

chore, might have half a dozen local boards, each composed of seven members. Having further pointed out the defects of the Bill, and expressed his conviction that it would be an unworkable and unnecessary piece of legislation, and assured the House that his opposition to the Bill was not factious, he concluded by moving by way of amendment, that the Bill be considered in Committee that day six months.

Mr. BICKLEY, in seconding the amendment, considered the Bill objectionable in every respect, and he conscientiously thought it would be better to let matters remain as they are.

The ATTORNEY GENERAL (Hon. H. H. Hocking) pointed out how dangerous were the powers with which it was sought to invest irresponsible bodies, such as roads boards, in regard of disposing of the property of absentee proprietors—powers which, if exercised, would in all probability lead to interminable litigation.

Mr. STEERE replied that if the Bill was a dangerous one, the existing Municipalities Act was equally fraught with danger, and the sooner it was altered the better. The course pursued by the Government in regard of the Bill confirmed his belief that it was utterly useless for any member on his side of the House to introduce any measure that was not in accord with the policy of the Government. As for the antagonistic spirit which the hon. the Colonial Secretary believed would pervade the deliberations of the local boards in the event of each parish electing its own member, the hon. gentleman seemed to have overlooked the fact that the member so elected need not necessarily be a resident, nor interested in, the parish which had chosen him as its representative on the board. He (Mr. Steere) failed to see how local self-interest among such a constituted board would clash with the common interest of the district, any more than it did among the members of that Representative Council. The Government, however, were so strong in that House at present that it was a futile attempt on the part of any private member to try to force a measure through Committee.

After some further remarks from the COLONIAL SECRETARY (Hon. F. P. Barlee),

Mr. CAREY rose to support the Bill, pointing out the difficulty which distant portions of road districts found in procuring representatives of local influence and knowledge.

Mr. MARMION thought some of the provisions of the Bill were necessary, but he was not prepared to support it in its present

shape. No doubt if the roads boards were empowered to tax the districts for the conservation and improvement of roads, some provision ought to be made to enable them to compel the payment of any rates levied; otherwise the power to impose a tax would be useless.

Mr. PADBURY concurred, and was prepared to support the Bill to that extent.

Amendment put, "that this House will on this day six months dissolve itself into the said Committee," upon which a division was called for, the result being as follows:—

|              |   |
|--------------|---|
| Ayes .....   | 8 |
| Noes .....   | 5 |
| Majority for | 3 |

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

Amendment thus passed.

### CART LICENSING BILL.

Third Reading.

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

The Bill was read a third time and passed.

The Council adjourned at 7.10 p.m.

### LEGISLATIVE COUNCIL, Wednesday, 30th July, 1873.

Law and Parliamentary Library Committee—Estimates: in committee—Scab Act: select committee report—Scab-in-Sheep Ordinance Amendment Bill: motion for first reading: first reading.

The SPEAKER took the Chair at 6 p.m.  
PRAYERS.

### LAW AND PARLIAMENTARY LIBRARY COMMITTEE.

The ATTORNEY GENERAL (Hon. H. H. Hocking), in accordance with notice, moved that the member for Wellington (Mr. Steere) be appointed by the Council to form, together

with the Chief Justice and the Mover, the Law and Parliamentary Library Committee.

Question put and passed.

### ESTIMATES.

In Committee.

Resumed debate.

*Item: His Excellency the Governor.* £264 9s. 2d.

*Item: The Legislative Council.* £400.

*Item: The Colonial Secretary.* £2,791.

*Item: Treasury.* £400.

*Item: Auditor General.* £620.

*Item: Registry Office,* £130.

*Item: Surveyor General,* £5,000.

*Item: Office of Works,* £652 9s.

Items agreed to.

*Item: Customs Department,* £2,012.

Mr. MARMION called attention to the claims of the chief clerk in the customs at Fremantle to increased remuneration, in consideration of his long and valuable services, and suggested that he was justly entitled to promotion to the grade of first-class clerk.

The proposition was favorably received, and the COLONIAL SECRETARY (Hon. F. P. Barlee) intimated that in face of the strong feeling manifested in favor of the officer in question, he would bring his case under the consideration of His Excellency, who would, doubtless, at the end of the year, grant him a gratuity equivalent to what his increase of pay would be were he promoted to the position of a first-class clerk. During the recess the Government would have under consideration the claims of the chief clerk in the Custom House at Fremantle to the grade of first-class clerk.

Item agreed to.

*Item: Postal and Telegraph Department,* £8,582.

Item agreed to.

*Item: Harbor and Light Department,* £3,195.

