

expressing any opinion upon the scheme recommended by the select committee, would urge upon His Excellency the Governor the desirability of referring the whole question of harbor works at Fremantle, accompanied with the charts and plans from time to time laid on the Table of the House, to some competent authority in England, on whose character and experience in works of this nature we may rely for a practical solution of the difficulty, and that such authority may be asked to report what may be the best scheme to adopt that may at the same time be within the means of the colony, and embrace the advantage, as far as possible, of wharfage accommodation."

After some further debate, the amendment on the amendment was put, upon which a division was called for, the result being as follows:—

Ayes 10
Noes 7

Majority for 3

Ayes.	Noes.
The Hon. A. O'Grady	The Hon. M. Fraser
Lefroy	Mr. Crowther
The Hon. H. H. Hocking	Mr. Munger
Mr. W. Burges	Mr. Brown
Mr. Shenton	Mr. Marmion
Mr. Padbury	Mr. Pearce
Sir Thomas Cockburn-	Mr. Steere (Teller.)
Campbell	
Mr. Randall	
Mr. Gale	
Mr. Hurl	
Mr. T. Burges (Teller.)	

Amendment on the amendment thus passed.

Motion, as amended, agreed to.

LAND REGULATIONS FOR THE NORTHERN AND EASTERN DISTRICTS.

Select Committee Report.

The SURVEYOR GENERAL (Hon. M. Fraser) moved that the report of the select committee be now taken into consideration with a view to its adoption.

After some discussion,

Mr. MARMION moved, as an amendment,—That this House agrees with and adopts the report, with the exception of that paragraph making suggestions for placing the small farmer in a better position than at present as regards the depasturing of his stock; this House considering that it would be better to give the special occupation license holder the right to depasture a certain number of stock on adjacent Crown lands, in proportion to the quantity of land he holds.

Mr. BROWN moved as a further amendment that progress be reported, and that the

further consideration of the report be made an order of the day for the next sitting of the Council.

After some further debate, the amendment on the amendment was put, upon which a division was called for, the result being as follows:—

Ayes 8
Noes 9

Majority against 1

Ayes.	Noes.
The Hon. A. O'Grady	Mr. Randall
Lefroy	Mr. Burt
The Hon. M. Fraser	Mr. Shenton
Mr. W. Burges	Sir Thomas Cockburn-
The Hon. H. H. Hocking	Campbell
Mr. T. Burges	Mr. Gale
Mr. Padbury	Mr. Monger
Mr. Crowther	Mr. Marmion
Mr. Brown (Teller.)	Mr. Pearce
	Mr. Steere (Teller.)

Amendment on the amendment thus negatived.

Amendment put, upon which a division was called for, the result being as follows:—

Ayes 8
Noes 8

Ayes.	Noes.
Mr. Monger	The Hon. A. O'Grady
Mr. Pearce	Lefroy
Mr. Steere	Mr. Crowther
Mr. Randall	Mr. W. Burges
Mr. Burt	Mr. Padbury
Mr. Shenton	Mr. Gale
Sir Thomas Cockburn-	Mr. Brown
Campbell	Mr. T. Burges
Mr. Marmion (Teller.)	The Hon. H. H. Hocking
	(Teller.)

The voting being equal, the SPEAKER gave his casting vote to the Ayes.

Amendment thus passed.

Motion, as amended, agreed to.

The Council adjourned at 12.30 a.m. (Wednesday).

LEGISLATIVE COUNCIL,

Wednesday, 29th December, 1875.

Railway Supplementary Loan Bill: first reading—Local Ordinance 28th Victoria, No. 2—Chairman of Committees—Swan Bridge and Perth and Albany Jetties: in committee—Estimates: in committee—Perth Drainage Bill: second reading and committee—Offenders Apprehension Bill: third reading—Municipal Institutions' Act, 1871, Amendment Bill: second reading—Trespass Act, 1872, Amendment Bill: second reading and committee—Remission of Penalties Amendment Bill: second reading and committee—Fremantle Lodge of Freemasons Bill—third reading.

The SPEAKER took the Chair at 7 p.m.
PRAYERS.

RAILWAY SUPPLEMENTARY LOAN BILL.

First Reading.

The ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy), in accordance with notice, moved the first reading of the Bill to raise the sum of £26,000 by loan for the completion of the railway between Geraldton and Northampton.

