

Pharmaceutical Society, and having a discriminating faculty to enable them to distinguish between Epsom salts and oxalic acid. Here the mere object was to ascertain who had a license to sell poisons, and it was proposed to vest in the magistrates those powers which, if we had a Pharmaceutical Society here, would be vested in that body. If a magistrate issued regulations which were obnoxious, or repugnant to the spirit and intention of the Act, he would be ordered to modify them, or issue others.

MR. SHENTON moved, as an amendment, that the following words be added to the clause: "Provided, however, that such regulations shall not be contrary to the provisions of this Act, and shall be subject to the approval of the Governor, and shall not bear any force or effect until published in the *Government Gazette*."

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

Clause 2.—"Articles named in schedule to be deemed Poisons within the meaning of the Act."

Agreed to.

Clause 3.—"Regulations to be observed in the case of the sale of Poisons:"

MR. BROWN said he noticed in this clause that one of the prescribed regulations was that the signature of the purchaser of the poison should be attached to the entry of the sale in the book to be kept by the vendor. How could this provision be carried out in the case of a country settler ordering, say, strychnine from a chemist in town, perhaps fifty or a hundred miles away?

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said the signature of any person present in the shop when the order was complied with would satisfy the requirements of the Act, the only object in view being to enable the sale of the poison to be traced up, if necessary.

MR. BROWN thought some more definite instructions ought to be prepared for the guidance of vendors in cases where the actual purchaser was not in attendance to sign the entry. He would therefore move, as an amendment, that after the word "affixed" in the twenty-fourth line, the following words be inserted: "Or in the event of the order for

"such article being sent to the seller by letter or telegram, in lieu of the signature of the purchaser being required to be affixed to the entry above-mentioned, the seller shall annex such letter or telegram to the said book, opposite the entry of the sale therein; and the person delivering the article so ordered and sold shall make and sign a memorandum opposite such entry, setting forth the date when, and the person or post office to whom or through which the said article was delivered or transmitted; and if the same article was delivered to any person, the person receiving the same shall also sign such memorandum:"

Agreed to, and clause as amended put and passed.

Clause 4.—"Such Resident Magistrate or Police Magistrate may in his discretion withhold, suspend, or discontinue the license mentioned in the first section:"

Agreed to.

Clause 5.—(Shortening Ordinance) and Clause 6, (Short Title):—agreed to.

Preamble and title—agreed to, and Bill reported.

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

## LEGISLATIVE COUNCIL,

Friday, 29th August, 1879.

Contract of "Otway" and "Rob Roy"—Secret Bills of Sale Bill: in committee—Scab in Sheep Bill, 1879: third reading—Transfer of Land Act, 1874, Amendment Bill, 1879: in committee—Registration of Births, Deaths, and Marriages, Amendment Bill: in committee—Adjournment.

THE SPEAKER took the Chair at 7 o'clock, p.m.

PRAYERS.

CONTRACT OF "OTWAY" AND "ROB ROY."

MR. SHENTON, with leave, substituted the following resolution in lieu of that standing in his name on the notice

paper: "(1) That in the opinion of this House it is desirable that there should be a fortnightly steam communication in conjunction with the P. & O. Company's service between Albany, Champion Bay, and the intermediate ports: (2) that arrangements should be made for the efficient and economical transport of first and second class passengers and freight, between Albany and the Eastern Colonies: (3) that steam communication—if possible, monthly—should be established between Champion Bay and the North-West Coast, touching at Sharks Bay: and that an humble address be presented to His Excellency the Governor, praying that he will be pleased to take such steps as to him may seem fit for carrying out the wishes of the House in an efficient and economical manner." The hon. member said the subject referred to in the resolution had been before the House for a long time—since the Session opened—and hon. members were fully alive to its importance; he therefore need not enter at any length into the question. The first part of the resolution had reference to the establishment of a fortnightly steam communication between Champion Bay, and the intermediate ports, and Albany, so as to meet the P. & O. Co's. mail steamers at the latter port, which steamers under the new contract which came into operation in February next would call there twice a month, coming and going, instead of once a month, as at present. This coastal service, of itself, would be of great benefit to the Colony, but it would be still more so if the second part of the resolution, relating to the transport of passengers and freight from Albany to the other Colonies, were carried out. The object he had in view, in inserting that clause in the resolution, was to enable the Governor to treat with the P. & O. Co. with reference to affording an economical means of communication between this Colony and our neighbors, by the company's steamers, and, if possible, to come to some distinct understanding with the company as to the rates of passages and also with regard to cargo. It was a source of complaint—and perhaps not an unreasonable one—on the part of this company that we subsidised a service to run in opposition to their steamers, by means

