a Bill would come under consideration at the present session. The objections so eloquently urged against the measure by the hon. member for Albany, appeared to him to reflect unjustifiably upon the purity and the virtue of the opposite sex, [Sir Thomas Campbell: No, no.] otherwise the argument the hon. baronet made use of would not hold good. Existing domestic relations would not, in the case of any pure-minded sister-in-law, be disturbed in any way by the passing of the Bill. Such a measure was in operation in Scotland, for the English law passed in 1835 was not made to extend to that country; and in every part of the world, except some British colonies settled since the year 1829, such marriages were lawful. With reference to the objection raised to the wording of the preamble, that might be amended in committee, but it in no way affected the principle of the Bill.

The amendment—that the Bill be read that day six months—was then put to the House, and negatived upon a division. [*Vide* "Votes and Proceedings," p. 42.]

Bill read a second time.

INQUIRIES INTO WRECKS ORDINANCE 1864, EXTENSION BILL, 1876.

IN COMMITTEE: RESUMED.

Clauses 4 and 5 agreed to.

Mr. STEERE, in accordance with notice, moved, That the following New Clause stand part of the Bill.—

In any enquiry to be held in pursuance of this Act into any charge of incompetency or misconduct against the master, mate, or engineer of any vessel by whose wrongful act or default the loss or abandonment or a serious damage to any ship or loss of life has been caused, the court hereinbefore mentioned shall appoint one or more person or persons of nautical or engineering skill, as the case may require, to act as assessor or assessors to such court; and such assessor or assessors shall upon the conclusion of the case either signify his or their concurrence in the decision, or if he or they dissent therefrom shall signify such dissent, and the reasons thereof, in writing to such court.

The ATTORNEY GENERAL moved, as an amendment,—

That after the word "this," and before the word "Act," in the first line, the following words be inserted, "or the said recited Act," and after the word "vessel," in the second line, the words "by whose wrongful act or default, the loss or abandonment, or a serious damage to any ship or loss of life has been caused," be struck out; and after the word "shall," and before the word "appoint," in the fourth line, the words "in all cases in which such master, mate, or engineer requires it," be inserted.

Amendment put and passed, and Bill agreed to and reported.

LEGISLATIVE COUNCIL,

Monday, 21st August, 1876.

Imported Stock Bill: recommitted—Pensions Bill: second reading—Municipal Institutions' Act, 1876: second reading.

IMPORTED STOCK BILL.

Mr. STEERE moved, That this Bill be recommitted, in order to provide for the repeal of the Local Ordinance 29th Vict. No. 3, commonly known as the Cattle Disease Act (1865).

The ATTORNEY GENERAL opposed the motion for recommitting the Bill for that purpose. The ordinance in question empowered the Governor-in-Council, when satisfied that disease among cattle existed in any country outside the limits of the Colony, to prohibit the importation of cattle from such country. The other local enactment which invested the Governor with this power—(37 Vict., No. 6,)—had already been repealed in accordance with the provisions of the Bill now proposed to be recommitted, and he would ask the House to pause before it repealed the only existing Ordinance which enabled His Excellency, with the advice of the Executive Council, when satisfied that disease was rife in any particular country, to summarily prohibit the importation of cattle from a country so infected, without having to summon the Legislature on every occasion when the exercise of such a precaution might be deemed expedient or necessary. No one could possibly imagine that the Governor would exercise such a power capriciously, or with a view to check, unnecessarily, the importation of stock into the Colony.

MR. STEERE thought that the principle had been affirmed on the second reading of the Bill which he now proposed to recommit—indeed it was the fundamental principle of the Bill—that the Governor should be divested of the power to prohibit the importation of cattle, and that such power should be vested in the Legislative Council. This Bill would be utterly worthless, in his eyes, unless the Ordinance which it was proposed to repeal, and which authorised the Governor to summarily forbid the introduction of stock, were annulled. If any virulent disease were rife in any country, it would be competent for the Governor to summon the House with a view to empowering him, if the House deemed it expedient, to issue a proclamation prohibiting the introduction of cattle from such infected country.