The Bill was read a first time.
LOCAL ORDINANCE 28TH VICTORIA,
NO. 2.

Mr. SHENTON, in accordance with notice, asked the Acting Colonial Secretary whether it was the intention of the Government to amend the Local Ordinance 28th Victoria, No. 2 so far as regards the first clause.

The ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) said it was not the intention of the Government to introduce a Bill to amend the Ordinance in question this session, but the matter would receive the consideration of the Government.

CHAIRMAN OF COMMITTEES.

The ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) announced to the House that Sir Thomas Cockburn-Campbell, Chairman of Committees, had been called home on pressing business, and moved that the Speaker be Chairman until the close of the present session.

The SPEAKER expressed his willingness to discharge the additional duties in connection with the office of Chairman of Committees.

Question put and passed.

SWAN BRIDGE AND PERTH AND ALBANY JETTIES.

In Committee.

The ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) moved that His Excellency the Governor be authorised to expend the following sums: £400 for a bridge over the Swan at West Guildford, £200 for the extension of the Perth jetty, and £300 for the extension of the Albany jetty head, from surplus revenue, after meeting the expenditure voted for 1876.

Question put and passed.

ESTIMATES.

In Committee.

Resumed debate.

Item: *Lands and Works*, £8,490 10s.

Mr. STEERE asked the Surveyor General what provision had been made for superintending contract surveys? He looked upon this as a very essential and important work, but one that had been neglected for the last two years and a half. Especially had this been the case in his own district, and the consequence was people could place no reliance upon the survey work done during that period.

The SURVEYOR GENERAL (Hon. M. Fraser) replied that the hon. member was in error in stating that the inspection of contract surveys had been neglected for the past two years and a half. Of course every portion of survey work done during that period, throughout the whole colony, had not been critically inspected in the field, but so far as carrying out the "Rules and Directions for Surveyors employed in the Crown Lands Office"—laid on the table the other evening—was concerned, everything within the means at his disposal had been done, to check the survey work, not only in the office but in the field. The hon. member had alluded to the survey work performed in his own district, which had not been subjected to a critical inspection. Now, the first portion of that work was checked by Mr. Forrest before he started on his last exploring expedition; and the work done since was of such a nature that, in fact, it in a great measure checked itself by result. He was fully alive to the great difficulty in the way, with the present means at disposal, of thoroughly or even partially checking every portion of contract work performed throughout the whole of this widely-scattered colony. But the only difference between the system obtaining under the present organisation of the department and the system previously in operation, was that surveyors are now paid by "results" whereas formerly they were paid by fixed salary. If a surveyor was inclined to be dishonest, and to perform his work in an imperfect or perfunctory manner, he was just as likely to do so under the former system as he would be under the existing system. Looking at the severe penalties attached, in accordance with the rules and regulations promulgated by the Governor for the guidance of surveyors paid by results; looking at the very severe penalties attached to any dereliction of duty in falsifying the returns of work in any way on the part of those so employed, he did not think that there was much likelihood of any falsification being resorted to. Every possible check was put on each surveyor's work in the office, and he believed the country might rest perfectly satisfied that the work was honestly and efficiently done. As he had observed before, it would be practically impossible, with

the means available at his disposal, to inspect every portion of fielding work done in every part of the colony. If the House would give him the means to do so, he would be only too happy to carry out the hon. member for Wellington's wishes; but the hon. member might rest content that all that could be done was being done, and done effectually. Although perfectly satisfied that more work was obtained out of the surveyors under the existing result system than under the system of payment by fixed salary, he was not so enamoured of the former as to wish to continue it if the House was of opinion that it would be better to revert to the old system. As some proof of the estimation in which the system now in operation was held elsewhere, he might mention to the House that the Victorian Institute of Surveyors—of which Institute he was a member—had offered to grant a diploma of merit and competency to any officer of the department under his control, who, in his opinion, was deserving of it. With regard to what provision had been made for the future supervision of contract surveys, there would be two surveyors at disposal during the ensuing year for this work. One of them was the Deputy Surveyor General, whose duty would be to relieve him (the Commissioner of Crown Lands) of the detailed superintendence of the survey work; and the other was Mr. Brooking, who had recently been working co-operatively with the Admiralty Survey, but who would be no longer attached to that party, Captain Archdeacon having engaged the services of one of the junior surveyors, Mr. Ranford, at a salary of £1 5s. per diem for seven months—a fact that showed in what estimation the "incompetent youth" of the department was held by one thoroughly able to judge of their capabilities as surveyors. This engagement of Mr. Ranford by Captain Archdeacon, he might also point out to the House, relieved his department from expense, while at the same time the colony would participate in the result of the joint surveys.

