

"any reason why the Colony should afford Mr. Davies those facilities for transport which every other timber company provides for itself." The hon. member said his object in bringing forward the resolution was—as he had already said on a former occasion—to prevent a monopoly of the timber trade in the district where Mr. Davies proposed to extend his operations. No other company had ever had such concessions as were sought by this gentleman in the matter of road-making, and he failed to see that the House would be justified in voting a large sum of money to improve a road simply for the benefit of a private individual.

The resolution was agreed to.

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

## LEGISLATIVE COUNCIL,

*Wednesday, 17th September, 1879.*

Vote of £200 for Recreation Ground, Perth—Courts of General Sessions Amendment Bill: first reading—Pastoral Lands held by the Messrs. Forrest, and by Forrest and Co.—Celebration of Marriage Bill: third reading—Absconding Debtors Act, Amendment Bill, 1879: second reading; in committee—Masters of Vessels Act, Repeal Bill, 1879: second reading; in committee—Adjournment.

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

PRAYERS.

### VOTE OF £200 FOR RECREATION GROUND, PERTH.

IN COMMITTEE.

MR. S. H. PARKER moved, "That an Humble Address be presented to His Excellency the Governor, praying that he will be pleased to cause the sum of £200 to be placed upon the Estimates for the year 1880, to be expended by the Perth City Council in

"the improvement of the lands which His Excellency has agreed to grant to the Council for the purposes of recreation and amusement." The mover said, if hon. members had read the correspondence (laid on the Table) which had passed between the Government and the City Council on this subject, they would have seen that the Governor had given directions so that the municipal authorities should have the fee simple to various parcels of land already arranged to be granted them, and that among those parcels of land was the whole of the space on the river side from Government House Jetty to Mill Street Jetty. A portion of this space it was proposed to convert into a Recreation Ground, and he believed the Government were prepared to assist the City Council in this matter. Last Session a sum of £200 was voted by the House for the improvement of Victoria Park; but that piece of land was situated at such a distance from the city that very few people would resort to it. It was, in fact, of very little use for the purposes of recreation at present, though no doubt, as population increased and the city extended, it would be very useful at some future day. In the meantime he thought that the expenditure of £200 on the piece of ground between the two jetties would be far more beneficial than expending it on Victoria Park; but the Government did not feel justified in diverting a sum of money voted for a particular purpose, to another purpose, without the assent of the House. He therefore hoped the House would support the resolution. It might be said that the citizens themselves should provide the means for converting this piece of land into a recreation ground; but he thought the citizens were already sufficiently heavily taxed, and unless the Government and the House were prepared to vote a sum out of the public funds for the purpose in view, he was afraid it would be out of the power of the City Council to convert this land into a suitable recreation ground. In the other colonies public parks were kept up out of public funds, and he thought he was fully justified in asking the House and the Government to affirm the resolution which he had submitted for the consideration of the Committee.

MR. BROWN thought every member in the House would have been prepared to support the resolution, had the public funds been in a more flourishing condition than they were just then:—he was not at all sure he would not vote for it even under existing circumstances. As, however, it was evident that those who would benefit mainly from this recreation ground were the citizens of Perth, he thought the citizens ought to a certain extent be prepared at any rate to supplement any grant of money voted by that House for the purpose, and to contribute a like amount themselves, which he thought would only be fair.

MR. S. H. PARKER said the citizens had already spent a large amount of money, in planting trees and other improvements, on this very piece of ground—the hon. member seemed to forget that. No doubt the City Council would supplement the grant made by the Government.

SIR L. S. LEAKE said this was the first time the Perth people had asked for any consideration at the hands of that House in the shape of a money grant for such a purpose, and their claim, he thought, would be cheerfully recognised. It must be borne in mind that this recreation ground would not be for the use of the citizens of Perth alone; visitors to the city from all parts of the Colony would derive some gratification from it.

MR. CAREY thought the resolution would meet with the support of most hon. members. The money, he presumed, would be paid in instalments—£50 for every £50 voted by the City Council. There could be no objection to such an arrangement as that.

MR. BROWN moved, as an amendment, That the following words be added to the resolution:—"on the understanding that the amount be not appropriated unless the Perth City Council engage to expend a like amount upon the above-named lands, during the year 1880."

