

MR. STEERE was of the same opinion. He failed to see how it was proposed that the Select Committee should ascertain the views of all the donors. It was the duty of those who forwarded the petition relating to the Bill to the House to have seen that it was supported by the governors, as a body. If the Bill had been introduced in the manner which he contended it ought to have been introduced, namely, as a private Bill, the requirements of their Standing Orders would have been complied with; notice of the intention of the promoters to introduce the Bill would have been advertised, and the donors would have had an opportunity of expressing their concurrence, or objection, as to the course proposed to be adopted.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said he would support the motion for referring the Bill to a Select Committee, and he would do so in order that the sting of the allegations brought against the promoters of the Bill might be removed, and that the consent of the remaining donors might be obtained.

The amendment, to refer the Bill to a Select Committee, was then agreed to.

MR. BROWN moved, "That such Committee should consist of Mr. Hamersley, Mr. Burges, Mr. Stone, Mr. Crowther, and the mover."
Agreed to.

The House adjourned at half-past nine o'clock, p.m., until Thursday, 12th August.

LEGISLATIVE COUNCIL,

Thursday, 12th August, 1880.

Northern District Special Revenue Act, 1873—Import Duty on Flour—Post Office Savings' Bank Deposits—Jetty at Shellborough, Port Condon—District Roads Act, 1871, Amendment Bill: further considered in committee—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

NORTHERN DISTRICT SPECIAL REVENUE ACT, 1873.

MR. GRANT, in accordance with notice, moved, "For a return of all moneys raised under the provisions of the 37th Victoria, No. 10, section 12, since the passing of the said Act up to the end of 1879; and a return showing in what manner such moneys had been expended." The hon. member said that, according to the 12th section of the Act in question, all moneys paid in respect of licenses, royalties, and otherwise under the Act, were applicable solely to special purposes connected with the Northern District. A great deal of money must have been received since the enactment became law, but he had never seen a return showing how it had been applied.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the return asked for by the hon. member would be furnished.

IMPORT DUTY ON FLOUR.

MR. S. H. PARKER, in accordance with notice, asked the Colonial Secretary, "Whether during the present Session the Government propose to introduce a Bill for the purpose of amending the Tariff Act, by removing the import duty on flour."

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): The Government have no such intention.

POST OFFICE SAVINGS' BANK DEPOSITS.

MR. S. H. PARKER, pursuant to notice, asked the Colonial Secretary to lay upon the Table of the House a return showing—

- "(a.) The amount of deposits in the "Post Office Savings' Bank on "the 1st July last.
- "(b.) The portion of such moneys "invested on mortgage on same "date; and
- "(c.) The portions to credit at the "West Australian and National "Banks, respectively, on same "date."

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the returns asked for would be furnished at as early a date as possible, regard being had to

the number of returns in the preparation of which the clerks were already engaged upon.

JETTY AT SHELLBOROUGH, PORT CONDON.

IN COMMITTEE.

MR. GRANT, in accordance with notice, moved, "That an Humble Address be presented to His Excellency the Governor, praying that he will be pleased to place a sufficient sum on the Estimates for the erection of a jetty at Shellborough, Port Condon." The hon. member said Shellborough was the nearest port to the new country recently discovered by Mr. Alexander Forrest, and also the nearest on that part of the coast to the scene of the expected pearl fishery. It was therefore very necessary that accommodation should be provided for loading and discharging the boats calling there, and to enable the pearlers to obtain their supplies of water and other necessities. It was already an important place, and could not fail to become much more so in the future. There was a large tract of poor country between Shellborough and Nickol Bay, and it would be of great advantage to persons travelling with stock if they could ship their stock at Shellborough, and thus avoid the intervening desert. The place was already a frequent port of call for pearlers, and also a harbor of refuge in stormy weather, so that, in fact, it might be said that it had some present claim upon the Government, to say nothing of its future importance. Shellborough was also the outlet of a very important part of the North-West District—the DeGrey country. No public money had yet been spent for the convenience of the settlers in that neighborhood, although the revenue derived from the land had not been less than £1,000 annually, for some years past. He hoped the motion would commend itself to the favorable consideration of the House and of the Government.

MR. STEERE said he believed there was an impression upon the minds of many hon. members that, if they voted for the presentation of such addresses as these to the Governor, praying that certain sums of money should be placed

on the Estimates, they were bound when the Estimates came to be considered to vote for that particular item, by reason of their having previously supported the motion for the adoption of the address. He protested against any such obligation. He was sure that such an idea was not in consonance with parliamentary usages in other assemblies. The mere fact of a member supporting a motion for the presentation of an address asking the Governor to place a sum of money on the Estimates for a particular purpose surely did not bind the member to vote for that item when the Estimates came to be discussed in Committee of Ways and Means. He regarded the present motion as the forerunner of many others of the same nature to follow, and although, under other circumstances, he might have been prepared to support the vote, he thought that, in the present state of our finances, the hon. member was not likely to get much support. At any rate, so far as he was concerned, while agreeing at present to the motion for the presentation of an address, he at the same time felt bound to say that he did not consider that in doing so he was in any way binding himself to support the item when the Estimates were under discussion. He wished that to be distinctly understood.

MR. VENN said the hon. member for the North was simply asking that a certain sum of money should be expended out of the special revenues derived from the Northern District, and of which it was believed a considerable sum stood to the credit of the district. This money was not part of the general revenue, but was specially set apart for expenditure in connection with the district where it was raised. Under these circumstances, he should certainly support the motion.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) suggested that the motion be postponed until the return asked for by the hon. member that evening, relating to the special revenue received under the 37th Vict., No. 10, had been furnished. The hon. member and the House would then see how much money, if any, was available for this particular purpose. The Government were not aware, except from what had fallen from the hon. member himself, of the necessity for jetty accommodation at

Shellborough. The Government Resident had not called attention to such a want. He also thought the hon. member, before asking the House to support a motion of this character, ought to inform them what would be the probable cost of providing such accommodation as he had in view.

MR. CAREY did not think, simply because the Government Resident had not called the attention of the Government to the necessity for providing this or that accommodation, the House was debarred from supporting a motion of this kind. In very few cases, indeed, were the requirements of a district brought under the notice of the Government by the Resident Magistrate. At the same time, he thought, in this particular instance, it would be advisable to postpone the motion until the House was in possession of the return moved for by the hon. member that evening.