Mr. PADBURY, so far from being dissatisfied with the "result" system as applied to survey work or educational work, would be glad to see it extended to every branch of the Public Service. He believed that the field surveying was now done quite as well if not better than under the old system, and he was certain there was a great deal more work performed than formerly.

Mr. SHENTON and Mr. RANDELL spoke favorably of the existing system and of the generally efficient state of the Survey Department.

The ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) also alluded in very

complimentary terms to the efficiency of the Department of Lands and Survey, the work connected with which had recently increased to a considerable extent, as evidenced by the augmentation apparent in the revenue derived from land. He looked upon the discharge of the order for a select committee to enquire into the working of the department as a vote of confidence in the system there pursued.

Mr. STEERE asked for some explanation as to the item, "Engineer, £450," under the head of "Works."

The SURVEYOR GENERAL (Hon. M. Fraser) replied that the Government had been in correspondence with a gentleman whose testimonials were of a high and altogether satisfactory character, with the view of securing his services for this post.

Mr. W. BURGESS: Name him.

The SURVEYOR GENERAL (Hon. M. Fraser) said his name was Mr. John Blackburn, and he was now employed in the Roads and Bridges Department of the Victorian Government. Mr. Wardell—who was a high authority in the engineering department of the neighbouring colonies—among others spoke in terms of the highest praise of Mr. Blackburn's qualifications. "All I know of him," Mr. Wardell said, "is favorable, and I think, as an all-round man, you could not get his better in the colonies." The appointment of this gentleman,—or of any other gentleman who may receive the appointment,—as engineer in the Works Department of this colony must be regarded as the insertion of the thin edge of the wedge for the appointment of other engineers and, sooner or later, of a chief engineer, who should have the entire control and responsibility of the carrying out of public works which had been authorised, and which are daily becoming of more importance and magnitude.

Mr. W. BURGESS suggested that the Commissioner of Works, who was undoubtedly an efficient officer, should be entrusted with the entire control of the Works Department, and, to that end, be appointed engineer-in-chief, with a salary adequate to the responsibility of his position. The colony might then depend upon having the work done well; but as to this Victorian engineer, he thought this country had better have nothing to do with him, in the face of the experience it had already had of these gentlemen "from the other side."

The item, after some further conversation, was agreed to.

The CHAIRMAN reported to the House that the Committee had considered the Estimates, and had agreed to same, with amendments.

PERTH DRAINAGE BILL.**Second Reading and Committee.**

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved that the Bill be now read a second time.

After some debate, the Bill was read a second time, and passed through Committee without amendment.

OFFENDERS APPREHENSION BILL.**Third Reading.**

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved that the Bill be now read a third time.

The Bill was read a third time and passed.

MUNICIPAL INSTITUTIONS' ACT, 1871, AMENDMENT BILL.**Second Reading.**

The ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) moved the second reading of a Bill to amend the existing Municipalities Act. The object of the measure, the hon. gentleman said, was to invest municipal councils with increased powers to promote sanitation. The Bill was a modification of the Municipal Act in operation in South Australia.

Mr. SHENTON seconded the motion for the second reading, and further explained the scope and objects of the Bill.

The ATTORNEY GENERAL (Hon. H. H. Hocking) considered the increased borrowing powers with which it was proposed to invest municipal councils altogether too great, and, if exercised to the full extent here contemplated, such as must inevitably lead to utter insolvency. In Perth, for instance, it was proposed to invest the City Council with authority to borrow to the extent of £30,000 which represented an immense rate of taxation. The Bill, however, might be amended, in this and other respects, in Committee, if it ever reached that stage.

Mr. BURT, looking at the important nature of the measure, and the advanced period of the session, would move that the Bill be read a second time that day six months.

Mr. MARMION, in seconding the amendment, said he was but carrying out the expressed wish of the chairman of the municipal council of the electorate which he represented, who deemed it very desirable and very necessary that before a Bill of this nature became law the various municipal bodies of

the colony should have an opportunity of expressing an opinion with regard to its provisions.