THE ACTING COLONIAL SECRETARY could not conceive why it should be deemed necessary or wise to divest the Governor of all power to prohibit the importation of stock, under circumstances which must render it evident that such importation would prove injurious and detrimental to the interest of cattle-owners in the Colony. They never knew what moment cattle disease might break out in a country—hon. members were aware that even since the introduction of the Bill now proposed to be recommitted, disease of a virulent character had visited the neighboring colonies, and decimated the sheep—and could it for a moment be deemed wise to revoke the power now vested in the Governor-in-Council to prohibit, by proclamation, the introduction of stock from such country, without having recourse to the necessity of summoning the Legislature specially for that purpose? Surely no hon. member could possibly imagine that the Governor would be averse to the introduction of stock, under wholesome restrictions; why, then, take from him the power now invested in him under the provisions of the Local Ordinance which it was now proposed to repeal?

MR. PADBURY believed they were all driving at the same end. The Bill now before the House was sufficiently stringent to all intents and purposes, and must effectually check the importation of any infected stock into the Colony, without giving the Governor power to prohibit the introduction of cattle, by means of a proclamation, on his own responsibility. Granted that disease might be known to exist in some particular country, any one who proposed introducing stock into the Colony from that country would take good care—regard being had to the penalties provided in the Bill before the House—that the stock so proposed to be imported were taken from herds free from disease. If the importer did not adopt that precaution, and the stock when it arrived in the Colony was found to be infected, the simple result would be that the owner would be served with a notice to destroy the same within forty hours from the time of the receipt of such notice. No importer of stock would be so foolhardy as to introduce cattle from a country where disease was known to prevail, without taking every care that the cattle he was about to import were free from such disease. Indeed it was expressly enacted in the Bill that no stock intended for importation into the Colony should be landed unless accompanied by a certificate from a veterinary surgeon that the stock, when placed on board the vessel conveying them, were in a sound and healthy condition, entirely free from any contagious or infectious disease, or any indications of it. It was further provided that no stock should be landed in the Colony until the same had been examined by an inspector. These appeared to him to be sufficiently precautionary measures, and it did not seem to him to matter much whether the power of prohibiting the introduction of stock was vested in the Council or in the Governor. He did not believe for one moment that the Governor would exercise such a power with any intent to interpose any obstacle in the way of improving our breed of stock by placing unnecessary restrictions in the way of the importation of cattle.

MR. HAMERSLEY saw no reason why the Governor should retain the power of prohibiting the introduction of stock, or of relaxing the enacted regulations relating to the importation of cattle. Every precaution was taken in the Bill which the hon. member for Wellington had brought forward, to prevent the introduction of contagious or infectious disease into the Colony; and he saw no necessity for continuing the power now invested in the Governor to

prohibit the importation of stock, just when he pleased to exercise that power.

The motion that the Bill be recommitted was then put to the House and affirmed.

IN COMMITTEE.

Mr. STEERE moved, That the Ordinance 29 Vict. No. 3, intituled the Cattle Disease Ordinance, 1865, be included in the first section—the repeal clause.

The motion was agreed to.

Mr. SHENTON moved, That in the interpretation clause, the sub-section headed "imported stock," which limited the operation of the Bill to stock arriving from any place beyond the limits of the Australasian colonies, be struck out.

This was agreed to, as were also some other verbal alterations rendered necessary thereby. [*Vide* "Votes and Proceedings," p. 45.]

The CHAIRMAN then left the chair, and reported the Bill with further amendments to the House.

PENSIONS BILL.

SECOND READING.