MR. RANDELL was rather inclined to disagree with what had fallen from the hon. member for the Swan, with reference to members not pledging themselves, when voting for these addresses, to support the item when in Committee of Ways and Means. He thought it would be well if the House were to decide before the Estimates were framed what particular items of this character they would be prepared to support, and that, having satisfied themselves beforehand that the work upon which it was proposed to expend the money was a necessary work, they should feel themselves bound to support the vote when presented to them on the Estimates. He thought if they acted otherwise, they would be stultifying themselves—if to-day they voted in favor of a sum being placed on the Estimates for a particular purpose, and, to-morrow, when they were asked to vote that sum, they refused to do so. Perhaps the hon. member for the North could, however, furnish the House with further information as to the probable cost of a jetty such as would meet the present requirements of Shellborough. He did not think it at all necessary that the hon. member should make it clear that there was a special revenue available for this purpose. The Colony had benefited greatly from the settlement and development of the dis-

trict which he represented, and he thought it was the duty of the House and of the Government to provide every facility for those engaged in the prosecution of an industry that was of great value to the Colony, and of great importance.

SIR L. S. LEAKE said the hon. member for the North was perfectly in order in moving for a sum of money being placed on the Estimates, for a particular purpose. The Estimates were submitted to the House by the Government, and it was not competent for members to add a single penny to any vote, except by an address to the Governor. It would be quite within the province of the present Committee to support the address, which support would not necessarily bind them to vote for the item in Committee of Ways and Means. The Committee of Supply was not bound by the previous action of the House.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) would support the motion, so far as its principle was concerned, namely, the desirability of affording facilities for the advancement of civilisation and the development of trade and commerce. It must be obvious to the Council that the settlement of this district could not be deferred to any very distant date, and it would be of great advantage to the present pioneer settlers, as well as to those who might follow them, if facilities were afforded for shipping purposes at the various ports on the coast.

MR. MARMION quite concurred with what had fallen from the hon. member Sir Luke Leake—that the mere fact of any member voting for this address did not debar him from opposing the item in Committee of Supply; at the same time he would draw the attention of the House that if members induced the Government to place particular items on the Estimates, the House would have to provide the Government with ways and means to meet such expenditure. If the House agreed to an address of this nature, the Governor would naturally imagine that if he placed the sum asked for on the Estimates hon. members would be prepared to provide the ways and means necessary to carry out the object in view. With regard to the

particular object in view here, and the claim put forward by the hon. member for the North, he thought the demand was a moderate one, and, if possible—if there were no graver financial difficulties in the way than they were at present aware of—he thought the proposal was one that should meet with the favorable consideration of the majority of hon. members. But if it should be agreed that the jetty should be built at Shellborough, as proposed, he thought no more than £300 should be spent upon such a structure—at any rate, out of public funds.

MR. GRANT said what he asked for was simply with a view to accommodate persons going with stock to the recently discovered country at the North, and for the convenience of those engaged in the pearling industry. During the past five or six years, this district must have contributed no less than £6,000 or £7,000 to the general revenue, and was it fair that its claims should be persistently ignored, or that a modest demand like this should be frowned upon? He considered he had a right to ask for this money, under the provisions of the Northern District Special Revenue Act. It could not be expected of him that he should furnish a detailed estimate of what the jetty would cost. They were not unreasonable people at the North, but were content with small mercies, and consequently were very modest in all their demands. He would be content with the sum of £300 for this jetty; should it cost more, he, for one, would be quite prepared to supplement the vote out of his own pocket—although he did not bring the matter forward in his own personal interest, but in the interest of the general public. As to the Government not having heard anything from the Resident Magistrate as to the necessity for a jetty, he had yet to learn that the Resident Magistrate was the representative of the district. He had been under the impression that his constituents had sent him to that House to represent their wants and to protect their interests.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the Government looked to the Resident Magistrates to keep them informed as to the wants and requirements of their respective districts. With regard to the motion before the

House, he did not intend to oppose it in any way.

MR. CROWTHER was afraid that if the various districts depended upon the Resident Magistrates to represent their wants to the Government, their wants would be a precious long time before they would be supplied. He regarded the work advocated in this instance by the hon. member for the North as a work of necessity and of practical utility, and, if it would be done for £300, or even £500, by all means let it be undertaken.

The motion for the presentation of the address was then agreed to.

THE SPEAKER took the Chair.

POINT OF ORDER.

MR. S. H. PARKER asked the Speaker to rule whether, having now agreed to an address requesting a sum of money to be placed on the Estimates for a particular purpose, it would be within the province of hon. members to oppose the vote hereafter in Committee of Supply?

THE SPEAKER said he had been called upon to rule upon a similar Point of Order on two occasions last Session. On one occasion he ruled that the Committee on the Estimates could not take cognizance of what had previously taken place in the House, unless it was instructed that a resolution had been passed by the House with reference to any particular item. All the Committee of Supply had to deal with was that which was committed to its judgment, namely, the Estimates, irrespective of any previous resolution of the House. On a subsequent day, he had ruled—but under what he conceived at the time to have been different circumstances—that the House having already agreed to a resolution that the sum of £2000 should be placed on the Estimates for immigration purposes, it would be inconsistent and out of order, when the Estimates were before the House, to reconsider the question and to reject the item. Since then, however, he had given the Point of Order further consideration, and, having consulted constitutional authorities on the subject, he was now of opinion that the mere fact of members agreeing to an address for a sum of money being placed on the Estimates did not bind them to vote for that particular item in Committee of Supply.

DISTRICT ROADS ACT, 1871, AMENDMENT BILL.

The House went into Committee for the consideration of the new clauses proposed to be inserted in this Bill by Mr. MARMION, on Friday, August 6. (*Vide* p. 107, *ante*.)

IN COMMITTEE.

New clause: "No funds or monies shall be granted from the Public Treasury after the 1st January, 1881, for the purposes of 'The District Roads Act, 1871,' to any Local Board of any district, unless such Board shall have availed itself of the powers granted to it by the 29th clause of the aforesaid Act, of levying a rate or rates upon the annual value of all rateable property within such district."

