

the highest reward to be £30,000 when 30,000 ounces of gold has been exported within one year from the date at which any person registers his claim as discoverer of a gold-field; the lowest reward to be £5,000 when 5,000 ounces have been exported within such time and on such conditions.

In Committee.

The COLONIAL SECRETARY (Hon. F. P. Barlee), as an amendment, moved, that His Excellency the Governor be empowered to offer a reward of £5,000 to any person or persons who may discover a workable gold-field within a radius of 300 miles from any declared port in the colony; such reward to be paid to the actual discoverer or discoverers, provided that an export of 10,000 ounces of gold be made from such gold-field within a period of two years from the date of the registration in the office of the Colonial Secretary of such discovery.

Amendment agreed to.

Motion, as amended, agreed to.

MUNICIPAL COUNCIL GERALDTON BILL.

First Reading.

Mr LOGUE, in accordance with notice, moved for leave to introduce a Bill to enable the Municipal Council of Geraldton to compel the owners or occupiers of sand hills within the municipality to plant the same with grass or shrubs.

The Bill was read a first time.

IMMIGRATION.

In Committee.

Resumed debate.

The Committee further considered the immigration scheme submitted by the Government, and agreed to the resolutions with the following amendments:—

In resolution 6, the word "one-fourth" inserted and "one-third" struck out.

In resolution 8, in the third and fourth lines, the word "sixth" struck out and "eighth" inserted.

In resolution 9, the words "more than six" struck out and the following words inserted "a number that shall be in excess of six adults."

Also the addition of the following resolution moved by Mr. SHENTON:—

10. That encouragement be given to any person who may prepare and publish for distribution in England a pamphlet

showing the advantages held out to immigrants in this colony, and the enducements in the way of assisted passages or grants of land. That authority be granted to the Government to purchase 10,000 copies of such pamphlets for distribution in England, at a cost not exceeding 2d. for each copy.

The Council adjourned at 2 p.m.

LEGISLATIVE COUNCIL,

Wednesday, 28th August, 1872.

Votes and Proceedings—Harbor Improvements: select committee report—Jetty and Breakwater at Owen's Anchorage: in committee—Drainage of Low Lands, Perth, Bill: first reading—License of Hawkers, City of Perth, Bill: first reading—Grand Juries Bill: motion for second reading—Appropriation Bill: second reading: in committee.

The SPEAKER took the Chair at 6 p.m.

PRAYERS.

VOTES AND PROCEEDINGS.

It was resolved that for the future the Votes and Proceedings should contain a record of the proceedings of the Committee of the whole Council, in addition to the proceedings of the House.

HARBOR IMPROVEMENTS.

Select Committee Report.

The SURVEYOR GENERAL (Hon. M. Fraser) brought up the report of the Select Committee appointed to consider the various plans submitted to the Legislative Council for the improvement of the Harbor of Fremantle, and moved that the report be read.

Question put and passed.

JETTY AND BREAKWATER AT OWEN'S ANCHORAGE.

Mr. DRUMMOND, in accordance with notice, moved that the offer made to erect a jetty and breakwater at Owen's Anchorage be specially considered in a Committee of the whole House.

In Committee.

Mr. DRUMMOND said that he wished the Committee to consider the proposal made by Mr. Anderson on behalf of Mr. Harvey of South Australia, but that he had no wish to

press the motion that stood in his name until the report of Lieut. Archdeacon had been received. He was informed that there were some difficulties connected with the entrance to the anchorage which would have to be very carefully considered before any action were taken in regard of the offer before the House.

Mr. STEERE thought it would be premature for the Council to pledge itself to any plans of harbor improvements until the House was in possession of the Marine Surveyor's report.

Mr. BICKLEY suggested the adoption of a resolution to the following effect, to be submitted to His Excellency the Governor—"That this House is of opinion that the question of harbor improvements would be facilitated by the appointment of a commission of practical gentlemen to consider the subject during the recess, and the Council respectfully suggests to His Excellency the names of the following gentlemen (whose knowledge and scientific acquirements particularly qualify them to serve on such commission) for appointment:—The hon. the Surveyor General, the Harbor Master, Navigating Lieut. R. Archdeacon, R. N., Mr. Surveyor Cowle, Mr. Wanliass, Mr. W. D. Jackson, and Mr. Owston.

Motion agreed to.

DRAINAGE OF LOW LANDS, PERTH, BILL.

Motion for First Reading.

Mr. CARR, in accordance with notice, moved for leave to bring in a Bill to enable the Council of the City of Perth to levy a special rate for the drainage of low lands.

Debate ensued.

Motion, by leave, withdrawn.

LICENSE OF HAWKERS, CITY OF PERTH, BILL.

First Reading.

Mr. CARR, in accordance with notice, moved for leave to bring in a Bill to impose a license fee upon hawkers within the City of Perth.

The Bill was read a first time.

GRAND JURIES BILL.

Motion for Second Reading.