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the Government would offer no opposition to the resolution submitted by the hon. member for Perth, seeing that all those hon. gentlemen who had spoken on the subject regarded the proposal with more or less

favor. The hon. member for Geraldton seemed desirous of imposing a condition, upon which alone the vote should be granted, but on the part of the Government he might say that whether the vote was granted conditionally, or unconditionally, the Government would offer no opposition to it.

MR. BROWN said he had no particular wish to press his amendment, though he considered that his suggestion was a good one, for he was sure that £200 would be nothing like a sufficient sum for the purpose in view; in his opinion, £2,000 would be nearer the mark, and he thought the House would have done well to agree to an annual vote for the object contemplated by the hon. member for Perth, conditionally upon the citizens providing a similar amount. As, however, the opinion of the House seemed to be in favor of an unconditional grant, he would, with leave, withdraw his amendment.

Leave granted, and amendment withdrawn.

MR. SHENTON moved, as an amendment, to insert between the words "lands" and "which," in the fifth line, the words "between William Street and Barrack Street Jetties."

Question—That the words proposed to be inserted be inserted—put and passed.

Resolution, as amended, agreed to.

#### COURTS OF GENERAL SESSIONS, AMENDMENT BILL.

MR. S. H. PARKER obtained leave to bring in a Bill to amend the Ordinance of the 9th Vict., No. 4, to make provision for the trial of criminal offences at Albany and other remote districts of the Colony.

Bill read a first time.

#### PASTORAL LANDS HELD BY THE MESSRS. FORREST, AND BY FORREST, BURT, & CO.

MR. CAREY, pursuant to notice, asked the Commissioner of Crown Lands to lay on the Table of the House "a return showing all pastoral lands held on lease or license by Messrs. John Forrest, Alexander Forrest, David Forrest, Creswick and Forrest, and Forrest, Burt, & Co.; such return to give the

dates on which these lands were applied for, and the dates of approval; the total amount paid to the revenue as rent for these lands, and present annual rental; the number of stock certified to as on these lands; the dates of such certificates, and by whom certified." The hon. member said he was induced to move for the return in consequence of a report that no less than a million and a quarter of acres of land had been granted to the persons referred to, shortly after the return of Mr. Forrest from his journey to South Australia, and before the public were in possession of information relative to the character of the country travelled over.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said the return asked for would be laid on the Table as soon as it was prepared.

#### CELEBRATION OF MARRIAGE BILL.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) moved the third reading of the Celebration of Marriage Bill.

MR. SHENTON moved, as an amendment, that the motion be made an Order of the Day for to-morrow.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) thought the House would agree with him that ample opportunity for discussion upon this Bill had been granted, stage by stage, and to a certain extent ridicule had been attempted to be thrown upon the measure. He could not understand what earthly purpose was to be gained by postponing the third reading: it could not be for further discussion, for the sense of the House had been plainly exhibited in favor of the Bill.

The motion for the third reading was then agreed to, and the Bill was passed.

#### ABSCONDING DEBTORS ACT, AMENDMENT BILL.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) moved the second reading of a Bill to amend the above Act. He said, if hon. members had perused the despatches laid on the Table the previous day (published in another column) they would see what the object of the present measure was, and how beneficial it would prove if

carried. The Bill, he might say, was introduced by direction of the Secretary of State, with a view to prevent the abuse of the process of law under which debtors leaving the Colony were liable to be injuriously and oppressively apprehended.

The Bill was read a second time, and committed.

#### IN COMMITTEE.

Clause 1—"In all cases where a person shall be arrested under the provisions of the said Act, the person making the affidavit upon which the warrant of apprehension issues shall, if the said warrant be unlawfully or maliciously, injuriously or oppressively, or by abuse of process obtained, be liable to a fine or penalty not exceeding £50, on a summary conviction before any two or more justices of the peace."

Agreed to, *sub silentio*.

Clause 2—"The whole of the said penalty shall be payable to the person aggrieved."

Agreed to.

Clause 3—"Conviction no bar to civil remedy."

Agreed to.

Preamble agreed to, and Bill reported.

#### MASTERS OF VESSELS ACT, REPEAL BILL.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) moved the second reading of a Bill to repeal the Act passed two years ago to make provision for the punishment of masters of vessels taking immigrants out of the Colony before the period of three years had elapsed after their introduction. This Bill was also introduced at the request of the Secretary of State, for the reasons mentioned in the despatches already referred to.

The Bill, which merely repeals the Act in question, was read a second time, and passed through Committee, without discussion or amendment.

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