of which the subsidised service secured the monopoly of the intercolonial trade both as regarded passengers and freight. If the P. & O. Co. would enter into arrangements such as were contemplated in the second part of the resolution before the House, he thought there would be no objection on the part of the Government of this Colony to treat with them, and to withdraw the opposition now existing, consequent upon the establishment of the subsidised service, performed by the s.s. *Otway*. If the P. & O. Co. were prepared to enter into such arrangements with our local Government as would ensure for us an economical means of transport between Albany and the Eastern Colonies, well and good; if, on the other hand, the company were not prepared to make any modification in their charges, and showed any indisposition to enter into a fair and equitable arrangement with the Government of this Colony, His Excellency would, by virtue of this resolution, be empowered to negotiate with the owners of the *Otway* or any other company, in order to ensure what we had in view—the carrying out of arrangements for the efficient and economical transport of freight and passengers between this Colony and its Eastern neighbors. With reference to the third paragraph of the resolution—that relating to the establishment of regular steam communication with the North-West Coast, he thought the time had arrived when it became their bounden duty to establish such a service. Considering the amount of revenue received from that district, which was daily growing in importance, he thought the House might fairly be asked to provide the settlers there with some more regular means of communication with this part of the Colony than was now at their disposal. There seemed to be some doubt whether it would pay to run a steamer monthly, but there was very little doubt it would pay to do so every six weeks, or so. The saving of the subsidy now paid to the *Otway* for the intercolonial service, would provide for the two coastal services contemplated in the resolution—the service from Champion Bay to Albany, and the service to the North-West Coast.

Mr. CAREY noticed that the second paragraph of the resolution proposed

making arrangements for the transport of first and second class passengers to and from the Colony. He failed to see why the House should be asked to trouble itself about first class passengers, though he saw no objection to making arrangements for the economical transport of second class passengers, who would possibly prove a desirable class of immigrants, to whom an economical means of transport would be a boon. In supporting the resolution, he did so in the hope that whatever arrangements were made as to the coastal service, greater facilities than were now afforded would be provided both at Bunbury and the Vasse, for the embarkation and disembarkation of passengers.

MR. BROWN: The resolution now before the House will have my support: the original resolution would have had my opposition. I wish to state that I accept it, as now worded, without any reservation whatever. The hon. member who has brought it forward said his object was to enable the Governor to make the best arrangements he could to ensure an efficient and economical means of intercolonial transport: I may say that I support the resolution on the distinct understanding that the arrangements contemplated in the second paragraph will be carried out, irrespective of whether any such arrangements can be made with the P. & O. Company, or not. I consider it is highly desirable we should have frequent and regular means of communication with the Eastern Colonies, and that it would be a serious detriment to the welfare and advancement of this Colony were such means of communication removed. I think, however, if we confine the subsidy to the coastal service alone, it will be found that we shall have to pay quite as much for that service as for a through service to the Colonies, for any one tendering for the service on the coast would, in doing so, take into consideration the extent of the trade which would be likely to flow in from the neighboring Colonies, and if that trade were to fail, owing to the lack of means of intercolonial communication, the owners of the coastal steamers would want to run them right through to the other Colonies. With reference to the proposed service to Nickol Bay, I think every hon. member will agree that such

a service is absolutely necessary, or, at any rate, that the time has arrived when the claims of that district in respect to more regular means of communication should be taken into consideration, as one of pressing importance. I think a wise course for the Government to adopt in dealing with this question would be to invite tenders, in the first place for the whole service—fortnightly communication between Albany, Champion Bay, and the intermediate ports; a monthly service (if possible)—or every six weeks or two months—between those ports and the North-West Coast; and a fortnightly or monthly service, as the case may be, with the Eastern Colonies: Also to invite tenders for the performance of each service separately. I think the result would show that intending contractors would tender for the whole service at a greatly reduced rate than what we could get the coastal service alone performed for.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake): I do not suppose there will be a single dissentient voice raised against the resolution, and I certainly shall feel great pleasure in echoing—I believe that is the correct expression—the sensible remarks that have fallen from the hon. members who have preceded me. Nothing whatever can be said on this occasion other than confirmatory of the great benefit which the scheme propounded by the mover of the resolution would confer upon this Colony. Anything that facilitates access to our shores, and the export of our produce, must—if I may be permitted to use a truism—prove an unmixed benefit to the Colony. One palpable illustration of the advantages which accrue from frequent and regular means of intercommunication between ourselves and our Eastern neighbors, is afforded by the recent movements of an hon. member of this House—Mr. Crowther. Three weeks ago that hon. member had occasion to visit Melbourne. He has done so, and is now within the precincts of Western Australia, and the next time we meet I hope we shall be gratified by his presence amongst us. Anything that could tend to the benefit of the Colony—anything that could tend to the benefit of the hon. gentleman I have mentioned—are synonymous terms. Although the

amount expended in subsidizing these steam services may not be such as any private firm would be justified in expending, it is such as the Government is perfectly justified in doing, in the interest of the public. In agreeing to the resolution before the House, hon. members are merely affirming the great benefit which would be derived by the Colony if the services contemplated are carried out, and how great the disadvantages which would attach if the means of intercourse were no longer available.