Mr. MARMION said it would be unnecessary for him to recapitulate the reasons which had prompted him to bring forward his amendments, which had for their object the introduction of the principle of local taxation, as contemplated by the framers and the supporters of the original Act, but which principle had ever since remained in abeyance. With respect to the clause now before the Committee, he had, in the course of conversation, heard the various arguments which were likely to be brought forward *pro* and *con*. with reference to it. Some hon. members regarded it as a compulsory clause, and for that reason were not prepared to support it. He admitted it might bear that construction on the face of it; at the same time he would draw the attention of the Committee to the fact that it did not, as some hon. members seemed to think, propose to withhold all assistance from the public funds towards the maintenance of the roads in districts that did not choose to impose upon themselves the burden of local taxation. It did not bring any such pressure as that to bear upon the Road Boards. What was contemplated was this—in the event of any Board declining to avail itself of the powers granted to it under the Act, of levying a rate upon the annual value of all rateable property within its jurisdiction, such Board should not have the control or expenditure of any grant made out of public funds for the maintenance or construction of the roads in the district. But this would

not prevent the Government from expending money on such roads. It simply took the privilege of doing so from the hands of the Local Board, if that Board refused to adopt the principle of self-taxation. Hon. members, in replying to this argument, might contend that the Act vested the control of the roads of the district in the Local Boards, but this, he thought, was a misconception. The 5th clause of the Act no doubt vested the conservation, improvement, and making of all roads within the district in the District Board, but with this proviso: "That the Governor shall and may at any time interpose and prohibit any work which, in the opinion of the Governor in Council, is deemed injuriously to affect any main line of road: and provided further, that nothing herein contained shall in any way be construed to prevent or preclude the action of the Government in matters relating to the main lines of road throughout the Colony." He would say no more at present with reference to the clause before the Committee, but would reserve to himself the right to reply to any arguments that might be put forward against it in the course of the debate.

The clause was then put.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said the principle embodied in this and the other clauses standing in the name of the hon. member for Fremantle contemplated the introduction of an entirely new principle into our system of taxation, and a very important one; important, not only *per se*, but, if affirmed in this connection, one that might be, he thought, advantageously adopted in other directions. The practice had grown up in that House, ever since he had been connected with it—and the principle involved in the practice had been affirmed over and over again,—that the Government should undertake and carry out all that was necessary to be done for the benefit of the people, and that the people themselves should do nothing. But the Administration in office when "The District Roads Act, 1871," was introduced and became law, originated that, amongst other conceptions, as a measure calculated and intended to enable the colonists to discriminate, in future, and to deter-

mine as to what part they themselves might play in the management of the public concerns of the Colony. The clauses now before the House sought to enforce that principle of local government which the Act referred to had initiated, and there was more involved in these clauses than might at first sight be apparent, for the principle which they affirmed was one which, as he had already said, might be extended—and in his opinion advantageously extended—in other directions. The principle in question was the principle of local taxation for the purposes of local self-government, or, in other words, the principle of calling upon the colonists to help themselves. That House was already confronted with difficulties with regard to providing public funds for the carrying out of necessary public undertakings, and to meet the demands made on the general revenue; and the hon. member from Fremantle in bringing forward these clauses had, he thought, shown a wise discernment in submitting to the House, for its affirmation, a system under which some of those difficulties might be surmounted—a proposal calling upon the settlers of the Colony to take upon themselves the responsibility of maintaining and keeping in repair the minor roads in their respective districts, and thus relieving the general revenue of the Colony from the drain now made upon it in that respect. He thought the Committee would do wisely in adopting such a proposal, which was one that had his cordial support.

MR. STEERE regretted his inability to give his support to the clause before the Committee, inasmuch that he considered, if it became law, it would be entirely nugatory. What, otherwise, would be the effect of it? If the Roads Boards did not choose to avail themselves of the powers granted to them under the Act of levying rates upon property, were the roads in the district to be entirely neglected and to fall into disrepair? No. If the Local Boards did not keep up their roads, the Government would step in and do so, and spend the money themselves, which, he thought, would be a very impolitic step, for he considered that the Local Boards, consisting as they did of residents of the district, thoroughly acquainted with its requirements, were

far more likely to expend the money judiciously than the central Government would be. For that reason, he could not support the clause.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said he would very gladly support the hon. member for Fremantle in his proposal to put into a practical shape a principle which heretofore had remained rather in a speculative form on our statute book, namely, the the principle of self-taxation, as regards these District Boards. And self-taxation for what? For purposes that in reality affected themselves primarily, and, secondarily, the whole country. Hon. members would bear in mind that the general revenue of the Colony had been burdened to a considerable extent by reason of the demands made upon it by these Boards, for what he might call partial purposes. The question had been asked, if no money were voted by the Government for the roads, what would become of them? He did not propose to say what would become of them. On the other hand, if the people who resided in those districts where Local Boards were entrusted with the management of the roads chose to take a certain burden upon themselves—in furtherance of affording so much relief to the general revenue—he thought the public purse might fairly be opened to aid them in sustaining their self-imposed burden, or, in other words, to assist what he might call private enterprise. There were roads in every district of the Colony in the maintenance of which this principle might very justly be introduced. The clause before the Committee went very far indeed to assert the reality of a very desirable proposition, which had heretofore been allowed to remain a speculative one, and for that reason it should have his support.

MR. CROWTHER could conceive nothing more reasonable than that the proposals before the Committee should receive the cordial support of the occupants of the Government benches, for, if carried into effect, those proposals would in no way touch that most sensitive part of their organisation—their pockets. [The ACTING ATTORNEY GENERAL: Mine are empty.] Theoretically, the scheme of taxation proposed to introduce was no doubt an admirable one, but in practice

it would operate very unfairly. For in those districts where—from the paucity and he might say the poverty of the inhabitants—the contributions from such a tax would necessarily be very small, the roads were in such a condition as to require a comparatively large expenditure of money to keep them in repair. While, on the other hand, in those districts where, owing to the number and the position in life of the inhabitants, the tax would press the least, and where the contribution raised by it would be greatest, the roads might require very little expenditure indeed to maintain them. It was therefore obvious that the tax—for such it would be and nothing else—would operate very unfairly and unjustly. Then, again, the proportion of minor roads to main lines of road in many districts was very unequal, while in others the roads were cut up for the most part by people whom the proposed tax would never reach,—such as sandal-wood carters. Who was it that benefited by the traffic caused, and the trade created, by these carters? Was it the settlers in the districts whose roads were cut up by them, or the merchants and others residing in the towns? The latter, of course. Why then should people who were in no way interested or benefited be taxed to keep up the roads for the convenience of this class? The system of local taxation was no doubt a very admirable one in principle, if carried out in its integrity; and were it proposed to introduce a system of shire councils, such as is in operation in other countries, and to give those councils the entire control and management not only of our roads, but of other matters of local interest, wholly independent of the central Government, he would not be averse to such a proposition, if it could be shown that the various districts of the Colony were ripe for such a scheme. But until the matter came before the House in a much more comprehensive form than at present, he certainly would not give it his support.

