

LOCAL REVENUES IN NORTHERN DISTRICT 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.

RELIGIOUS BODIES (CHURCH OF ENGLAND) BILL.

Second Reading.

The ATTORNEY GENERAL (Hon. H. H. Hocking), in moving the second reading of this Bill, briefly explained its object. The Church of England in this colony having, owing to recent circumstances, become a private body of Christians, representative members of which having, in Synod assembled, unanimously resolved that, consequent upon such change, the temporal affairs of their Church should henceforth be regulated and managed by mutual compact and arrangement among the members thereof, in the same manner as other religious denominations, it was now sought to remove the legislative trammels which fettered their action in this respect.

The Bill was read a second time.

In Committee.

The Bill passed through Committee *sub silentio*.

PEARL SHELL FISHERY REGULATION 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.

MASTERS AND APPRENTICES BILL.

Second Reading.

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved the second reading of a Bill to declare the law relating to masters and servants. In explaining the nature of the Bill the hon. and learned gentleman said it was retrospective in its purview, and provided that all the laws in force in England on the 1st January, 1873, relating to apprentices—except in so far as the same were inapplicable to the circumstances of this colony—should be deemed to have been and to be the law here.

The Bill was read a second time.

In Committee.

Clause 1 agreed to.

Clause 2—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to insert the word "or" before the word "such" in the seventh line.

Amendment agreed to.

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to strike out the word "question" in the seventh line and insert the words "questions, disputes and differences."

Amendment agreed to.

Clause, as amended, agreed to.

Preamble agreed to.

Title agreed to.

Bill reported, with amendments.

The Council adjourned at 8.30 p.m.

LEGISLATIVE COUNCIL,

Tuesday, 22nd July, 1873.

Concessions of Land: select committee report—Cart Licensing Bill: second reading: in committee—Subdivision of Road Districts Bill: second reading: in committee—Title and Dealing with Estates in Land Bill: motion for second reading—Masters and Apprentices Bill: third reading.

The SPEAKER took the Chair at 12 noon.

PRAYERS.

CONCESSIONS OF LAND

Select Committee Report.

The SURVEYOR GENERAL (Hon. M. Fraser) moved that the report be adopted.

Mr. LOGUE moved, as an amendment, that 1,000 acres of land be granted in fee simple to Messrs. Muir, the pioneer settlers of Eucla, and that 500 acres of land in fee simple be granted to Mr. A. Dempster, in recognition of his labors in forming a road to the eastward of Hampton Plains.

After a conversational discussion,

Mr CAREY moved as an amendment upon the amendment of the hon. member for Geraldton that all the words after the word "Eucla" be omitted.

An animated conversation ensued after which,

Amendment on the amendment agreed to.

Amendment, as amended, put, "That 1,000 acres of land be granted in fee simple to Messrs. Muir, as pioneer settlers of Eucla,"

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

Ayes	5
Noes.....	10
—	
Majority against	5

Ayes.	Noes.
The Hon. M. Fraser	The Hon. F. P. Harlee
Mr. Carey	The Hon. H. H. Hocking
Mr. Dempster	Mr. Steere
Mr. Monger	Mr. Hassell
Mr. Logue (Teller.)	Mr. Russell
	Sir Thomas Cockburn-
	Campbell
	Mr. Pearse
	Mr. Padbury
	Mr. Bickley
	Mr. Marmion (Teller.)

Amendment, as amended, thus negatived.

Motion agreed to.

CART LICENSING BILL.

Second Reading.

Mr. STEERE, pursuant to notice, moved the second reading of a Bill to empower district roads boards to supplement the fund placed at their disposal by the Government, for the conservation, improvement and making of roads, by the issuing of licenses for carts and carriages within their respective districts. It was well known that the grant-in-aid was, in many cases, utterly insufficient for the purpose, and the question arose what would be the best means to supplement the grant. Toll-gates had been recommended, but His Excellency was opposed to that mode of raising funds; and it appeared to him that a fair and equitable means to supplement the Government grant for the conservation of roads was to levy a tax on all vehicles using the roads.

The ATTORNEY GENERAL (Hon. H. H. Hocking) pointed out several defects in the details of the Bill, and contended that unless it were made general and compulsory in its application it would be unworkable. It would create endless confusion if one district adopted the system of cart-licensing and another did not do the same. The proposed scale of fees was, likewise, open to grave objections, as it appeared to him that the tax would be anything but fair and equitable in its incidence. The third clause was also objectionable; if the roads boards were desirous of imposing a tax, they ought to provide the machinery for collecting it, and not inflict upon the justices at petty sessions—as provided in the third clause—the duties of receiving applications for licenses and granting the same. There was no desire on the part of the Government to oppose the principle of the Bill; the objections, he took to it, related to its details, which might be amended in Committee.

