select Committee, but he wished to say that he entirely approved of the principle of the Bill, which was to make those who made use of the roads pay for them. He thought most of the objections raised to the Bill were objections as to details, which could easily be adjusted in Committee, and had not been directed against the principle of the Bill. He thought most hon. members would agree that the third clause required modification, as to the weights to be carried. As to weigh-bridges, he did not think the Roads Boards could do better than invest the extra revenue which would be derived from this Bill, if it became law, in the purchase of weighing machines.

MR. GRANT was quite in accord with the object of the Bill, and he did not think better means could be devised for preserving our roads from destruction than regulating the width of the tires of vehicles using the roads, and the weights they shall carry. But he would go still further than this Bill proposed to go, in preserving our roads—he would make it compulsory for horses to be driven abreast, which would be another means of preventing roads being ruthlessly destroyed. No doubt the details of the Bill were not perfect, but these could be satisfactorily dealt with in Committee. The Bill, if it became law, would be of great benefit to the roads of the Colony.

MR. BURGESS quite agreed with the object of the Bill, which he considered a most necessary measure, and he thought the Government were deserving of every praise for bringing in such a Bill.

SIR T. COCKBURN-CAMPBELL pointed out a mis-apprehension under which many hon. members seemed to labor, with reference to town residents being more heavily taxed than country settlers with regard to the upkeep of roads. In towns, all the streets and roads, and even the footpaths, were made and maintained for the public by the various bodies entrusted with that duty, whereas in the country there was hardly a settler who had not to make his own road, and, after making it, to keep it in passable order, without any assistance either from the public revenue or municipal funds.

The motion to refer the Bill to a Select Committee was then agreed to.

The House adjourned at a quarter to ten o'clock, p.m., until Wednesday, 2nd August.

LEGISLATIVE COUNCIL,

Wednesday, 2nd August, 1882.

Rules for Admission of Barristers—Minutes of Central Roads Committee—Poor Houses Discipline Bill: recommitted—Tariff Bill: second reading—Hawkers Bill: in committee—Adjournment.

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

PRAYERS.

RULES FOR ADMISSION OF BARRISTERS.

MR. STEERE, in accordance with notice, asked the Colonial Secretary: "What steps have been taken to form a Board for the approval of qualified persons to act as Barristers, &c., of the Supreme Court under the provisions of the 45th Victoria, No. 1; and whether any rules have yet been made and promulgated in accordance with the 2nd section of the said Act; and, if not, when it is intended to make and promulgate such rules?" His reason for asking the question was this: at the last Session of Council an Act was passed which had long been felt necessary, providing for the examination of candidates about to be admitted to practise in our Supreme Court, but, from what he was given to understand, the Act might as well not have been passed at all, as nothing had been done to give it force and vitality, or for enabling its provisions being carried out. The first clause of the Act provided that an examining Board shall be appointed, consisting of the Chief Justice and the Attorney