MR. SHENTON said, as the clause now stood, he felt bound, as the representative of a country district, to oppose it, and he did so on the ground pointed out by the hon. member who had last spoken, namely, that the proposal would press very unequally upon different

districts. It was a well known fact that, as a rule, where the state of the roads was the worst, the inhabitants of the district were the least able to bear the burden of taxation—and especially so in outlying districts. He thought possibly something more than was at present done in the rural districts, in the way of contributions towards maintaining the roads, might be carried out if the present tax upon carts were increased. As for any other system of direct taxation of the kind contemplated in this clause, he did not think it would work at all, under present circumstances. A great deal had been said about relieving the general revenue from the demands made upon it, in maintaining the roads, but it appeared to him there was one way in which these demands might at any rate be lightened—he thought they might fairly withdraw all grants from the public purse for road purposes (at all events main roads purposes) from those districts, or parts of districts, for whom railway communication was provided. That he thought would be perfectly legitimate; but the proposal now before the Committee was certainly one which he could not support.

MR. HIGHAM said one hon. member, in the course of the debate on the Bill the other day, contended that the town was dependent upon the country, and another member maintained that the country was dependent upon the town; but, in his opinion, each was mutually dependent upon the other, and he thought the House would do well to bear that in mind, in dealing with this question of local taxation. He regretted that in the present instance he should be compelled to vote against the proposals of his hon. colleague; and for this reason—it appeared to his mind that the tax here proposed would in reality be a tax upon industry, a tax upon the tillers of the soil, who, after all, were the real backbone of the Colony. He thought it was the duty of that House to encourage (rather than to hamper) the agricultural industry of the Colony, in every legitimate way; and certainly this would not be done by imposing upon the shoulders of those engaged in the prosecution of the industry an additional burden in the shape of local taxation. One of the arguments put forward in support of the

proposition before the Committee was that, if it were carried into effect, it would greatly relieve the general revenue from the demands now made upon it. He was free to confess that he saw no necessity for relieving the general revenue, in this particular direction, at the present moment. They had recently raised a public loan for expenditure upon the roads, and it was pointed out the other evening that this money would relieve the general revenue for some years to come, so far as the roads were concerned, without the necessity of resorting at the same time to local taxation. Moreover, the amount which the proposed tax would bring in would be extremely small, and in some instances the cost of collection would constitute a serious charge upon it. In the road district of Fremantle, the rates would not realise more than about £35, and the expense of collection would probably swallow up £10 of that amount. If the object of the present Bill was to reach the absentee proprietors—men who could, but who would not, improve their property, he might be induced to support it; but, as it was, he certainly could not do so, and for the reasons which he had already given.

MR. CAREY said if the hon. member who had just spoken really wished to tax the absentee proprietors he should support rather than oppose the measure, as the clause under discussion would, if carried into law, have the desired effect; while to the small farmer the tax would be so light, in comparison to the benefit derived from good roads, that it would be a boon rather than a burthen. It would also have the effect of compelling absentees and others to make more use of the land than is now done. The amount which the Fremantle district would contribute to the tax was altogether beside the question; probably it would not amount to much. But the principle was a good one, and should have his support to the extent of making it compulsory on the Boards to supplement the Government grant to the extent of one-fourth the amount granted from the Public Treasury. A reference to the maps at the Survey Office would show that in the Wellington district alone there were over 187,000 acres, which, taxed at one farthing per

acre would add to the Board's annual revenue about £185.

MR. RANDELL said several reasons had been assigned for not adopting—to the full extent it was here proposed to adopt—a principle which he regarded as a valuable one, and one which we shall have, sooner or later, to look fairly in the face. Nor did he think we could have a more convenient time than the present for doing so. The principle he alluded to was that of direct taxation. In looking over the debates that took place in the House last Session, when a measure analogous in principle to the present one was introduced, he noticed that there was no wish to entertain it for a moment. He alluded to the proposal to impose a stamp tax—a proposal which he hoped would be again submitted to the House in the course of the current Session, when he believed it would meet with a better fate, for it would hardly be consistent on the part of those hon. members who were now advocating the adoption of the principle of direct taxation with regard to landed property, to stultify themselves by opposing the introduction of the same principle with reference to moneyed interests. The hon. member for the Swan said the proposition now before the Committee would, if affirmed, prove nugatory. But he could hardly think that was a good and valid reason why the House should not affirm an equitable and a righteous principle of taxation. It had also been said that the proposal would fall heavily upon the small farmer, but he did not see that such would be the case, for the lesser the value of a man's property, the lesser would be the amount of the rates leviable upon it. At any rate he could say for himself, as the owner of land in the country, that he would be quite willing to submit to a trifling tax for the purpose of maintaining the roads in that locality in repair. As to whether such a tax would benefit the country people more than the townspeople, or *vice versa*, he thought that was a false principle to introduce into the debate, for in a country like this anything that benefited one section of the community must, directly or indirectly, benefit the rest. The Colony it might be said was divisible into two classes, producers and consumers,—for as yet the Colony had no

manufactures to boast of. And those two classes, so far from being self-dependent, were indissolubly bound together, and the House would be led to a false issue if it sought to separate them. It was admitted on all hands that when these Local Boards were established it was in order that the principle which it was now sought to bring home to them should be put into operation; but it did not seem from the present appearance of things that the principle was ever likely to be adopted voluntarily by the Boards. And he did think, in view of the introduction and the extension of railway communication, and in view of the other claims upon the general revenue by reason of the demands made upon it for purposes of a national character, the House should seriously consider this question of local taxation. Unless the country settlers were willing and prepared to suffer some sacrifices, it appeared to him it would be impossible to provide them with what they had been crying out for so long, and what no doubt was much wanted—increased facilities of transport, and improved means of communication by rail, thereby creating new markets for their produce, not only within the Colony, but also beyond it. As it was necessary for the railway to be fed along the route which it traversed, it would of course be necessary to keep up a network of minor roads to enable the farmers to bring themselves and their produce into connection with the line; and he thought, inasmuch as the railway itself would have to be constructed, and possibly maintained for some time, out of the general revenue of the Colony, the settlers might fairly be asked to make some local provision for keeping the minor roads in repair. He thought they could hardly expect the dwellers in towns to contribute as they do now towards the maintenance of both main and minor roads, and also bear their share of the cost of providing railway communication for the country districts. It must be borne in mind that the inhabitants of the towns constituted eight or nine-tenths of the population of the Colony, and that in this Colony nearly all the revenue derived for public purposes was derived from articles subject to *ad valorem* or specific duties, and that the dwellers in towns consumed a

very much larger proportion of these duty-paying articles, than the residents of the country. But he should like to see the House looking at this subject from a higher point of view than one of class against class. As had already been shown, there was a very important principle involved, and one which, sooner or later, would have to be adopted by the settlers of this Colony, as it had been in other countries, as they advanced in the paths of civilisation.

MR. SHENTON did not think it was consonant with the rules of political economy to argue that the inhabitants of the towns should not contribute towards the maintenance of country roads, for the former might be said to be dependent in a great measure upon the country settlers for their supplies.

