

between the Old World and the great colonies to the eastward of us. I can only ask hon. members to carefully consider this matter, and from the point of view, as far as they can, that the Government see it from. We have no wish to force one scheme over another upon the members of this House, but we feel that the time has arrived when something must be done to place Fremantle in a better position than it now occupies, and the only scheme we consider to be within our means is that which I now have the honor to place before you. I thank hon. members for the patient attention with which they have listened to my remarks.

MR. PEARSE: The question is one of such importance that it will require a great deal of consideration from this House; and with that view I now rise to ask for an adjournment of this debate until Wednesday next.

Agreed to.

Debate adjourned until Wednesday, 13th January.

#### ADJOURNMENT.

The House adjourned at 9.15 p.m.

### Legislative Council,

Thursday, 7th January, 1892.

New Member—Police Bill: Committee's Report—Mineral Lands Bill: third reading—General Loan and Inscribed Stock Bill: third reading—Boyanup-Minninup Railway Bill: third reading—Boyanup-Busselton Railway Bill: Committee—Settled Land Bill: first reading—First Offenders Bill: first reading—Sharks Bay Pearl-shell Fishery Bill: second reading—Game Bill: second reading—Adjournment.

THE PRESIDENT (Sir T. Cockburn-Campbell, Bart.) took the chair at 8 o'clock.

PRAYERS.

#### NEW MEMBER.

THE HON. THOMAS BURGESS, being introduced, took and subscribed the oath required by the 22nd section of the Constitution Act.

#### POLICE BILL.

THE COLONIAL SECRETARY (Hon. G. Shenton) moved the adoption of the Committee's report on this bill.

Question—put and passed.

#### MINERAL LANDS BILL.

This bill was read a third time and passed.

#### GENERAL LOAN AND INSCRIBED STOCK BILL.

This bill was read a third time and passed.

#### BOYANUP-MINNINUP RAILWAY BILL.

This bill was read a third time and passed.

#### BOYANUP-BUSSELTON RAILWAY BILL.

This bill was considered in committee and agreed to without amendment.

#### SETTLED LAND BILL.

This bill was received from the Legislative Assembly, and was read a first time.

#### FIRST OFFENDERS BILL.

This bill was received from the Legislative Assembly, and was read a first time.

#### SHARKS BAY PEARL SHELL FISHERY BILL.

##### SECOND READING.

THE COLONIAL SECRETARY (Hon. G. Shenton): In rising, sir, to move the second reading of this bill, I may explain shortly the reasons which have induced the Government to bring it forward. Under the old Act of 1886, which it is proposed by this bill to repeal, altogether insufficient power was given to the Government to deal with the fisheries at Sharks Bay. An arrangement was made with some parties at the pearling grounds, who were called the trustees, to grant them a lease of a certain area for three years, for which they paid £1,000 per annum, and they sub-let it to others. At the expiration of the three years, the area was let to the same parties for a further term of two years at an annual rental of £800. Great dissatisfaction, however, existed among the pearlers as to the way the trustees carried out their duties, and re-

presentations were made to the Government asking that new regulations might be framed. As at this time the leases were about to expire, the Government thought it better to bring in a fresh bill affording them greater powers to deal with the working of the pearl-shell fishery. One of the causes of complaint as to the working of these banks in the past is that from some of them the shells have been taken to such an extent that the fishery there has been almost destroyed. This bill will give the Government power to lease certain portions of Sharks Bay for a period of 21 years. Such a lease will give the person or persons taking it an exclusive right to all the shells contained in the area leased. The rent of such lease is to be paid in advance, and the working of the banks will be subject to the regulations which the Government will have power to make. It was thought by the Government that the granting of these long leases would induce the persons holding them to take greater pains to conserve the shells and to further plant the beds. If, however, any person wishes to have a lease for a shorter term, he can have it under such conditions and regulations as the Ministry, with the approval of the Governor, may determine. Clause 4 of the bill defines how applications for licenses can be dealt with, and clauses 8 and 9 deal with the transfer and surrender of licenses. Clause 10 provides for a forfeiture in case of non-payment of rent. Clause 11 makes the pearl shells contained within the area of any license the exclusive property of the licensee, and any person, other than the licensee, removing them will be liable to be prosecuted for felony. Clause 12 gives the Governor power to close the banks, or such portion of them as he may think fit, and when closed any person taking shell will be liable to a penalty not exceeding £100. Clause 13 defines the area of Sharks Bay; clause 14 provides a penalty for pearling without a license; and clause 15 gives power to make regulations. I may say that when this Act is passed it is proposed there shall be a Superintendent of Pearl-shell Fisheries, whose duty it will be to see that the regulations are properly carried out. During the time I was in Brisbane I obtained a great deal of information from the Queensland Government with