Mr. STEERE, pursuant to notice, moved the second reading of a Bill to regulate and abolish pensions in certain cases. The hon. gentleman said it would doubtless be in the recollection of many hon. members that a select committee on departmental expenditure, appointed by the House in the year 1873, recommended that no person who entered the civil service of the Colony after that year should be entitled to a pension; and, in pursuance of that recommendation, a notice to that effect was inserted in the *Government Gazette*. The mere insertion of that proclamation, it appeared to him (Mr. Steere), was not sufficient to render the recommendation of the select committee—which was duly affirmed by the House—operative, and for that reason, among others, he had brought forward the present Bill, which enacted that no person entering the civil service after the year before mentioned should be entitled to or receive any pension, superannuation, or other allowance or gratuity upon his dismissal from, or resignation of, any office which he may have held in that service. The second clause of the Bill before the House provided that, in computing the superannuation or compensation allowance to be granted to any civil servant entitled to such superannuation or allowance, such computation should be based on the salary of such officer, exclusive of any emoluments he may have been in receipt of in addition to his annual salary. The remaining clause of the Bill provided that no person enjoying any superannuation allowance in consequence of retiring from office on account of bodily injury or infirmity, shall, upon his entering upon any other office, whether public or otherwise, in the Colony or elsewhere, cease to draw such allowance or compensation, if the salary and emoluments of the office he fills are equal to those of the office formerly held by him in the Colonial service. In case they were not equal, it was then proposed that no more of his superannuation allowance should be paid to him than what, with the salary and emoluments of the office he filled, was equal to his former office. He considered it very unfair that the Colony should be called upon to pay pensions to officers who, on account of bodily infirmity, had left the Colony, but who were elsewhere in the occupation of offices which brought them in a larger salary than that which they were receiving while in the colonial service. This was now being done in two or three cases, and he thought an end should be put to the practice. He would therefore move that the Bill which stood in his name should now be read a second time.

Mr. PADBURY, in seconding the motion, said he failed to see upon what principle a Government official should be entitled to a pension on retiring from the service any more than the employés of private firms.

The ACTING COLONIAL SECRETARY opposed the motion, on the ground that the Bill, if passed, would prove unjust towards the civil servants of the Colony, for he could only regard it as a breach of faith. Moreover, the Bill sapped the very basis upon which the public hoped and expected to find competent servants to discharge the various duties connected with the public service, faithfully and efficiently. Men of that class could not be obtained by reducing salaries to a point of starvation, and by such breaches of faith as were con-

templated in the Bill before the House. If the public of this Colony were content to put up with the services of incapable and untrustworthy servants, then there could be no objection to the principle upon which this measure was framed; but he would ask the House to consider whether that would be a wise or judicious policy to adopt. The salaries here paid to public servants, and especially those occupying the higher and more responsible positions in the service, were small as compared with the emoluments received by public servants in the other colonies, and in every dependency of the British Crown. If hon. members were desirous of destroying the present efficiency of the public service and reducing it to the lowest standard, let them pass the Bill; let them deprive old and faithful servants of the superannuation to which, after years of faithful service, they were entitled. But so long as he had a voice in the matter, he would never lend himself to such a proceeding. Having the best interests of the public service at heart, he would never be a party to the passing of the Bill before the House. He would therefore move, as an amendment, that it be read that day six months.

Mr. CROWTHER believed it politic on the part of every Government to endeavor to maintain the efficiency of the public service, nor was he an advocate of what some people termed a cheese-paring policy, and he certainly was averse to committing a breach of faith with any public servant. But he failed to see how the Bill before the House could be regarded in that light, if our present Government was a reliable Government; for it was only proposed to affirm, by enactment, a principle which had already been promulgated by proclamation, under the hand of a previous Governor, and in pursuance of a previous resolution of that House. There was no breach of faith in that. If it was considered just by the Administration of the day to publish a proclamation, in 1873, announcing that after that date no person entering the civil service of the Colony would be entitled to a pension, assuredly it was not unjust that the Legislature, in 1876, should enact the same regulation. In other departments of life, people had to do the best they could to provide for their old age, and to put something by for a rainy day; and he saw no reason why the servants of the State should not do the same. The Bill would have his support.