MR. STEERE said it always appeared to him that the people who lived in towns were animated by a very selfish feeling. They steadily ignored the fact that they derived a much greater proportion of the roads vote than the country did. [MR. S. H. PARKER: No, no.] The hon. member said "No, no"; but he would very soon show that what he said was correct. In the city of Perth, the Government grant for roads was £250 a year, the expenditure of which was confined to the main thoroughfare leading from the Causeway to Crawley, being at the rate of £50 a mile—a much larger proportion per mile than was given to any country district. In Fremantle again, the amount received out of the public funds for road purposes was £200 a year, which he believed was expended upon a single thoroughfare, about a mile in length. [MR. HIGHAM: Nothing of the kind.] At any rate the proportion per mile must be very considerably in excess of what it was in country districts. In other towns the same—a very large amount of money, proportionately to the extent of road to be kept in repair, was voted out of the public funds for the main streets, because it was considered that they were used by people from the country visiting the towns, as well as by the local inhabitants. Hon. members who favored the proposition now under consideration urged as an argument in its favor, that the principle of local taxation was recognised within the municipalities, and

talked as if the adoption of the principle was compulsory on the part of the rate-payers. But it was nothing of the kind—wherever the principle was in operation, it had been adopted voluntarily. The municipalities had no power to levy a penny of rates except with the consent of the burgesses, and why should a different principle be applied to the country districts? Until the residents in towns adopted the compulsory principle, he thought the proposal to make it obligatory upon the country residents to do so came with very bad grace from the former.

MR. S. H. PARKER said the hon. member for the Swan laboured under a misapprehension as to the grant received by the Perth municipal council from the Government, for road purposes, being proportionately greater than the grants made to the Roads Boards, taking all things into consideration. The thoroughfare upon which the vote was spent had more traffic upon it than any other piece of road in the Colony. Nor was that traffic confined to the citizens. The vote was barely sufficient to keep it in passable order, and occasionally had to be supplemented out of the rates, which in Perth amounted to upwards of £1,300 a year, being over five times the amount of the grant from the Government. If the various Roads Boards undertook to provide the same proportion of local taxation, compared with the grant from the Public Treasury, the roads of the Colony would be in a very different condition to what they were in at present. It had always struck him that the reason why the municipalities of Perth and Fremantle received their respective grants from the Government was because of the great number of public buildings in those towns (and especially at Perth), which paid no rates at all. With reference, however, to the clause now before the Committee, he was inclined to think with the hon. member for Swan that it would prove nugatory, unless the principle involved were rendered compulsory,—and he was not prepared to go so far as that. It was clear that if the Roads Boards refused to levy any rates, the Government would have to come to the rescue, and what would be gained from this clause then? Take, for instance, the line of road from Perth to Albany,

which was traversed every week by the overland mail. It was absolutely necessary that this road should be kept in passable order, but supposing the present clause became law, and some of the District Boards between Perth and Albany—say the Williams Road Board—declined to levy any local rates for road purposes, would the Government be justified in letting the road become impassable? They would never allow that, and if the Local Board did not think fit to impose a local tax, the Government would have to keep the road in repair out of public funds. What was there to be gained by that? He would like very much—he thought it was very desirable—that this principle of local taxation should be urged upon the adoption of these Boards, but he did not think it should be made compulsory, and, unless that were done, it was obvious, as had been shown, that the clause would be nugatory.

MR. S. S. PARKER could not support the clause, nor the proposition which it involved. A great deal had been said about town against country, and country against town; but in the consideration of this matter one very important item of revenue had been overlooked altogether, namely, the land revenue, very little of which, he might say, was contributed by the inhabitants of towns. He thought the country districts were fairly entitled to consideration on account of the revenue derived from this source, which, in effect, might be looked upon as a tax upon landed property. One thing was very certain—if it were not for the country districts, in a Colony like this, the towns would very soon cease to exist. He failed to see upon what ground people in the country should be compelled to tax themselves, while people in the town were allowed to do as they pleased with reference to the imposition of rates. If the principle involved in these clauses were to be carried out in other respects, we should have the residents of seaport towns taxed to keep their jetties and lighthouses in repair, instead of, as at present, having them constructed and repaired out of the general revenue. He failed to see why a different principle should be applied to country roads—what was sauce for the town goose should also be sauce for the country gander.

MR. VENN said the cry had gone forth "town against country," and of "direct" taxation *versus* "indirect" taxation. He thought that was a cry which ought not to be encouraged in that House. With reference to what had fallen from the Commissioner of Crown Lands, about the duty of the settlers to relieve the general revenue of the Colony by providing a revenue of their own, and thus encourage the principle of self-government, he thought, that as the country settlers contributed equally with their fellow colonists in town towards the general revenue—every individual in the Colony did so, more or less—there was no reason why country settlers should further burden themselves with local taxation, any more than the town contributors to the revenue. With reference to the proposal to raise a special revenue for the maintenance of minor roads, he failed to see the necessity for it. Seeing that they had only just raised £50,000 by loan for expenditure upon the main roads he thought a considerable proportion of the usual vote made by the Legislature for roads and bridges might very fairly be devoted to the maintenance of the minor roads. It could not be said that the country people had not to contribute their share of taxation to provide for the interest on that loan, and why should they not benefit by it? The amount of taxation that would be raised under the system proposed in the clause now before the Committee would be a very paltry sum indeed, while at the same time it would press very heavily in many districts upon those who had to find the money.

MR. STONE would be sorry if the subject before the Committee went to a division on the question of "town against country." At the same time, he regretted he could not support the clause as it stood, though he would be quite willing to accept the next clause standing in the hon. member's name, as an amendment upon it. But the section now before the Committee was, in his opinion, of too sweeping a character altogether, depriving, as it would, the Road Boards of any assistance whatever from the Public Treasury unless they taxed themselves in the first instance. He would be prepared to go to this extent—to limit the expenditure by the

Boards of the whole of the Government grant upon the maintenance of the main roads in their respective districts, and then leave it optional with them to tax themselves for the up-keep of the minor roads. Direct taxation of any kind was very unpalatable, and any proposition like this, casting upon the country districts the onus of providing funds for maintaining their own roads, would be sure to be distasteful to the settlers. At the same time, he thought the principle was a sound one, and in his opinion the time had arrived when the general revenue ought to be relieved from the claims hitherto made upon it for the up-keep of the minor roads.

MR. CAREY proposed, as an amendment upon the clause, the addition of the following words at the end of it—"to the extent of one-fourth the amount granted from the Public Treasury." This would make the grant to which each district should be entitled to from the Government dependent upon the amount raised by such district by means of local taxation.

