

increasing the number of representatives, and he would move that the Bill be read that day six months.

Mr. LOGUE seconded the amendment of the hon. member for Wellington.

Amendment put, "That the Bill be read a second time this day six months," upon which a division was called for, the result being as follows:—

Ayes	11
Noes	6
Majority for	5

Ayes.	Noes.
Mr. Logue	The Hon. M. Fraser
Mr. Shenton	The Hon. R. J. Walcott
Mr. Drummond	Mr. Bussell
Mr. Hassell	Mr. Bickley
Mr. Carey	Mr. Marmon
Mr. Pearse	The Hon. F. P. Barlee
Mr. Newman	(Teller.)
Mr. Carr	
Mr. Monger	
Mr. Brockman	
Mr. Steere (Teller.)	

Amendment thus passed.

The Council adjourned at 4.15 p.m.

LEGISLATIVE COUNCIL,

Wednesday, 14th August, 1872.

Harbor Improvements—Land Regulations: select committee—Courts of Quarter Sessions—Property in Telegraphic Messages Bill: first reading—Volunteer Force: explanation—Case of Thomas Hiden: select committee report—Education Papers Tabled—Extension of Telegraph—Local Road Boards Amendment Bill: motion for second reading—Public Loan Bill: third reading.

The SPEAKER took the Chair at 6 p.m.

PRAYERS.

HARBOR IMPROVEMENTS.

Mr. NEWMAN, in accordance with notice, moved that no expenditure, except for the proposed new jetty, be made on harbor improvements at or in the vicinity of Fremantle, except in connection with the river. And, with leave, to add the words "until such time as a comprehensive plan of harbor improvements be agreed to."

Debate ensued.

Question put and negatived.

LAND REGULATIONS.

Select Committee.

Mr. BROCKMAN, in moving for a select committee to take into consideration the land

regulations, with the view of simplifying, explaining, and amending certain portions of them, said it was not his intention to propose any very serious alterations in the existing land laws, with the general spirit of which he concurred. He, however, considered that some of the regulations were not sufficiently definite, and their meaning not sufficiently obvious. He could not but think that they had not been so well considered as they ought to have been by the committee appointed to frame them last session. He also thought that some want of courtesy had been manifested by the committee in regard of the replies sent to the circular queries of the hon. the Commissioner of Crown Lands. Those queries had been forwarded only to such persons as were supposed to have some practical knowledge of the land question, yet, he had been told, that although a large pile of replies had been received, they were not even looked at by the select committee. There were some portions of the existing regulations which, he thought, were open to very grave objections; notably the clauses relating to tillage leases, upon the owners of which, privileges had been most indiscriminately conferred, without due consideration of what was due to the hard-working man who had cultivated the land. It was well known that a large proportion of these tillage blocks had fallen into the hands of the merchants; in saying which he did not mean to imply that the dealings between that class and that which was termed "cockatoo" farmers were not perfectly fair and legitimate. He did, however, mean to say that the merchants were not the men who ought to have the privileges conferred upon them, which by the regulations were intended to be conferred on the *bona fide* tillage leaseholder, who had occupied and improved his leasehold. The next portion of the existing regulations to which he objected was that referring to lands for special occupation, in regard to which he did not think the terms were sufficiently liberal; and, moreover, they were too much mixed up with the general lands of the colony. These remarks would apply also to those men who have taken up those tillage blocks for securing runs, and water accommodation without the slightest intention of either improving or cultivating them. From what he understood, the Commissioner of Crown Lands had made a great mistake as to the manner in which he had carried out the regulation in reference to this class of land. By declaring such large portions of the colony into lands for special occupation the squatter had been not only inconvenienced but injured, while, on the other hand, the agriculturist had not, in the slightest degree, been benefited.

He considered that it was unwise to give to the licensee under this section of the regulations any other but the very best description of land. It was no good in his opinion, giving land that required artificial means to adapt it for cultivation; on the contrary, the very cream of the land, and such as was situated in such situations as offered the utmost facilities for bringing produce to market, should be declared for special occupation. In doing so we should not interfere more than was actually necessary with the squatter. The existing regulations in regard to mineral lands, also, ought to be liberalized; for, unless we did so, we need never expect capitalists to come and invest in them. There were other slight alterations which, he thought, might beneficially be effected, and he considered the question one of the most important that could occupy the attention of the Council, and one of the most difficult that any colonial Legislature had to deal with in a satisfactory manner. In framing laws and regulations for a colony like our own,—particularly those relating to the land—our law-makers should bear in mind that our lot is cast in a very poor country, and that land regulations that might suit our more favored sister colonies, and Tasmania and New Zealand, would be, by no means, adapted to the requirements of this colony. This was essentially a pastoral country, and, taking it as a whole, a second rate pastoral country, the lands fitted for agriculture bearing a very small proportion to those fit only for grazing purposes; and it would be highly impolitic to do anything that would tend to drive out the squatter, as had been done in Victoria. Here, he had no country to fall back upon, and it was well known that a large portion of the meat supply of Melbourne came from Queensland and New South Wales; but where should we look for a supply should we ever be fortunate enough to have a large population, if the squatter was driven out?