Mr. PADBURY said he had always been of opinion that country residents should contribute towards the construction and maintenance of roads as well as townspeople. His belief was, that the most equitable means of supplementing the Government grant-in-aid to the roads boards would be the establishment of toll-gates—a system which he had observed was still in operation in the other colonies; but if His Excellency was opposed to that system, and it could not be adopted, it appeared to him that the proposal of the hon. member for Wellington to levy a tax upon the vehicles which used the roads was a fair and legitimate proposition. He was, however, of opinion that the Bill ought to be universal and compulsory in its application.

The SURVEYOR GENERAL (Hon. M. Fraser) objected to the mode in which the fourth clause of the Bill provided for the imposition of the tax, which,—if the section were carried out in its integrity—would be capricious and unjust in its incidence.

Mr. BICKLEY considered that those persons who used the roads mostly were the very people who ought to contribute towards their conservation, and, so far, it appeared that the principle of the Bill was a very just one, and worthy of support. He did not, however, believe that the Bill could ever be carried out in its integrity, unless it were made general and compulsory in its application to all the districts of the colony. Another defect in the Bill was the proposed scale of fees payable for licenses, which appeared to him unfair, and he would prefer seeing one uniform tax upon all descriptions of vehicles of one class, for whatever purpose employed, so long as they made use of the declared roads of the colony.

Mr. DEMPSTER thought a toll tax would be the most equitable.

Mr. MONGER also expressed himself in favor of toll-gates. The proposed tax would bear very heavy upon a hardworking and worthy class of men—the sandalwood-cutters, who were already heavily taxed. According to the Bill, the wealthy man would only have to pay one-half the sandalwood carter's license-fee, for carts conveying his wool; and surely he was in a better position to pay a tax than the sandalwood-cutters.

Sir Thomas COCKBURN-CAMPBELL failed to see how the proposed tax would be so unfair towards sandalwood-cutters in contradiction to other people who employed carts. The carts of sandalwood-cutters destroyed the roads to a greater extent than any other description of vehicle; and while the squatter would require half-a-dozen carts—all of which

would have to be taxed—in the conveyance of his wool, during three or four months of the year only, the sandalwood-cutter, on the other hand, generally employed only one cart, which he used throughout the year. The cry that the proposed tax would be unjust in its incidence—so far as it affected the sandalwood-cutters—appeared to him without foundation.

Mr. CAREY supported the Bill. He could not agree with the arguments in favor of establishing toll-bars; his opinion in regard of toll-gates was in accord with the opinion of the hon. the Attorney General;—the expense of maintaining and working them would swallow up all the proceeds from traffic along the roads.

Mr. MARMION was opposed to the scale of license fees, which, he contended, would bear very unjustly upon a class of men who already contribute a fair quota towards the general revenue of the colony—sandalwood-cutters. He feared there were almost insuperable difficulties in the way of carrying out the provisions of the Bill; and it appeared to him that the fairest way of supplementing the grant-in-aid towards the conservancy and improvement of roads was a valuation rate, which the roads boards were already empowered to levy, under the provisions of the existing Act. If the Bill before the House were made compulsory as to its application, the existing Act, so far as it related to a valuation rate, should also be rendered compulsory and general.

Mr. LOGUE said the objections raised to the Bill were merely as to its details; the general principle appeared to be acceptable to the majority of hon. members. The minor matters of detail might be discussed and agreed upon in Committee.

The COLONIAL SECRETARY (Hon. F. P. Barlee) concurred. The hon. member for Wellington would see that there was no desire on the part of the Government to oppose the Bill; but the hon. member would recognise, from the remarks of the Attorney General, that there were several matters of the detail in the measure which would require rectifying, and this could be best done in Committee. In regard of toll-gates, he assured the House, His Excellency the Governor entertained no unconquerable aversion to those relics of the good old times; but it did appear to His Excellency that not only were there difficulties in the way of carrying out a system of toll-bars in a scattered colony like our own, but that it would be unreasonable and impolitic for us to resuscitate a system here which was dying out everywhere else. No provision was made in any existing Act which would enable the

Government to undertake the establishment of toll-gates; this would have to be done by the roads boards, who would have to provide for the erection of toll-bars and residences for the toll-keepers. The expense which would also be attendant in keeping the toll-gates would be no inconsiderable item; and he doubted whether the traffic receipts would suffice to meet the expenditure in many districts. He concurred with the hon. member Mr. Bickley that the Bill ought to be rendered compulsory in its application, and that a uniform scale of fees be charged on all vehicles of the same description, for whatever purpose employed, so long as they made use of the roads.