MR. CROWTHER was understood to say that this would be the "last straw" that would "break the camel's back," and drive many a good man, who was now hesitating whether he should go or not, out of the Colony. In the district which he represented such a tax would press very heavily indeed upon many a struggling farmer, who had as much as he could do now to keep his head above water. He looked upon such a tax as this, under existing circumstances, and regard being had to the conditions under which it was proposed to levy it, as really an iniquitous tax upon the very class of people who ought to be encouraged, rather than crippled, as would be the case if this clause became law. He complimented the hon. member who had brought it forward upon his ingeniousness in providing that it should not touch the pockets of gentlemen, like himself, residing in the towns.

MR. MARMION said his pockets were already taxed very heavily under the system of local rates levied within the municipalities. He might also say that the pockets of the general body of rate-payers had been touched pretty heavily for the benefit of the district which the hon. gentleman represented. The coun-

try was now saddled with a very considerable tax in the shape of the interest payable upon the money borrowed for the development of one particular industry in one particular district; and if the small tax here proposed, which he did not suppose would average more than £2 a head, was going to ruin the settlers of that district, all he could say was "God help them!" No doubt the district referred to embraced among its residents some of the most hard-working and industrious settlers in the Colony, men who had had a great deal to struggle against; but he hoped the days of adversity for these men were now over, and that brighter prospects were in store for them. He therefore hoped it would not be allowed to go forth to the world that the settlers in the district represented by the hon. member were so poor, so miserably poor, as to be unable to bear the very small tax which would suffice to enable them to keep their roads in repair. It had been said that the tax would not reach the sandalwood carters; it might not do so directly, but as those men were pretty heavy consumers of dutiable articles, it could not be said that they contributed nothing towards the general revenue, out of which it was still proposed to keep up the main roads. As to this being a tax upon industry, as alleged by his hon. colleague (Mr. Higham) he considered that a ridiculous argument, for it would no more tax industry in the country than the municipal rates might be said to tax industry in town, where no sooner did a man become possessed of a piece of land than he had to fence it, and no sooner was it fenced than it was taxed; and if he built upon it, he was further taxed. Was not this what the hon. member would call a tax upon a man's industry? If it was, why should the country settler be exempted from it any more than the town resident? Allusion had been made to absentee proprietors, who were regarded on all hands as fair subjects for taxation; and here was an opportunity afforded for reaching that very class, and making them contribute their share to the maintenance of roads which enhanced the value of their property. A great deal had been said by the opponents of the measure about this being a class tax, but those who regarded it in that light did

not consider that when the general public were called upon to pay rates and taxes towards the construction of railways for the benefit of particular districts, *that* also might be regarded as class taxation. It did seem somewhat selfish, that, while the country settlers were prepared to receive all the House liked to give them in the shape of improved facilities for the transport of their produce, paid out of the general revenue, they were so very "backward in coming forward" to help themselves. He maintained, and he asserted—possibly in a prophetic vein—that if the Colony was ever going to keep pace with the times, if it was ever going to receive the full benefits accruing from railway communication, if it ever hoped to be able to hold up its head among the other Colonies of the same group, that end could only be attained by the adoption of some system of direct taxation. The system of indirect taxation was already overdone, and if the Legislature expected to draw any further sums out of the people's pockets by means of this system, he was afraid the result would be disappointment—until, at any rate, the population of the Colony increased very considerably. As to the distinction drawn between the tax here proposed and the rates levied by the municipalities, and the allegation that the former would be compulsory, whereas the latter was a voluntary impost—it was true that the principle in operation as regards municipal rates was a voluntary principle, whereas on the other hand it was proposed to put a certain amount of pressure upon country residents. But the House should bear in mind that the residents within the municipalities had already practically recognised the necessity for local taxation for the improvement of their streets, whereas the country districts had done nothing of the sort, as regards their roads. Nor were they ever likely to do so—judging from past experience—until it was forced upon them. In one sense, the principle of self-taxation might be said to be to a certain extent compulsory within the municipalities, for the inhabitants were virtually compelled to levy rates upon themselves, otherwise they would not possess passable streets, or public reserves, or decent public buildings. Some hon. members, he understood, were in

favor of the other two clauses standing in his name, who would not support the clause now before the Committee. This appeared to him to be slightly inconsistent. In one breath they said the country people were too poor to adopt a system of local taxation for the up-keep of their roads, and in another breath they argued in favor of the very same principle being forced upon them for the maintenance of their minor roads. Personally, he thought so little of the subsequent clauses, that if the Committee rejected the one now under consideration he would abandon the rest.

MR. BROWN said the hon. member for the Swan had characterised the clause as a nugatory one. He thought it would be worse than nugatory, for it would have this effect—instead of having the work on the roads supervised as at present for nothing, by the Local Boards, the country would have to pay for supervision. They would have to employ somebody to do so, that was very certain; and the expense would have to be defrayed out of the general revenue. He was sorry that so much of the cry of town against country had been imported into the debate upon this measure, for he did not think it was calculated to ensure for the subject that impartial consideration which its importance deserved. If he were desirous of continuing in the same vein, he would remind the residents in towns of the many advantages and conveniences which they possessed over their country cousins,—advantages and conveniences for which the general revenue was chargeable. How many thousands of pounds had been expended in improving the navigation of the river Swan? Was that for the benefit of country settlers? How many thousands of pounds had the Steam Dredge cost, and what was the annual expenditure incurred in working that State vessel,—all of which came out of the general purse. And for whose benefit? Country people had never complained of these charges upon the general revenue, incurred solely for the convenience of city residents; and why should not the same feeling of toleration be extended by the town towards the country?

MR. BURT looked upon the clause before the Committee as a measure

intended to bring into practical operation a principle which had prompted the framers of the District Roads Act to bring forward that enactment—but a principle which up to the present time had remained inoperative. Wherever a similar Act had been introduced, the same principle of local taxation was in operation; and if this Colony was ever going to move ahead—if we were ever going to get out of the financial morass into which we had floundered,—or, rather into which the Government of the Colony had driven us—there could be no doubt that the settlers would have not only to put their shoulders to the wheel but also their hands in their pockets. He did not mean to say that he agreed with the clause as it now stood, nor would he vote for it; but the principle involved was one which had his support, and which he thought would meet the support of most people who were desirous of seeing the time come when the Colony might safely adopt a still more comprehensive system of self-government.

Question put—That the words proposed by Mr. Carey be added to the clause.

Committee divided.