Mr. MARMION said: I look upon it that when this House resolved in favor of voting subsidies for steam communication, it was done for the purpose of providing a connecting link (so to speak) between this and the neighboring Colonies, for the purpose of affording an easy and regular means of access and egress to and from our shores. I think the policy that induced hon. members to vote in favor of a subsidy of £6,000 for the present service, may have been a very good one. No doubt a policy that tends to increase the facilities for communication, and to provide improved means of transport—more particularly for people coming to the Colony—is a sound policy. But the arguments then used in support of that policy are not applicable to the same extent now—or at any rate will not in the course of a few months hence, when the means of inter-colonial communication will be increased two-fold, under the new contract with the P. & O. Co. And when that is provided I think it cannot be said that the facilities afforded to enable passengers to have access to, and egress from, our shores, are insufficient. So far, then, for passenger accommodation. With regard to goods traffic I have always maintained, and have always considered, that it is not the duty of this House to subsidize any steamer for the purpose of carrying cargo to and from these shores. I have always thought that the facilities already afforded by means of sailing vessels was quite sufficient for this purpose, and that the House was not called upon to subsidize a steamer to run in opposition to these vessels. In doing so, under the present subsidy, we are paying at the rate of something like twenty shillings per ton for every ton of cargo introduced from the other Colonies

to this. This is an argument which I think hon. members will find some difficulty in capsizing. Take, for instance, the *Otway*, which has been running during the last twelve or eighteen months: we will suppose that during that time 200 tons of cargo per month has been introduced by her, and that the share of the subsidy paid in respect of this particular branch of the service is £2,000 per annum. This being so, I contend, if it is maintained that it is the duty of this House to subsidize a steamer for the conveyance of cargo, we must be prepared also to admit that the Colony—not the importers or the shippers, but the public of this Colony—shall pay £1 per ton for every ton of cargo so introduced. I do not think any hon. member is prepared to say that such a thing should exist. I consider that the P. & O. Company's fortnightly service will prove quite sufficient for all our wants in this respect, with the exception of the connecting service from Fremantle to Albany. I would not have said anything about the *Otway*, had it not been hinted by the hon. member for Geraldton, that, in the event of there being difficulty in getting the P. & O. Co. to enter into the arrangements contemplated in the second paragraph of the resolution, the Governor should make arrangements with some other company. No doubt the competition which the *Otway* has given rise to has done a good deal to reduce the rates for passages and for freight by the P. & O. Co.'s steamers; and I cannot imagine that the agent of that company at Albany, if he is desirous that their steamers should receive the patronage of the people of this Colony, would fix the rate for passage or freight on a scale that would virtually amount to a prohibition. On the contrary, I imagine the agent would do all within his power to induce people to extend their patronage to the company's boats. That is my view of the question, and I view it simply as a man of business. I also think the Government should endeavor to arrange with the P. & O. Co.'s agent at Albany for a fixed rate of charges for the transshipment of cargo from their steamers to the steamer that may be subsidized by this Colony to meet the P. & O. boats at Albany. Something ought to be

done, too, with a view to fix the amount of the passage money by these boats. I do not think we need trouble ourselves about first-class passengers, but with regard to the second class I think the Government might fairly ask, and the House may expect, the company to meet us in a liberal manner. At any rate, the rates asked by the company ought not to exceed the amount now paid for a through passage by the *Rob Roy* to Albany and thence by the *Otway*. If the Government succeed in obtaining these concessions, I do not think the public can expect more at the hands of this Council than a subsidy for a steamer to meet the P. & O. boats at Albany. In the event of the P. & O. Co. hereafter interposing any obstacle in the way of carrying out these arrangements, and taking any unfair advantage of the monopoly which, by the withdrawal of the *Otway* would be theirs, then no doubt His Excellency would take care that the interests of the public of this Colony should be looked after. I cannot agree with the hon. member for Geraldton that the Government should invite tenders, in the first instance, for a fortnightly service between Albany and the Eastern Colonies, for it appears to me that in doing so we would be showing an intention to enter into competition with the P. & O. steamers. With regard to the North-West Coast service, I have always been in favor of that project, and it affords me much pleasure to see that there is a chance of the Government being able to offer a subsidy for the performance of this very necessary service. I entertain very little doubt but that arrangements may be made with the owners of the steamers now on our coast to undertake this service. If they do so I believe it will be well performed, for I have full confidence in the contractors, and I believe the performance of this service could not be in better hands. It might be thought—it has fallen to my lot more than once to oppose the subsidy for the service between Albany and the other Colonies—that I am prejudiced against that service; but I can honestly say that in all I have done with regard to this matter I have acted strictly in accordance with what I have considered to be my duty, and I am acting on the same principle this evening. I trust that in

leaving this matter in the hands of the Government, those members who will be sitting here next Session will be able to express their satisfaction at the manner in which the trust reposed in the Government with respect to this most important scheme has been exercised.