After some further observations in reply from Mr. STEERE,

The Bill was read a second time.

In Committee.

Clause 1—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved that clause 1 be struck out in order to render the Bill applicable to, and compulsory upon, all the districts of the colony.

Amendment put, "That clause 1 be struck out," upon which a division was called for, the result being as follows:—

Ayes	10
Noes	5
	—
Majority for	5

	Ayes.	Noes.
The Hon. F. P. Barlee		Mr. Russell
The Hon. M. Fraser		The Speaker
Mr. Pearce		Mr. Marmion
Mr. Bickley		Mr. Monger
Sir Thomas Cockburn-		Mr. Steere (Teller.)
Campbell		
Mr. Padbury		
Mr. Dempster		
Mr. Logue		
Mr. Russell		
The Hon. H. H. Hocking		
(Teller.)		

Amendment thus passed.

Clause 2—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that clause 2 be omitted, and the following inserted in lieu thereof:—

Any person using a cart on any road in the colony for which a cart-license hereinafter named shall not have been paid, shall, upon conviction, forfeit and pay any sum not less than £1, nor more than £10; provided that the provisions of this Act shall not apply to the carts of persons licensed within any municipality.

After a desultory discussion, the amendment was agreed to.

Clause, as amended, agreed to.

Clause 3—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that clause 3, which provided that licenses should be granted by justices in petty sessions, be struck out, and the following section adopted in lieu thereof:—

Licenses shall be issued by such persons and in such places in each district as the Local Road Board in each district shall from time to time decide, in the form given in the schedule hereunto annexed.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 4—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that all words after the word "follows" in the second line be struck out, and the following words inserted, "1.—For every cart drawn on two wheels the sum of ten shillings. 2.—For every cart drawn on four wheels the sum of one pound."

Amendment agreed to.

Mr. STEERE moved that the following words be added to the amended clause:—

Provided, however, that the license fee payable on any cart the wheels whereof shall be five inches, or more, in width, shall not exceed one-half the license fee levied under this section.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 5—

Mr. MARMION moved that the following words be added to the clause:—

Provided that the fact that any person having a cart upon his premises shall be *prima facie* evidence of such cart being used upon the roads of the colony.

Amendment not agreed to.

Clause agreed to.

Clause 6—

The SURVEYOR GENERAL (Hon. M. Fraser) moved to insert the words "body of the" between the words "the" and "cart" in the third line.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 7—

Mr. LOGUE moved that the clause be struck out.

Amendment agreed to.

Clause 8—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that after the word "charge" in the third line the words "his name and address and" be inserted.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 9—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the words "Licensing Magistrate" in the first line be struck out and the words "Roads Board in each district" be inserted.

Amendment agreed to.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the words "or transfers of licenses" be struck out.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 10—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the words "and for transfers of licenses" in the first line, and the words "save and except clerk's fees" be struck out.

Amendment agreed to.

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to strike out all words after the word "be," in the fourth line and insert the following words instead thereof, "dealt with and applied by the local board within whose district such sums had been received or such penalties and forfeitures inflicted for the purposes enumerated in the fifth section of 'the District Roads Act, 1871.'"

Amendment agreed to.

Clause, as amended, agreed to.

Clause 11—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved to insert after the word "vehicle" in the second line the words "with or without springs."

Amendment agreed to.

Clause, as amended, agreed to.

Clause 12—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved to insert at the end of the clause the words "and shall come into operation on and after the first day of January, 1874."

Amendment agreed to.

Clause, as amended, agreed to.

Clause 13 agreed to.

Schedule A—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved to strike out the words "Schedules" in the first line, the letter "A" in the second line, and the word "we" in the fourth line, the word "ours" in the eighth line, and to omit the letter "s" from the word "hands."

Amendments agreed to.

Mr. MARMION moved to insert after the word "cart" the words "of wheels and."

Amendment agreed to.

Schedule, as amended, agreed to.

Schedules B and C not agreed to.

Preamble agreed to.

Title agreed to.

Bill reported, with amendments.

SUBDIVISION OF ROAD DISTRICTS BILL.

Second Reading.

Mr. STEERE moved the second reading of a Bill to provide for the more equitable representation of the various roads districts, by empowering the local boards to sub-divide their respective districts into parishes, the number of which, however, shall not exceed the number of members composing the local board.

The Bill was read a second time.

In Committee.

Clause 1—

Mr. STEERE moved to insert after the word "Board" in the fifth line the words "and at any time after making such order to revoke and annul the same."

Amendment agreed to.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved to strike out the word "their" in the third line and insert the word "such," and to strike out the words "or some part thereof."

Amendments agreed to.

Clause, as amended, agreed to.