The ATTORNEY GENERAL seconded the proposition that it should be read that day six months. It appeared to him that some hon. members were possessed with a perfect craze upon the subject of reducing the salaries of Government officials. With those who wished to be considered advanced statesmen and radical reformers—disinterested patriots burning with a noble zeal for the welfare and advancement of the Colony—no cry was to be found so popular. Personally, he did not care a straw whether the Bill before the House became law or not; it would not affect his interest at all. But he did maintain that the position of Government officials in this Colony was by no means satisfactory. Hon. members were ever ready to propose votes of censure and a want of confidence in those entrusted with the conduct of the public service, but were very reluctant to give them credit for anything good, or to applaud their actions, however worthy of approbation. This sort of treatment was anything but pleasant or encouraging, and would indeed be very disheartening but for the consciousness that it was not merited. The Bill under consideration might in reality be designated a Bill to reduce the salaries of Government officials, by deducting from their pay a sum annually to be set apart to provide for what the hon. member for Greenough called a rainy day. It really appeared to him that the hon. member for Wellington, who had introduced the Bill, and one or two other hon. members in the House, would like to treat Government officers as they would an orange—squeeze it dry, and then throw it away. He (the Attorney General) would like to know what respectable firm, or what respectable household, would turn away, without making some provision for him, an old and faithful servant, who had devoted the best energies of a life to their service; or who would turn adrift, or throw aside as if he were an old shoe, a faithful dependant who had become incapacitated while in their employ, to further earn a livelihood? Was that practice to be upheld in a Colony which aspired to be regarded as a

respectable community? It was indeed a most cheese-paring policy, and one which ought to be reprobated by that House. The Bill further proposed that any emoluments which a civil servant might have been in receipt of, in addition to his annual salary, should not form a factor in computing the amount of superannuation or compensation allowance to be granted to such person. Now, he admitted that horse allowance could not fairly be included in such a compensation, but he failed to see any justice in excluding such an adjunct to a man's salary as a free house or quarters to live in, which surely must be regarded as a substantial addition to one's annual income. Surely such an item should form a factor in the computation of the superannuation allowance to be granted to a civil servant on his quitting the public service. The same again with fees, such as are received by the magistrates of local courts and others. Another clause in the Bill before the House to which he took objection was that providing that, under certain circumstances, no compensation should be granted to an officer retiring from office on account of bodily injury or infirmity. It was proposed that in the case of every person so retiring, his superannuation should cease if he obtained any other employment, public or otherwise, in this Colony or abroad; which amounted to this,—a retired civil servant might enter business, or take to farming pursuits, and thereby considerably augment his income as a pensioner of the State, but if he entered any office and was in receipt of a salary for filling such office, the amount of his supplementary income was to be deducted from his superannuation allowance, or, in certain cases, to supersede that allowance altogether. He failed to see the justice or consistency of such a policy as that, and his vote must go in support of the amendment.

Mr. BURGES thought that there was no desire on the part of the House to deal unfairly or harshly with the public servants, who, he believed, were, as a body, as well paid as could be expected. The salaries they received were ample to enable them to provide for old age and infirmity, if they chose to do so. He failed to see the justice of calling upon the public to provide them with pensions on their retirement, after paying them a liberal salary while they were in harness; if that system were continued, the Colony, in the course of a few years, would have a very serious tax to provide. Let a man be paid well, if he be an efficient servant, so long as he discharge the public duties devolving upon him; and if there was not sufficient work for all hands, let a fewer number be employed, and let their salaries be proportionately increased. That was his idea. Stress had been laid upon the improbability of private firms or individuals allowing an old servant to retire without providing for his immediate wants; but he thought that the two cases were not analagous. With private individuals it was a matter of choice whether they chose to recognise the services of a retired servant, or not; but with the State it was obligatory. The Bill should have his cordial support.