Mr. BICKLEY remarked that it appeared to him there was little or no necessity for a port pilot at Fremantle, and pointed out that the Harbor Master's boat, instead of being employed during spare time, as it ought to be, in harbor surveys, was laying idle at anchor, and that the Harbor Master himself was occasionally employed on other than the public service. Had he and his crew devoted their

spare time to a survey of the harbor, there would hardly have existed the necessity of employing the Admiralty Surveyor in surveying the Challenger and other passages. He had no hesitation in stating, and he did so without fear or favor, that the duties in connection with this department had been neglected, grossly neglected, and he thought it high time it should be placed on a different footing.

Item agreed to.

*Item: Administration of Justice,* £8,180.

*Item: Medical Establishment,* £4,777 15s.

*Item: Police Department,* £20,475.

*Item: Gaols,* £2,855.

*Item: Rottneat Penal Establishment,* £1,500.

*Item: Government Printing Department,* £892 6s.

*Item: Poor House and Charitable Allowances,* £3,987.

Items agreed to.

*Item: Immigration,* £1,000.

Mr. STEERE moved that consideration of this item be postponed.

Motion agreed to.

*Item: Pensions,* £2,356 3s 4d.

Item agreed to.

*Item: Inspectors of Sheep,* £1,000.

Mr. LOGUE moved that consideration of this item be postponed until the House had considered the Bill to amend the existing Scab-in-Sheep Ordinance.

Motion agreed to.

*Item: Ecclesiastical,* £3,543.

*Item: Education,* £6,165.

*Item: Works and Buildings,* £6,800.

*Item: Roads and Bridges,* £8,150.

*Item: Aborigines,* £1,188.

*Item: Miscellaneous Services,* £16,000.

*Item: Immigration,* £1,000.

Items agreed to.

Progress reported, and leave obtained to sit again.

### SCAB ACT.

Select Committee Report.

Mr. DEMPSTER moved the adoption of the select committee report on the Scab Act.

Sir Thomas COCKBURN-CAMPBELL opposed the adoption of the report, and disagreed with it *in toto*. If the existing Ordinance had proved unsatisfactory in its operation, which he was not prepared to admit, it

was owing to the supineness and indifference of the flockowners themselves, and not to any inherent defects in the Act. In the district where he resided, scab had been entirely eradicated since the present enactment had come into force; and he believed if its provisions were stringently carried out the result would be the same in other districts.

Mr. MONGER concurred. Did he believe that another enactment was required, he would gladly have supported the motion for the adoption of the report, but his opinion was that the proposed scheme would place stockowners in a worse position than ever. If the law at present was not stringent enough in regard of compelling inspectors to perform their duties, let it be made so; and let it not be discretionary, but compulsory, on the part of magistrates to inflict penalties for any infringement of the provisions of the Act.

Mr. STEERE said the report had been prepared by some of the largest flockowners in the colony, who, he contended, were best able to form an opinion of the operations of the existing Ordinance, and they had no hesitation in affirming that it had worked most unsatisfactorily, and would continue to do so until amended. It was quite clear to his mind that an efficient system for the effectual eradication of scab could be carried out without the intervention of paid inspectors, and he cordially supported the motion for the adoption of the report.

After some remarks from Mr. BICKLEY, Mr. MARMION, the SURVEYOR GENERAL (Hon. M. Fraser), and Mr. PEARSE,

Mr. DEMPSTER said that the question before the House did not affect the revenue in any way, nor any particular section of the community except flockowners, who were strongly represented on the committee which had prepared the report. It expressed their firm and unanimous opinion; and he thought that, under the circumstances, the report was entitled to some weight, and a favorable consideration on the part of the House. Nineteenths of the district he represented were in favor of repealing the existing Act, which, it was well known to every flockowner throughout the colony, had been most unsatisfactory in its operation.

Mr. CAREY supported the motion.

Mr. LOGUE said the present Act had been evaded on every side, from the Governor downwards. His Excellency had evaded it by remitting fines upon persons who were found guilty of its provisions; the inspectors had evaded it, being imbued with the belief that if carried strictly into operation it would ruin