Clause 2—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to insert the word "thereof" after the word "copy" in the second line.

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 3 and 4—

Mr. STEERE moved that clauses 3 and 4 be struck out.

Amendment agreed to.

Clause 5—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to strike out all words down to the word "members" and insert the words "after the making of any such order as aforesaid there shall be elected in every parish a number or such number of members to serve in the local board of the district" in lieu thereof.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 6—

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved to strike out all words after the word "the" at the end of the first line and insert the words "holding of elections of a member or members of local boards in those parishes within the boundaries of which no such elections had been previously held."

Amendment agreed to.

Mr. STEERE moved to add the words "Provided however that all elections to be held under an order made by a local board shall take place on some day to be mentioned in such order between the 15th and 31st December in each year inclusive."

Amendment agreed to.

Clause, as amended, agreed to.

New clause—

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved that the following words stand as a new clause, "On the 31st December next after the making of any such order aforesaid all members of the local board making such order shall go out of office."

New clause agreed to.

Progress reported, and leave obtained to sit again.

TITLE TO AND DEALING WITH ESTATES IN LAND BILL.

Motion for Second Reading.

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

On the question being put,

The ATTORNEY GENERAL (Hon. H. H. Hocking) moved to omit the word "now" with a view to inserting at the end of the question "this day six months."

After some debate the Bill was, by leave, withdrawn.

MASTERS AND APPRENTICES 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.

The Council adjourned at 5.30 p.m.

LEGISLATIVE COUNCIL,

Wednesday, 23rd July, 1873.

Lower Canning Bridge: in committee—Leasing of Poison Lands: select committee—Tariffs—Increase of Members in Legislative Council Bill: in committee.

The SPEAKER took the Chair at 6 p.m.

PRAYERS.**LOWER CANNING BRIDGE.****In Committee.**

Mr. PEARSE moved that an humble Address be presented to His Excellency the Governor praying that he will be pleased to place on the Estimates the sum of £100 to enable the Fremantle Road Board to complete the construction of the Lower Canning Bridge.

Debate ensued.

Question put and negatived.

LEASING OF POISON LANDS.**Select Committee.**

Mr. LOGUE, in accordance with notice, moved that a select committee be appointed to inquire into and report upon the manner in which certain poison lands have been leased, with power to call for papers and persons, and the committee to consist of the Surveyor General (Hon. M. Fraser), Mr. Steere, the Attorney General (Hon. H. H. Hocking), Mr. Marmion, and the Mover.

The COLONIAL SECRETARY (Hon. F. P. Barlee) and the SURVEYOR GENERAL (Hon. M. Fraser) provided the House with an explanation of the position, upon which,

The motion was, by leave, withdrawn.

TARIFFS.

Mr. LOGUE, in accordance with notice, and with leave, moved that the motion for an Address to His Excellency the Governor,

praying him to introduce a Bill to amend the existing Tariff Act, was carried in consequence of an hon. member misunderstanding the question, and is not in accordance with the wishes of a majority of the Council, who are of opinion that no alteration should be made in the present tariff, otherwise than by admitting wheat duty free; and further that an humble Address should be presented to His Excellency, conveying this expression of opinion.

Mr. STEERE seconded the motion.

Mr. MARMION intimated that he had no intention of pressing the motion which he had introduced, and which the House had affirmed by a majority of one, inasmuch as he had received a note from an hon. member stating that he had inadvertently voted in favor of the motion when his intention was to oppose it.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said he could not agree to the motion before the House, which affirmed that a majority of the Council were of opinion that, with the exception of placing wheat on the free list, no alteration was desirable in the existing Tariff Act. On the contrary, he believed there was a very strong opinion in the House in favor of a further and more liberal revision of the present tariff. If the hon. member would consent to withdraw his motion, he would pledge himself on the part of the Government that no action would be taken in the resolution affirmed by the House in regard of the Tariff Act.

Mr. LOGUE declined to withdraw his motion.

Question put, "That the motion be agreed to," upon which a division was called for, the result being as follows:—

Ayes 7
Noes 7

Ayes.	Noes.
Mr. Carey	The Hon. M. Fraser
Mr. Padbury	The Hon. F. P. Barlee
Mr. Hissell	The Hon. H. H. Hocking
Mr. Steere	Sir Thomas Campbell
Mr. Dempster	Cockburn
Mr. Hissell	Mr. Minger
Mr. Logue (Teller.)	Mr. Pearse
	Mr. Marmion (Teller.)

The voting being equal, the SPEAKER gave his casting vote with the Ayes, stating that his reason for so doing was that he considered it very undesirable to be altering the tariff frequently.

This intimation was greeted with loud cheers on the part of the "Ayes."

Question thus passed.