

# 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

respects 50 per cent., and in some instances, 100 per cent. higher than some of the other colonies.

Amendment not agreed to.

Question put and passed.

The Bill was read a second time.

In Committee.

Clause 1 agreed to.

Clause 2: Governor to raise £26,000, upon debentures, for completion of railway; the amount borrowed to constitute a charge on the general revenue—

Mr. BURT asked the Government whether it was believed that £26,000 would suffice to complete the railway. It appeared to him that at the next session the House would have to be asked to vote another £26,000, if not more.

Mr. W. BURGESS concurred. £26,000 would never complete the line and put it in working order. He knew something about railways (hear, hear), and he had no hesitation in saying that it would require more than double that sum to render the Geraldton and Northampton line of any use to the colony.

Mr. PADBURY was of the same opinion.

The SURVEYOR GENERAL (Hon. M. Fraser) said there was no reason to doubt the reliability of the figures in the select committee's report.

Clause agreed to.

Clause 3: Monies borrowed for this purpose to be raised by the issue of debentures for amounts not less than £100, bearing interest at a rate not exceeding 5 per cent. per annum; redeemable at par at the expiration of twenty-eight years—

Mr. RANDELL asked if it was the intention of the Government to issue the debentures in this colony, or outside the colony.

The ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) replied that he did not think there would be any objection on the part of the Government to attempt to float the loan in the colony.

Clause agreed to.

Clauses 4 to 10 agreed to.

Schedule agreed to.

Title agreed to.

Bill reported, without amendment.

#### PERTH DRAINAGE 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.

#### TRESPASS ACT, 1872, AMENDMENT BILL.

In Committee.

Resumed debate.

Clause 3—

The ATTORNEY GENERAL (Hon. H. H. Hocking) explained that the Bill provides a penalty not exceeding £2 upon any person knowingly or carelessly suffering any horse, sheep, cattle, swine, or goat belonging to him, or in his apparent ownership or charge, to be tethered, or to depasture, feed, or roam about, whether attended by a keeper or not, in any public street or thoroughfare, or to trespass on any land within a townsite, whether such land be enclosed or not or alienated from the Crown or not.

He then moved that after the word "townsite" in the seventh line, the words, "or shall be found trespassing upon any lands within any townsite, whether the same be enclosed or unenclosed, and whether they be alienated from the Crown or not," be inserted.

Amendment agreed to.

Clause, as amended, agreed to.

New clause—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved that the following stand as clause 4:—

From and after the passing of this Act the proprietor or tenant of any town or suburban allotment in any part of the colony of Western Australia or its dependencies shall not be entitled under the said Act to recover any compensation whatever for any damage committed by any live stock trespassing on such allotment unless the portion of such allotment trespassed on shall at the time of trespass be enclosed by a sufficient fence as defined in the said Act.

New clause agreed to.

Preamble—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved that the words and figures, "by repealing section 24 thereof and making other provision in lieu thereof," in the second and third lines be struck out.

Amendment agreed to.

Preamble, as amended, agreed to.

Title agreed to.

Bill reported, with amendments.

# REMISSION OF PENALTIES AMENDMENT BILL.

Recommittal.

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved that the Bill be recommitted for the further consideration of clause 1, and the inclusion of a new clause.

Question put and passed.

In Committee.

Clause 1—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved that the following words be added to the clause:—

In case any such penalty be remitted in whole or in part, the party to whom the same was payable in whole or in part as aforesaid shall be entitled only to such portion or share of the portion of the said penalty as may not have been remitted.

Amendment agreed to.

Clause, as amended, agreed to.

New clause—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved that the following stand as clause 2:—

In all cases in which any fine or penalty is inflicted under any Act or Ordinance by which such fine or penalty is made payable in whole or in part to parties other than the Crown, the Justice or Justices inflicting such fine or penalty shall, in case such fine or penalty be paid, retain the same, and shall not pay over any part thereof to any person entitled thereto, until after the expiration of one calendar month from payment of the same.

New clause agreed to.

Bill again reported, with amendments.

# RAILWAY FROM FREMANTLE TO GUILDFORD.

Select Committee Report.

Mr. MARMION brought up the report of the select committee appointed to consider and report on proposals which had been made to the Government by certain individuals to make a railway from Fremantle to Guildford, being the first section of a line to the eastern districts.

Report received, read, and ordered to be printed.

The Council adjourned at 3.15 p.m.

# LEGISLATIVE COUNCIL,

Friday, 31st December, 1875.

Lamps, Legislative Council—Geraldton Light-house—Assistant Judge, Supreme Court—Railway Supplementary Loan Bill: third reading—Assent to Bills: Message from the Governor, No. 5—Trespass Act, 1872, Amendment Bill: recommittal: in committee—Remission of Penalties Amendment Bill: third reading—Railway from Fremantle to Guildford: select committee report—Explorations: in committee—Standing Orders suspension.

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

# LAMPS, LEGISLATIVE COUNCIL.

The SPEAKER said that constant applications had been made to him for the use of the Legislative Council lamps upon occasions of public banquets and balls, but as he had no authority in the matter the applications had been refused. He said he would be glad of the sense of the House on the subject.

The ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) moved the following resolution:—

That this House is of opinion that the lamps connected with the Council Chamber should not be lent.

Question put and passed.

# GERALDTON LIGHTHOUSE.

Mr. MARMION, in accordance with notice, moved the following resolution—

That this Council approves of the lighting apparatus imported for Geraldton lighthouse and now in store at Fremantle—it being unsuitable for the purpose it was originally intended—being utilised as a light for Arthur's Head, Fremantle, in lieu of the present light, provided the work in connection with the erection of a suitable tower for it can be undertaken by the Convict Department.

Mr. SHENTON seconded the motion, which was agreed to.

# ASSISTANT JUDGE, SUPREME COURT.

Mr. BROWN, pursuant to notice, moved the Council do express its opinion that the time had now arrived when the appointment of an Assistant Judge of the Supreme Court should be made, and that the House trusted that, during the interim between the present session and the next, the subject would receive the consideration of the Government.