Mr. BROCKMAN moved the second reading of the Bill to repeal the Ordinance abolishing grand juries, and to make other provisions in lieu thereof. In support of his motion he did not think it was necessary to say

much more than he had already stated when asking for leave to introduce the Bill. He was aware that some slight inconveniences and additional expense would be attendant upon the adoption of the Bill which stood in his name; but he contended that the present system, although it had also been adopted in other colonies with the view of avoiding those inconveniences and expenses, was fraught with danger to the liberty of the subject. Particularly was that the case in our own colony, where, it would be borne in mind, we had only one judge. However highly conscientious, upright, and just that functionary might be, still the fact remained, that we had only the one judge. Hon. members would also remember that the Attorney General had informed them, the other day, that the Governor alone governed this colony:—two very strong reasons in his (Mr. Brockman's) opinion why the Bill which he had introduced should be put in force. He trusted that hon. members on his side of the House would not oppose the Bill for the mere sake of avoiding the slight inconveniences and trifling expenditure which it would necessitate. As for hon. members on the other side of the House he could not see any valid reason that they could urge against the Bill; while, as for the Attorney General, he (Mr. Brockman) thought that that hon. gentleman would be only too glad to have the present responsibility that rests upon him removed. His predecessor, at any rate, would have gladly availed himself of an opportunity to divest himself of the grave responsibility and onus that rested upon him in the capacity of grand jury. As to its ever having been the wish of the majority of the inhabitants of the colony, as stated in the preamble of the Ordinance which he sought to repeal, that the grand jury should be abolished, he could not believe it for a moment. He could not call to remembrance that any action had been taken by the Government for ascertaining the views of the general public on the subject. Nor had the magistracy been consulted. He believed that if the question were submitted to the test of public opinion that three-fourths of the thinking section of the community would support the Bill which stood in his name, and the second reading of which he then begged to move, relying for the support of the House.

The ATTORNEY GENERAL (Hon. R. J. Walcott) said that if the Bill passed, the colony would be reverting to an antiquated system, which tended rather to impede than to facilitate the course of justice. It was generally known and admitted that so soon as a public prosecutor could be appointed in England, the grand jury would there be abolished. At the present time the position of Attorney General in England was by no means

analogous to that of the Attorney General in this colony. At home the Attorney Generalship was a political office, and its holder was dependent upon his own political party, with whom he went in, and went out of, office. Here, the Attorney General was a permanent officer, amenable to superior authority, and 10 times more amenable and responsible to public opinion. He thought it would be undesirable and inadvisable to take away that responsibility by transferring the powers now vested in a responsible officer to an irresponsible body, amenable to no authority. The present system had been in operation for a period of 25 years, and he was not aware that a whisper of suspicion or a complaint had been uttered at the manner in which the duties of the grand jury had been performed by the Attorney General for the time being. It had remained for the hon. member for Swan to state that the powers with which that officer was invested, in his capacity as grand juror, might be capriciously exercised. The hon. and learned gentleman also opposed the motion on account of the increased expenditure which it would necessitate, and also on the ground of its one-sidedness, and concluded by moving as an amendment that the Bill be read that day six months.

The COLONIAL SECRETARY (Hon. F. P. Barlee) seconded the amendment, and generally endorsed the sentiments of his hon. and learned colleague.

Mr. STEERE supported the motion of the hon. member for Swan, and said it was unfair on the part of the Colonial Secretary and the Attorney General to reproach the hon. member for Swan for having introduced the measure. The hon. member had acted in concert with the other elected members, and had he not brought in the Bill, some other member would have done so.

Mr. BICKLEY and Mr. CAREY supported the amendment, and Mr. LOGUE opposed it.

Amendment put, "That the Bill be read a second time this day six months," upon which a division was called for, the result being as follows:—

Ayes 9

Noes 7

Majority for 2

Ayes.
The Hon. M. Fraser
The Hon. R. J. Walcott
Mr. Bickley
Mr. Marmion
Mr. Russell
Mr. Monger
Mr. Carey
Mr. Hassell
The Hon. F. P. Barlee

(Teller.)

Amendment thus passed.

APPROPRIATION BILL.

Second Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Bill be now read a second time.

Mr. LOGUE moved that the Bill be read a second time on Friday, 30th August.

Debate ensued.

Amendment, by leave, withdrawn.

The Bill was read a second time.

In Committee.

The Bill passed through Committee without discussion.

The Council adjourned at 8.15 p.m.

LEGISLATIVE COUNCIL,

Thursday, 29th August, 1872.

Liquor Petition—Karri Timber—Preliminary Railway Surveys—Standing Orders suspension—Railway to Eastern Districts: select committee report—License of Hawkers, City of Perth, Bill: motion for second reading—Trespass on Waste Lands of the Crown Bill: second reading: in committee—Trespass by Live Stock Bill: second reading: in committee—Duties on Imported Goods Repeal Bill: Additional Duties on Tariff Act, 1872, Bill: third reading—Municipal Council Geraldton Bill: second reading: in committee—Standing Orders suspension.

The SPEAKER took the Chair at 12 noon.

PRAYERS.

LIQUOR PETITION.

Mr. CARR, presented a petition from Mr. W. Meloy, of Perth, asking for certain privileges relative to the selling of colonial wine and beer in small quantities.

The petition was read by the Clerk and ordered to be laid on the table.

KARRI TIMBER.

The COLONIAL SECRETARY (Hon. F. P. Barlee), with leave, moved that the Government be authorised to comply with the request of the Admiralty to forward certain specimens of karri timber to England at the expense of the colony.

Question put and passed.

PRELIMINARY RAILWAY SURVEYS.

Mr. DRUMMOND, with leave, without notice, asked the Colonial Secretary whether it