reference to the working of their pearl shell fishery. Mr. Saville-Kent is a gentleman they have in their service, and I was able to obtain a great deal of useful information from his annual and other reports to the Government. I felt sure, after what I learnt, that there was no reason why we should not have the edible oyster here quite as easy as they have in Brisbane. The Government propose to ask for a vote to obtain the services of Mr. Saville-Kent for two years, so that we may be able to obtain a report from him as to what it is best for us to do. It is necessary that this bill should pass, not only for the purpose of regulating the fishery at Sharks Bay, but also in the interests of the production of the edible oyster. I now, sir, formally move the second reading of this bill.

THE HON. J. W. HACKETT: I would just like to ask, seeing that Mr. Kent is recognised as one of the leading authorities on this subject, and as his services are so soon to be available for this colony, is it not reasonable to suppose that he may have some suggestions to make, which it would be wise to embody in a legislative enactment?

THE COLONIAL SECRETARY (Hon. G. Shenton): His appointment does not terminate with the Queensland Government until the end of the year, and it is necessary that this Bill should come into force at once on account of the Sharks Bay Fishery. After Mr. Kent has come here we will, if necessary, bring in any measure that may be required. At the present time no licenses have been issued and the banks are all closed.

THE HON. M. GRANT: What is the nature of the discontent among the pearl-ers?

THE COLONIAL SECRETARY (Hon. G. Shenton): As to the way the three trustees granted licenses, and as to the indiscriminate manner in which the shells have been taken. Some of the banks have been almost destroyed.

THE HON. J. W. HACKETT: I only intend to make one more remark. Having had some acquaintance with Sharks Bay in years gone by, I am convinced of the necessity of a measure of this kind. At the present time the fishery is on the brink of ruin, and those best acquainted with the subject are of opinion that with

ordinary care and precaution it can still be placed in such a position that the colony will derive a large income from it; but in order to bring this about it will be necessary, not only to place the banks under the superintendence of some gentleman familiar with shell, but also that regulations of a most stringent character should be made. In framing these regulations, I have no doubt the Ministry will get all the advice and evidence they can, not only from the adjacent colonies, but also from those other parts where the pearl shell fishery is a matter of importance. I am afraid, however, that unless something be done at once, the Sharks Bay Fishery will cease to exist. I have, therefore, great pleasure in supporting this bill.

Question—That the bill be now read a second time—put and passed.

THE HON. G. W. LEAKE: After the very interesting remarks of the hon. the Colonial Secretary, may I suggest that this bill be referred to a select committee, for I think there is more in it than appears at first sight? I have no doubt that ultimately the bill will pass virtually as it stands; but I think its provisions can be better discussed in a select committee than in a committee of the whole House.

THE HON. J. G. H. AMHERST: I think the matter has gone too far for the hon. member to propose that now.

THE PRESIDENT: The hon. member wishes the bill referred to a select committee, does he not?

THE HON. G. W. LEAKE: Yes.

THE PRESIDENT: The hon. member has lost his chance to do that now. He can, however, when the motion is made to-morrow that I leave the chair to go into committee, move, as an amendment, that the bill be referred to a select committee.

### GAME BILL.

#### SECOND READING.

THE COLONIAL SECRETARY (Hon. G. Shenton): I now move, sir, the second reading of a bill to provide for the preservation of imported game and of native game. The reason the Government have brought in this bill is that it has been found that the old Game Act

does not contain sufficient provision to meet the requirements of the colony, and it was thought better to bring in a new bill altogether rather than amend the old one. Representations have been made to the Government from all quarters, and attention has been drawn in the public Press to the wholesale destruction of the kangaroo which is going on. The present Act does not give power to stop this slaughter, but under this bill the Government will have power to proclaim a close season and to define reserves for native game. The attention of the Government has also been drawn to the great slaughter of seals which has been going on between Albany and Eucla. One return stated that 3,000 seals were killed last summer, and that two boats were then out after them. We thought we had power to stop it, but the Attorney General advised to the contrary.