SIR T. COCKBURN-CAMPBELL said that, like the hon. member for Geraldton, he would not have been prepared to support the original resolution, but that now before the House had his cordial support. It appeared that objection was taken by some hon. members to the wording of the second paragraph, more especially that part of it having reference to freight. He must say that, so far as his own knowledge went, the P. & O. steamers did not afford very large facilities for freight, nor did he think that it was of great importance there should be such facilities as regarded the intercolonial trade. He did not mean to say that he considered it anything wrong or impolitic to subsidize steamers for trade purposes. If the principle was a wrong one as regarded steam communication by sea, surely it must be equally so with respect to communication by land; and, if so, he thought they had done wrong in building the Geraldton and Northampton railway. Why not have left the traffic on that road to come down by teams, and not expend public money in providing steam communication? He did not know whether the P. & O. Co. would be prepared to give us the facilities we sought in connection with intercolonial communication; if they were, no doubt the service would be performed at a cheaper rate than if we had to subsidize a steamer to run in opposition to them. He hoped that, at any rate as regarded second-class passengers, the facilities which we sought would be granted.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) was glad to see the resolution so unanimously supported. It was also a source of personal satisfaction to him to witness the progress we had made during the past few years with respect to steam communication. He remembered the difficulty the Government had in inducing the House to subsidize the ill-fated *Georgette*, which must be regarded as the pioneer steamer on our coast. Since then we

had got the *Rob Roy*, which at first provided us with a monthly service but latterly twice a month. He had always felt a lively interest in this question of steam communication, and had always exerted himself in the direction they were moving that evening. Hon. members might rest assured that the Government would make the best possible arrangements they could, in the interest of the Colony, and he had very little doubt that such arrangements would hereafter meet with the concurrence and the approval of the House, as he believed he was right in saying had been the case when the same confidence was reposed in the Government before, with regard to the same matter.

MR. HARDEY hoped the Government would succeed in making the necessary arrangements with the P. & O. Co. and that there would be no need to have recourse to the owners of the *Otway*, or of any other steamer to run in opposition to the P. & O. boats. All that could reasonably be asked of us in this matter was to provide a regular means of communication with those boats at Albany.

The resolution was then put and carried unanimously.

#### SECRET BILLS OF SALE BILL.

This Bill was passed through Committee *sub silentio*.

#### SCAB IN SHEEP BILL, 1879:

Read a third time and passed.

#### TRANSFER OF LAND ACT, 1874, AMENDMENT BILL, 1879.

This Bill, which extends the powers of the Commissioner of Titles as to advertising applications under the Act, was passed through Committee, with a slight verbal amendment.

#### REGISTRATION ORDINANCE, AMENDMENT BILL.

This Bill, which provides improved means of ascertaining, by registration, the causes of death of persons, was passed through Committee without discussion.

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

## LEGISLATIVE COUNCIL,

Tuesday, 2nd September, 1879.

Petition—Expenses incurred by Superintendent of Roads—Celebration of Marriage Bill: in committee—Auctioneers Act, Amendment Bill, 1879: in committee—Point of Order—Third Readings—Adjournment.

THE SPEAKER took the Chair at noon.

#### PRAYERS.

#### PETITION—AUCTIONEERS ACT, AMENDMENT BILL.

MR. S. H. PARKER presented the following petition, emanating from the Licensed Victuallers' Association, against the passing of the Auctioneers Act, Amendment Bill, in its present form:

"We, the undersigned, the President and the Secretary of the Western Australian Licensed Victuallers' Association, for and on behalf of this society, and by authority of the committee thereof, beg leave to draw the attention of your Honorable House to a Bill now under consideration by your Honorable Body entitled 'An Act to amend the Auctioneers Act, 1873,' whereby it is proposed to confer upon auctioneers all the rights and privileges of gallon license holders with reference to the sale of liquors the property of others, and on any premises save those of the auctioneer conducting the sale.

"We beg leave to submit for the consideration of your Honorable House that if this Bill pass into law, great injustice will be done to merchants and licensed victuallers, inasmuch as the Act will permit auctioneers to sell, at fall of hammer, draught and bottled liquors by the gallon, throughout the Colony, and in places beyond police supervision, subject to no other conditions than that at the same time and place there shall also be sold other goods and chattels, the *bona fide* property of the owner of the liquor auctioned.

"We have caused inquiries to be made, and are informed that no such privileges as those to be granted by the said intended Act are granted elsewhere to auctioneers throughout Her Majesty's dominions, and we are also further informed that the provisions of