Mr. LOGUE seconded the motion, though as a member of the select committee appointed to frame the existing land regulations he felt bound to deny that the replies to the circular queries issued by the Commissioner of Crown Lands had not received the attention of that committee. With the other portion of the hon. member's observations he generally concurred.

Mr. BICKLEY thought it premature to interfere with the land regulations, which had only been in force for a few months, and had barely had a fair trial. He deprecated this constant tinkering with the land question.

The SURVEYOR GENERAL (Hon. M. Fraser) said he would make no opposition at

all to the hon. member's motion for a select committee; at the same time he thought that the existing regulations, which had only been in force for a period of three months, and which had been very carefully considered in committee, as well as in the House, had not yet been fairly tested, and that it would be very indiscreet to interfere with them.

Mr. DRUMMOND, who was one of the select committee appointed to report on the land regulations, said that the committee had been very painstaking in drawing them up, and that the members had been unanimous in regard to their adaptability. Subsequently, he certainly had learnt that there had arisen some difficulties in regard to the position of agricultural areas in relation to the squatters. He was also of opinion that the mineral land regulations ought to be liberalized.

Mr. STEERE thought it was very undesirable to make continual alterations in laws and regulations. The land question had occupied a very considerable share of the attention of the last Legislative Council, and he certainly thought it was premature yet to make any alterations. The question was attended with great difficulties, and scarcely a session went by in the other colonies but it was the subject of acrimonious debate. He thought that if any alterations at all were called for, it was in regard of the mineral land regulations, but he was of opinion that the Commissioner of Crown Lands could effect these regulations, with the sanction of the Governor, without the intervention of the House. He was not going to oppose the motion, but he would recommend the hon. member to withdraw it.

Mr. BROCKMAN was glad to find that he had been misinformed as to the amount of attention bestowed by the select committee upon the replies; but he certainly did not feel inclined to withdraw his motion, if only for the sake of evoking the opinion of hon. members in regard to it. From his own experience as well as the experience of others with whom he had conversed, he found that some portions of the regulations were very vague and ambiguous, and he thought by referring them to a select committee they might, at any rate, be explained, if not modified and simplified. He did not think the public would be satisfied unless some steps were taken to that end.

The COLONIAL SECRETARY (Hon. F. P. Barlee) intimated that the Commissioner of Crown Lands was preparing a handbook which he intended publishing under the title of "Hints to Selectors," which, doubtless, would explain all the matters in regard to

which the hon. member was desirous of obtaining information. He thought it was very undesirable to re-open the whole question of land regulations until the present system had been fairly tested.

The ATTORNEY GENERAL (Hon. R. J. Walcott) remarked that in regard to the "vagueness" and "ambiguousness" of the regulations, perhaps the vagueness existed in the minds of the readers and not in the regulations themselves. The Secretary of State, at any rate, did not think they were very vague nor very ambiguous, when he expressed an opinion that they were drawn out very clearly, and were creditable to the framer.

The SURVEYOR GENERAL (Hon. M. Fraser) said that pastoral lands had not, as yet, come under the new regulations, nor would they until December next, and he objected to any material alteration, before that time, in lands for special occupation, a modification of which was in contemplation.

Mr. BROCKMAN replied that if such was the case, and after the observations which had fallen from the hon. the Colonial Secretary and the hon. member for Wellington, he was not inclined to press his motion, though he felt satisfied that there existed a very prevalent feeling of dissatisfaction with regard to certain portions of the regulations, and especially to such as related to lands set apart for special occupation.

Motion withdrawn.

COURTS OF QUARTER SESSIONS.

Mr. STEERE moved: That in the opinion of this Council the expenses connected with the administration of justice would be materially diminished by the establishment of Courts of Quarter Sessions in the southern and eastern districts of the colony; and that an humble Address be presented to His Excellency the Governor, requesting him to establish one such court in each of those districts. He was quite sure that all the country members would bear him out in regard to the great expense attendant upon the bringing of witnesses and prisoners from remote districts to Perth, and as he understood that his motion, if affirmed, would not necessitate any fresh legislation—a proclamation by the Governor being all that would be necessary—he thought it would receive the support of the House. Another beneficial result might reasonably be expected from its adoption;—the deterrent influence which the trial of a criminal (and his punishment) in the place where the crime had been committed, would effect.

The COLONIAL SECRETARY (Hon. F. P. Barlee) would not oppose the motion; the only objection to it was the absence of gaols in the districts alluded to. No doubt the proposed change would effect a considerable saving of expenditure.