Ayes	...	...	1
Noes	...	...	16
			—
Majority against	...		15

AYES.	NOES.
Mr. Carey (Teller.)	The Hon. B. T. Golds-
	worthy
	The Hon. G. W. Leake
	Mr. Brown
	Mr. Burges
	Mr. Burt
	Mr. Crowther
	Mr. Grant
	Mr. Hamersley
	Mr. Higham
	Mr. Marmion
	Mr. S. S. Parker
	Mr. Randell
	Mr. Shenton
	Mr. Stone
	Mr. Venn
	Mr. Steere (Teller.)

The amendment was therefore negatived, Mr. Carey explaining that he had voted under a misapprehension.

Question—That this clause be added to the Bill, to stand as clause 3—put.

Committee divided.

Ayes	...	...	5
Noes	...	...	12

Majority against ... 7

AYES.	NOES.
The Hon. R. T. Golds-	Mr. Brown
worthy	Mr. Burges
The Hon. G. W. Leake	Mr. Burt
Mr. Carey	Mr. Crowther
Mr. Randall	Mr. Grant
Mr. Marmion (Teller.)	Mr. Hamersley
	Mr. Higham
	Mr. S. S. Parker
	Mr. Shenton
	Mr. Stone
	Mr. Venn
	Mr. Steere (Teller.)

The question was therefore negatived.

The Commissioner of Crown Lands (Hon. M. Fraser) and Mr. S. H. Parker were not in the House when the above divisions took place.

MR. STONE said, as he understood it was not the intention of the hon. member for Fremantle (Mr. Marmion) to proceed with the remaining clauses standing in his name, he (Mr. Stone) would, with the leave of the House, move them himself.

There being no objection raised,

MR. STONE formally moved that the following new clause be added, and stand as clause 3:—"All monies which shall be received after the 1st day of January, 1881, by the Local Board of any district from the Public Treasury shall be carried to the account of a separate fund, to be called the 'Main Road Construction Fund,' and be expended by the Board in and upon the maintenance of main roads, or of some or any bridge or ferry within the district which shall be on such main road, or connect any part of the same with any other part thereof, whether within or without the district." He had not voted for the previous clause because he was strongly opposed, at present, to make it compulsory upon the District Roads Boards to tax themselves. He should be sorry to see that principle imported into our statute books, either as regards Municipalities or Roads Boards. At the same time, he thought the time had arrived when the general revenue of the Colony ought to be relieved from the maintenance of our minor roads. The clause now before the Committee had that object in view, for if

the grants made to the Roads Boards from the Public Treasury were to be expended exclusively upon the main roads, the Boards would find it necessary to have recourse to some other means to keep the minor roads in repair. As a rule, country settlers were more interested in the up-keep of the minor roads than of the main roads, and, if the principle of local taxation was to be introduced at all, he thought it would be more likely to be accepted in connection with the minor roads than with the main roads of the Colony.

MR. STEERE said he did not object to the principle involved in the clause now under consideration, which principle he regarded as a very desirable one. But he thought the object in view might be attained by a resolution of the House, without having recourse to a legislative enactment. It would be in the recollection of some hon. members that that course was adopted when the Council resolved that not more than twenty-five per cent. of the Government grant for roads should be expended upon minor roads, and it appeared to him that the object which they were now aiming at might be sufficiently met, if, when they came to consider the Estimates, they were to pass a resolution to the effect that the whole of the vote for roads purposes should be expended upon the main roads. Such a resolution need only be binding for the next ensuing year, and would be null and void unless renewed each year. He thought that would be a more desirable way of effecting the object in view than to introduce a clause of this nature into the Act.

MR. BURT did not think the Roads Boards would be legally bound by such a resolution.

MR. BROWN thought that, under other circumstances, he should have been inclined to support the present clause; but he thought that it would be very unwise to adopt it in view of the fact that, in reality, there were only two main roads in the whole Colony, within the meaning of the Act,—the requirements of the Act in that respect not having been complied with. Nor could those requirements be fulfilled before next year, and, consequently, it appeared to him it would be extremely injudicious on the part of the Council to limit the

expenditure of the Government grant to the main roads, seeing, as he had already said, there were, properly speaking, only two main roads in the Colony that would be legally entitled to the expenditure being made upon them. The result of adopting this clause would be that they would find themselves in this position—they should have no money expended upon the very roads upon which they wanted it expended.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said he differed from the hon. member for the Swan as to whether it would be better to attain the object in view by a resolution of the House or by legislative enactment. He thought it would be wiser to adopt the latter course. The resolution passed as to the proportion of the grants that should be expended upon minor roads had not the validity and the force of a legislative enactment, and any Board, if it thought fit, might kick against it. He therefore thought, if the principle involved was to be affirmed at all, it should be enacted, and he should be sorry to see the House rising from its labours without definitely settling the point of what proportion of the general revenue devoted to grants for roads purposes should be expended on this or that particular class of roads.

MR. MARMION considered that a mere resolution of the House, although it might be binding upon the Executive, would not be so upon the various Roads Boards.

MR. CAREY said it was a notorious fact that moneys had been expended on minor roads, in contravention of the resolution referred to; but he thought this ought to be stopped for the future.

MR. CROWTHER thought they might as well do away with the Roads Boards altogether, if they were going to deprive them of all discretionary powers as to the expenditure of money on the roads in their respective districts. If the members of these Local Boards were not acquainted with the requirements of the roads under their jurisdiction, and did not know upon what class of roads the money would be most judiciously spent, in the name of common sense how could that House know? How could that House decide what expenditure was desirable or necessary, or what system

was applicable to all the roads of the Colony? Had not every district its special requirements, and every road in the district its special claim? And what on earth were the Roads Boards established for? Were the members of these bodies,—who as a rule were men selected for their possession of a stock of common sense and a knowledge of local requirements—were the members of these Local Boards to be mere dummies, mere wooden machines, whose every action must be controlled by legislative enactment or by red tape? If that House enacted that no portion whatever of the Government grant shall be expended upon the minor roads of the Colony, all he could say was—they would shut up many roads of that class which were more in use now than the main roads. To his mind, the question resolved itself into this—the Government and that House must have faith in the good sense and the integrity of the District Boards, or they had no faith in them. If the latter was the case, the best thing they could do was to take the roads, and the money voted for the roads, out of their hands altogether.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said it was immaterial to that House whether the roads were maintained out of the general revenue or by means of local taxation. If they were to be kept up by contributions from the general revenue, and the grants made for that purpose proved insufficient for the work, then the settlers themselves must either adopt a system of local taxation, or, on the other hand, do without that which they require. Speaking individually as an old colonist, and without reference to the Government, he was inclined to think that the hon. member for Fremantle was right in his proposal that, in certain cases, where a certain class of roads had to be maintained, it would be better if that were done out of funds provided by the residents of the district, rather than that the settlers should apply to that House to aid them on every possible occasion. No one doubted the honesty or the integrity of the Local Roads Boards—that was not the question. What they had to consider was, whether it was not desirable, upon certain grounds, to render it obligatory upon the Boards to take upon themselves a certain responsibility rather

than depend upon that House and the Government to provide for all their wants; in other words whether it would not be wise to foster a spirit of self-reliance among the settlers of the Colony rather than perpetuate a feeling of helpless dependence upon the "powers that be." A mere resolution of the House would have no binding effect upon these Boards.