THE HON. G. W. LEAKE: Were they hair or fur seals?

THE COLONIAL SECRETARY (Hon. G. Shenton): The return does not state. Strange to say I have noticed that recently in Victoria the attention of the Government has also been drawn to the wholesale slaughter of these animals at King Island. In connection with this bill a general wish has long been expressed that all shooting on Perth water should be stopped, so that native game might settle there as it used to do years ago before it was driven away by the shooting. The Government propose to give effect to that wish, and to stop shooting of any kind on Perth Water in the hope that the wild game may come back again. In addition to this it is proposed to stop all net-fishing, and only rod-fishing will be allowed. At Brisbane I was asked a question by a gentleman who had been reading an article in the Press about net-fishing in this colony, and he seemed surprised that we allowed it, and he told me that it had been stopped there years ago. The bill also provides penalties for taking or destroying the eggs of particular birds and also for the preservation of imported game. There are two schedules to the bill which define the birds and animals which are to be protected. I think I have sufficiently explained the provisions of the measure, and I now move its second reading.

**THE HON. J. G. H. AMHERST:** I have much pleasure in supporting this bill, although I cannot see any provision as to net-fishing. There is no doubt this kind of fishing has done a great deal of injury. The Swan is one of the finest rivers in Australia for fishing, and it will be a great misfortune if it is allowed to be destroyed; but I do not see in this bill what is to prevent it. I should like to see some restriction as to the size of the mesh used.

**THE COLONIAL SECRETARY (HON. G. SHENTON):** There is a special provision as to that in another Act.

**THE HON. J. G. H. AMHERST:** Then my argument fails. With the other provisions of the bill I am in accord. There is not the slightest doubt that native animals, such as the kangaroo, wallaby, and tamar, have been killed simply for the sake of their hides, and their carcasses have been left to provide food for native dogs, which they naturally attract. I am glad to see a bill of this sort, for it will induce people to come here. Men coming from India, for instance, ask what sport there is, and if we are able to say, "Come out into our tamar thickets and have a shot at a tamar," they will think there is something here. I have, therefore, much pleasure in supporting this bill.

**THE HON. T. BURGESS:** I have no opposition to make to this bill, but I notice that in the fifth and sixth clauses a penalty is provided without any provision for its recovery.

**THE COLONIAL SECRETARY (HON. G. SHENTON):** That is provided by clause 14, which incorporates the Shortening Ordinance.

**THE HON. J. W. HACKETT:** I have great pleasure in supporting this bill, but I must follow my hon. friend opposite in asking where the provisions against net-fishing are. Two kinds of exotic fish are likely to be introduced here in a short time,—trout and salmon trout—fish which have been acclimatised so successfully in Victoria, and it is essentially necessary to protect them.

**THE COLONIAL SECRETARY (HON. G. SHENTON):** It was found difficult, I believe, to deal with fishing in this bill. However, I will confer with the Attorney General as to the remarks of hon. mem-

**THE PRESIDENT:** I might point out to hon. members that it is quite out of order, on the second reading of a bill, to ask questions in the way they have been. On the second reading they make their speeches and ask questions when in committee.

Question—That the bill be now read a second time—put and passed.

#### ADJOURNMENT.

The Council, at 8:45 p.m., adjourned until the following day at 3 o'clock.

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### Legislative Assembly,

Thursday, 7th January, 1892.

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Petition from Mr. Joseph Hillman—Legislation to enable Local Boards of Health to raise funds—Improvements of Fremantle Lunatic Asylum—Analysis of Alcoholic Beverages—Opening of Yilgarn Telegraph Line—Closing of Perth Cemetery: motion for adjournment—Protection of Women and Girls Bill: first reading—Third Judge of the Supreme Court Bill: second reading—Goldfields Act, 1886, Amendment Bill: second reading—Adjournment.

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**THE SPEAKER** took the chair at 7:30 p.m.

#### PRAYERS.

#### PETITION.

**MR. CANNING** presented a petition from Joseph Hillman, late Chief Clerk in the Railway Department (who had been called upon to resign his appointment under the Government), praying the House to redress his grievances as set forth in the petition.

The petition was received and read.

**THE SPEAKER:** I cannot help thinking that there has been an evasion of Standing Order 90 in this petition. That rule says: "No letters, affidavits, or other documents shall be attached to any petition, except it be a petition for a private bill." Certainly, it cannot be said that letters have been attached to this petition,