Mr. DRUMMOND concurred.

Motion agreed to.

PROPERTY IN TELEGRAPHIC MESSAGES BILL.

First Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee), in accordance with notice, moved for leave to bring in a Bill to secure, in certain cases, the right of property in telegraphic messages.

The Bill was read a first time.

VOLUNTEER FORCE.

Explanation.

The SURVEYOR GENERAL (Hon. M. Fraser) explained that he had labored under a mistaken notion when he had stated the other day that, in accordance with the affirmed resolution, the land scrips to volunteers would be available for town allotments. Such was not the case, and, with the permission of the House, he would move that the word "rural" be inserted before the word "land" in the resolution.

Agreed to.

CASE OF THOMAS HIDEN.

Select Committee Report.

Mr. BICKLEY brought up the report of the select committee appointed to draw up the Address to His Excellency the Governor in the matter of Thomas Hiden.

EDUCATION PAPERS TABLED.

The COLONIAL SECRETARY (Hon. F. P. Barlee) laid upon the Table of the House the report of the school inspector on the elementary schools of the colony for the first six months of the present year. Also, the report of the Central Board of Education to His Excellency the Governor; and moved that the same be printed.

Ordered.

EXTENSION OF TELEGRAPH.

The COLONIAL SECRETARY (Hon. F. P. Barlee) with leave, without notice, moved that

the council concurs in the recommendation made to the Government by the directors of the Electro-Magnetic Telegraph Company for the extension of telegraph communications between Perth and Champion Bay, and authorizes His Excellency the Governor to sanction the issue of debentures for such purpose.

The SPEAKER drew attention to the fact that two hours had elapsed since he took the Chair, and, according to the Standing Orders, the Orders of the Day should be proceeded with.

Mr. SHENTON moved that the debate be proceeded with before the Orders of the Day.

Mr. MARMION seconded the motion.

Motion agreed to.

Debate ensued.

Question put and passed.

LOCAL ROAD BOARDS AMENDMENT BILL.

Motion for Second Reading.

Mr. BICKLEY moved that the Bill be now read a second time.

After some debate, Mr. STEERE, as an amendment, moved that the Bill be read that day six months.

Amendment put and passed.

PUBLIC LOAN BILL.

Third Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Bill be now read a third time.

The Bill was read a third time and passed.

The Council adjourned at 8.55 p.m.

LEGISLATIVE COUNCIL,

Friday, 16th August, 1872.

Public House and Sale of Fermented and Spirituous Liquors Bill: select committee report—Correspondence with Central Board of Education—Lighthouse at Busselton: in committee—Harbor Improvements: select committees—Scab-in-Sheep Ordinance Amendment Bill: second reading—Assent to Bills: Message from the Governor, No. 1—Property in Telegraphic Messages Bill: second reading: in committee—Public House and Sale of Fermented and Spirituous Liquors Bill: Standing Orders suspension: select committee report: in committee—Address to His Excellency the Governor.

The SPEAKER took the Chair at 6 p.m.

PRAYERS.

PUBLIC HOUSE AND SALE OF FERMENTED AND SPIRITUOUS LIQUORS BILL

Select Committee Report.

Mr. LOGUE brought up the report of the select committee appointed to consider and report upon the Bill to consolidate and amend the laws relating to public houses and the sale of fermented and spirituous liquors and moved that the same be read.

Question put and passed.

CORRESPONDENCE WITH CENTRAL BOARD OF EDUCATION.

Mr. STEERE moved for a copy of the correspondence between the Central Board of Education and the Rev. M. Gibney, with reference to the use of certain religious books in the assisted schools.

The COLONIAL SECRETARY (Hon. F. P. Barlee) replied that there really had been no correspondence at all between the Rev. M. Gibney and the Central Board of Education relative to the matter referred to; but that a letter had been addressed on the subject by that rev. gentleman to the hon. member Mr. Marmion, who was a member of the board, a copy of which letter, extracted from minutes of a meeting of the Central Board, held May 8th 1872, be then laid on the table.

LIGHTHOUSE AT BUSSELTON.

In Committee.

Mr. CAREY moved that an humble Address be presented to His Excellency the Governor, praying that he will be pleased to place on the Estimates a sum not exceeding £200 for the erection of a lighthouse at Busselton, somewhat similar to that at Bunbury. Although, the sum of £200 was mentioned, he did not anticipate that that amount would be actually required. The lighthouse at Bunbury had only cost £60, but it had been constructed by convict labor, which would not be available for the erection of the Busselton structure. The necessity for such a lighthouse had been a long-felt want, among the masters of coasting craft, and the captains of timber vessels calling at Geographe Bay had also complained of there being no lighthouse for their guidance. He believed the money, if voted, would be money well laid out.