every flockowner in the colony; and the flockowners themselves had evaded it for obvious reasons. Under the circumstances, it did appear to him that some remedy was needed, and he was firmly of opinion that the alterations proposed by the select committee who had prepared the report,—a committee consisting of practical men thoroughly acquainted with the operations of the Act—would tend in a great measure to the effectual eradication of scab.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said the action taken by the hon. baronet had saved him from the performance of an invidious task—that of moving that the report before the House be negatived. He also would oppose its adoption, believing, as he did, that the assertions made by the select committee were utterly wrong. On the same ground that he had opposed the mode in which it had been proposed to constitute the select committee to inquire into departmental expenditure, he also objected to the manner in which the members of the select committee appointed to consider the operations of the existing Scab Act had been nominated. It was admitted by hon. members themselves that the committee consisted entirely of flockowners—the very section of the community interested in the matter, and it in no way represented the various shades of opinion entertained on the subject by members on either side of the House. Had the committee been differently constituted he might have been prepared to accord his support to the motion for the adoption of the report; but believing as he did that the statements contained therein were utterly unfounded, was he to be asked to accept the report simply because it had been proposed by some of the largest flockowners in the colony? If there existed any general feeling of dissatisfaction throughout the country with regard to the operations of the present Act, assuredly that feeling of dissatisfaction, if it existed at all, would have been publicly manifested in some way or other. No public meetings had been held, no memorials had been presented, no representations had been made, showing that there was a shadow of foundation for the assertion that the existing Act had been most unsatisfactory in its operations. If the inspectors neglected their duty, there were plenty of ways in which they could be compelled to do their duty; and any representation made to the Government of any dereliction of duty on the part of any public officer would be fully and fairly investigated. If the Act had not operated satisfactorily, the fault rested on the settlers themselves; and if it was the opinion of the House that its provisions should be

more stringently carried out, and that no more fines should be remitted, the Government would not hesitate in giving effect to the wish of the House. Even supposing it was deemed desirable to do away with the services of the paid inspectors, what would be the result? Three of them would become entitled to a pension of £30 a year, and the others would claim gratuities amounting in the aggregate to £227. Having furnished other reasons for opposing the adoption of the report, the hon. gentleman concluded by saying that that distasteful duty would probably have been saved him had the select committee been properly constituted, and including members representing the various shades of opinion prevailing in the House on the question, instead of being solely composed of flockowners—the very persons interested in the matter.

Question put, "That the select committee report be adopted," upon which a division was called for, the result being as follows:—

|                  |   |
|------------------|---|
| Ayes .....       | 7 |
| Noes .....       | 8 |
|                  | — |
| Majority against | 1 |

| Ayes.                        | Noes.                  |
|------------------------------|------------------------|
| Mr. Steere                   | The Hon. H. H. Hocking |
| Mr. Hassell                  | The Hon. M. Fraser     |
| Mr. Dempster                 | Mr. Russell            |
| Mr. Pearce                   | Mr. Bickley            |
| Mr. Carey                    | Sir Thomas Cockburn-   |
| Mr. Padbury                  | Campbell               |
| Mr. Logue ( <i>Teller.</i> ) | Mr. Monger             |
|                              | Mr. Marmion            |
|                              | The Hon. F. P. Barlee  |
|                              | ( <i>Teller.</i> )     |

Question thus negatived.

#### SCAB-IN-SHEEP ORDINANCE AMENDMENT BILL.

Motion for First Reading.

Mr. DEMPSTER, in accordance with notice, moved for leave to introduce a Bill to amend the Scab-in-Sheep Ordinance.

The COLONIAL SECRETARY (Hon. F. P. Barlee) pointed out what, in the face of the division which had just taken place, must be the inevitable fate of the Bill. He, however, would offer no opposition to its introduction, if the hon. members who had charge of it so desired.

Question put and passed.

First Reading.

The Bill was read a first time.

The Council adjourned at 9.20 p.m.

#### LEGISLATIVE COUNCIL,

Thursday, 31st July, 1873.

Appropriation Bill: first reading.—Inspector of Schools and Central Board of Education Reports—Departmental Expenditure: select committee report.—Transfer of Convict Establishment—16th Victoria No. 14, Repeal Bill: first reading.—Private Bills: suspension of Standing Orders—Pensioners' Benevolent Society Bill: first reading.—Tax on Saddle Horses in City of Perth Bill: motion for first reading: point of order—Harbor Improvement Board Report: select committee report—Estimates: in committee: point of order: Speaker's ruling: in committee—Public Works.

The SPEAKER took the Chair at 12 noon.

PRAYERS.

#### APPROPRIATION BILL.

First Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee), with leave, without notice, moved for leave to introduce a Bill to appropriate the sum of £114,421 2s. 6d. out of the general revenue of the colony for the service of the year 1874.

The Bill was read a first time.

#### INSPECTOR OF SCHOOLS AND CENTRAL BOARD OF EDUCATION RE- PORTS.

Mr. CAREY, with leave, without notice, moved that the reports laid upon the Council table be printed.

Question put and passed.

#### DEPARTMENTAL EXPENDITURE.

Select Committee Report.

Mr. LOGUE brought up the report of the Select Committee appointed to inquire into departmental expenditure.

The report was read and ordered to be printed.

#### TRANSFER OF CONVICT ESTABLISH- MENT.

The COLONIAL SECRETARY (Hon. F. P. Barlee), in accordance with notice, moved:—

That in the opinion of this Council the time has arrived when it is expedient to consider whether the transfer of the convict establishment to the colonial Government may not be arranged, on terms alike conducive to the interests of the Imperial Government and of the colony.