Mr. RANDELL was not so enamored of the Bill as to urge that it be disposed of this session, but he would be sorry to see it thrown out altogether. It was only an extension of the principles of the existing enactment, but whether that extension went beyond legitimate bounds was a question for consideration. He would suggest that a Building Act should be incorporated with the measure.

Mr. STEERE considered that the Bill proposed to give too much power altogether to irresponsible corporate bodies. It was too late in the session to take a Bill of this importance—however essential the object in view—into consideration, and he would therefore support the amendment.

Mr. CROWTHER expressed himself to the same effect.

The ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) asked for leave to withdraw the motion for the second reading of the Bill.

Motion, by leave, withdrawn.

TRESPASS ACT, 1872, AMENDMENT BILL.**Second Reading.**

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved that the Bill be now read a second time.

After some debate, the Bill was read a second time.

In Committee.

Clauses 1 and 2 agreed to.

Clause 3—

Debate ensued.

Progress reported, and leave obtained to sit again.

REMISSION OF PENALTIES AMENDMENT BILL.**Second Reading and Committee.**

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved that the Bill be now read a second time.

After some debate, the Bill was read a second time, and passed through Committee without amendment.

FREMANTLE LODGE OF FREEMASONS BILL.

Third Reading.

Mr. PEARSE moved that the Bill be now read a third time.

The Bill was read a third time and passed.

The Council adjourned at 12.20 a.m. (Thursday).

LEGISLATIVE COUNCIL, Thursday, 30th December, 1875.

Appropriation Bill: first reading: Standing Orders suspension: second reading and committee: third reading—Sericulture Petition: in committee—Railway Supplementary Loan Bill: second reading: in committee—Perth Drainage Bill: third reading—Trespass Act, 1872, Amendment Bill: in committee—Remission of Penalties Amendment Bill: recommittal: in committee—Railway from Fremantle to Guildford: select committee report.

The SPEAKER took the Chair at 12 noon.
PRAYERS.

APPROPRIATION BILL.

First Reading.

The ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) moved for leave to introduce a Bill to appropriate the sum of £158,863 3s. 2d. out of the general revenue of the colony for the service of the year 1876.

The Bill was read a first time.

Suspension of Standing Orders.

The ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) moved that the Standing Orders be suspended with a view to now passing the Bill through all its stages.

Question put and passed.

Second Reading and Committee.

The ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) moved that the Bill be now read a second time.

The Bill was read a second time, and passed through Committee, without discussion.

Third Reading.

The ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) moved that the Bill be now read a third time.

The Bill was read a third time and passed.

SERICULTURE PETITION.

In Committee.

The consideration of Mons. Beurteaux's petition for a recognition of his labors and losses in the cause of sericulture, resulted in the House recommending that the petitioner be granted a piece of land adjoining his mulberry plantation, for the further prosecution of the industry.

RAILWAY SUPPLEMENTARY LOAN BILL.

Second Reading.

The ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) moved that the Bill be now read a second time.

Mr. PADBURY, as an amendment, moved that it be read that day six months, and that the amount required for the completion of the railway be provided out of the current revenue. There had always been a surplus revenue during the past few years, and, as sure as there was, so sure was there a scramble for it. If he had his way he would put an end to that sort of thing. What he would propose—in order to avoid any surplus revenue next year—would be that His Excellency should place on the Estimates, in addition to this £26,000 required for completing the railway, any further sum necessary for the completion of the Eucla telegraph; an additional grant of £10,000 for immigration; and a further sum of £10,000 for roads and bridges; making a round total of about £52,000, which, with the £5,000 which the hon. member for Perth intended asking for to build a small breakwater at Rous' Head, would, he fancied, pretty well swallow up any surplus revenue likely to be available at the end of the year. (Laughter.) If not, then he would devote the residue to increasing the salaries of the lower grades of officials, beginning with the wretchedly ill-paid clerks to the magistrates, whose present pay was, in some instances, inferior to that of a common laborer. As a rule, he was in favor of retrenchment, but as he did not see much probability of that principle being adopted in the course of the few remaining years of his life, he thought he might as well go with the tide. That retrenchment, however, would have to be adopted sooner or later he was convinced; our land revenue might continue to increase—he believed it would; but he questioned very much if our customs revenue was likely to do so. It was pretty well known that we were now much higher taxed in our Customs Department than any of the sister colonies; our *ad valorem* duties were in many