MR. STEERE said that was true enough. A resolution had not the force of law, but still as these grants for roads were voted by the House every year, it would be very easy to accompany the grant with such conditions as to ensure its expenditure being in accordance with the expressed wish of the Legislature. It would be very easy for the Government to ascertain whether the money had been so expended or not—especially if the auditors did their duty. And, if it were discovered that the money was not being spent in accordance with the conditions upon which it had been voted by the House, the offending Board might soon be brought to view the matter in a proper light. The reason why he preferred having recourse to a resolution rather than to legislative enactment was this—it might be considered necessary one year to restrict the expenditure of the grant to one particular class of roads whereas another year there might be no necessity for such restriction.

MR. S. S. PARKER said the York Road Board, at any rate, had strictly adhered to the resolution anent limiting the expenditure upon Minor Roads to 25 per cent. of the whole grant; but in the early part of the present year they had received a circular from the Central Road Committee which was in opposition to the terms of the resolution adopted by the House.

MR. CAREY: What check has the Government upon the District Boards in the expenditure of public money?

MR. HIGHAM said they had ample check if they liked to exercise it. The Act provided that the Resident Magistrate of the district should, *ex officio*, be one of the auditors, and all the Government had to do was to see that the Resident Magistrates did their duty.

MR. CAREY: Can the hon. member point to a single instance in which the

Resident Magistrate has acted in the capacity of an auditor?

MR. HIGHAM said that in Fremantle the Resident Magistrate had carefully and strictly performed his duty in that respect, and when auditing the accounts of the Local Board had often required to be furnished with every detail.

MR. STONE said he was unable to accept the suggestion of the hon. member for the Swan as to substituting a resolution of the House in lieu of the clause before the Committee, though he was prepared at the same time to give the hon. member some credit for his ingenuity in making such a suggestion, which—if it were adopted—would have the effect of enabling the District Boards to escape the burden of local taxation altogether.

MR. BURGESS thought if the main roads of the Colony were kept in repair out of the general revenue, they might reasonably ask the settlers to maintain the minor roads in repair,—especially if the Colony was to be further taxed to provide them with railways, and otherwise increasing the facilities of transport.

Question—That this clause be added to the Bill, to stand as clause 3—put.

Committee divided.

Ayes	...	...	10
Noes	...	...	9
Majority for			1

AYES.	NOES.
The Hon. R. T. Goldsworthy	Mr. Brown
The Hon. G. W. Leake	Mr. Crowther
The Hon. M. Fraser	Mr. Grant
Mr. Burgess	Mr. Hamersley
Mr. Burt	Mr. Higham
Mr. Carey	Mr. S. S. Parker
Mr. Marmion	Mr. Shenton
Mr. S. H. Parker	Mr. Venn
Mr. Randell	Mr. Steere (Teller.)
Mr. Stone (Teller.)	

The clause was therefore ordered to stand part of the Bill.

MR. STONE then moved, That the following new clause be added, and stand as clause 4:—"The Local Board of every district shall, and they are hereby required, with and out of the amounts received from time to time from rates and tolls, or either of such sources, to repair and to maintain and keep in good repair all minor roads within their district, and all bridges and ferries thereupon, or connecting

"any parts of the same with other parts thereof within the district." The clause, it would be observed, was not obligatory, but merely directory. If the Local Boards chose to levy local rates, they would be required to expend them on the minor roads—that was all. It did not make it obligatory upon the Boards to levy such rates.

MR. S. S. PARKER said it appeared to him, from the wording of the clause, that it would be obligatory. It provided that the Local Board of every district "shall" maintain all their minor roads in repair out of the amounts received from time to time from rates and tolls, which clearly contemplated that such rates and tolls should be levied.

MR. STEERE thought so, too. If the Boards did not expend their funds as was here provided, it would be competent for anybody who chose to do so to apply to the Supreme Court for an injunction against the Board. He looked upon this clause as the most objectionable of the three.

MR. BURT did not think the clause would bear the construction put upon it by the hon. member, Mr. Parker, or the hon. member for the Swan. It did not render it obligatory upon the Boards to levy rates or tolls, but merely provided that, in the event of their doing so, the money so received must be expended in the maintenance of minor roads. The Boards might refuse to levy any local rates, preferring to allow their roads to fall into disrepair; and if they did so, they could not be compelled to impose any local taxation.

MR. MARMION thought the objections to this, as well as the other clauses, existed more in the minds of hon. members than as a matter of fact: they were sentimental rather than real. He failed to see how the Boards could be had up for a breach of trust, such as the hon. member for the Swan had alluded to.

MR. SHENTON could not see what necessity there existed for this clause at all, seeing that the first of the three clauses had been rejected. It appeared to him that it would be altogether inoperative, unless they rendered local taxation compulsory, and that the House had already decided not to do.

MR. S. H. PARKER said he also failed to see the necessity for the clause,

which appeared to him to cast a slur upon the honesty of the Roads Boards. If they could not trust these Boards with the expenditure of money without hampering them with restrictions of this character, they had better do away with the Boards altogether. The previous clause enjoined them to expend all the moneys received from the Public Treasury upon their main roads, and what more did the hon. member want.

MR. CROWTHER said they would certainly require someone first to decide what were main and what were minor roads, for the Local Boards themselves could not do so. Who was to be responsible if they made a mistake—if they spent some of the public grant on a minor road, or some of the local rates on a main road?

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said the Act simply said there shall be two classes of roads, main and minor. As to the difference between a main road and a minor road, it was as marked as the difference between the hon. member himself and—say, Lord Beaconsfield.

MR. STONE said he did not intend to press the clause, which, upon further consideration, did not appear to him to be necessary, under the circumstances.

Motion, by leave, withdrawn.

MR. STEERE then moved a clause providing that the word "track" within the meaning of the forty-third section of the Act, shall mean "a track which has been ordinarily used by wheeled vehicles, carts or carriages."

MR. BURT asked if that would apply to wheelbarrows?

MR. S. H. PARKER: Or to perambulators?

MR. STEERE said he would leave the legal construction of the clause to the lawyers.

The clause was then agreed to, and the Bill reported.

The House adjourned at a quarter to five o'clock, p.m.