Mr. MARMION said that since he first entered the House he had been a consistent opponent to the cry for reducing the salaries of public servants, and had on more than one occasion voted against proposals to abolish pensions. He was, in a great measure, in accord with what had fallen from the Attorney General, and considered that civil servants, after a life-long devotion to the service of the public, were on their retirement entitled to a superannuation allowance. He considered that a man who had expended all his energies, all his intellect, all his talent in the service of a country or colony, was quite as much entitled to receive the same consideration at the hands of the State, in respect to his services, as was the soldier who in the field of battle fought for the honor and glory of his country. Had the hon. member who introduced the Bill confined its provisions to the second and third clauses, he (Mr. Marmion) would have been inclined to have supported the measure, for he did think that these pensions should be computed upon official salaries only, without any reference to any other emoluments which they might have been enjoying.

The COMMISSIONER OF LANDS said that, looking at the fact that in the course of another two years we should be celebrating the jubilee of the Colony, there was matter for congratulation in the very insignificant amount of our pension list. Few, he opined, would venture to say that those old servants of the

public whose names appeared on that list had not well earned the retiring allowances which they were now in receipt of. He could not conceive a more suicidal policy for a Colony like this, a policy more detrimental and fatal to the interests and well-being of the public service, than this cheese-paring policy of cutting down salaries to a minimum, and abolishing the system of rewarding faithful and life-long services. On referring to the report of the select committee which in 1873 had recommended that no pensions should be granted to persons entering the colonial service after that year, he found that Mr. Barlee, who was a member of the committee, was opposed to the proposal, and, no doubt, he must have regarded the report as so much waste paper.

MR. HAMERSLEY thought that the system of granting pensions was nothing more nor less than a deferred payment system, the result of which would be that we should be saddling our children with payments which we had no right to do,—saddling the Colony with a debt which we were not justified in doing. For that reason he thought that the system of pensions should be abolished altogether. What was the nature of the work which the majority of our civil servants had to perform? What were their hours of labor? About thirty-four hours a week! Let them compare that with the hours a merchant's or storekeeper's assistant had to work; and yet the pay of the latter was not higher, nor in many instances as high, as in the case of the public servant; nor was he, when he retired from the storekeeper's employ, entitled to any superannuation allowance. Why should the servants of the State be placed on a different footing? If they chose to be industrious, instead of devoting their spare time to billiards and dawdling about, they had ample opportunity—regard being had to their short hours—to supplement their incomes, and if they did not like to do so, it was their own fault. The Bill was one which would receive his hearty support.

MR. STEERE expressed his surprise at what had fallen from the hon. the Commissioner of Lands in characterising a resolution of that House, based on the report of a select committee, as a piece of waste paper,—utterly worthless, in fact. He would prove to the hon. gentleman that it was not so worthless as he seemed to imagine, for according to the provisions of the Superannuation Act itself (clause 12), no civil servant had any absolute right to a pension, or to compensation for past services, after that Act came into operation. How, he would ask, could the Bill before the House be regarded as a breach of faith towards any public servant, in the face of the previous resolution, and of the proclamation published by the Governor of the Colony notifying that after that date (August 26th, 1873), no person entering the civil service would be entitled to receive any pension or superannuation allowance? The Bill, the second reading of which he now moved, was retrospective only as far back as that date, so far as it dealt with the abolition of pensions.

The question—"That the Bill be read that day six months"—was then put and negatived on a division. [*Vide* "Votes and Proceedings," p. 46].

Bill read a second time.

THE MUNICIPAL INSTITUTIONS' ACT 1876.

SECOND READING.

THE ATTORNEY GENERAL, in moving the second reading of a Bill to amend the existing Municipal Institutions' Act, explained its principal provisions. The Bill provided for the constitution of municipalities in the various districts of the Colony, and this portion of the Bill was a re-enactment, with some slight modification, of the Bill now in operation. The necessary qualification for ward elections was as follows:—possession or occupation of, as owner or tenant, on the 1st September in any year, and since 1st January next preceding, of any land, house, warehouse or shop, within the limits of any municipality, providing all rates and assessments up to the 30th June in such year had been paid. This was the qualification entitling a person to vote for ward councillors. It was proposed that at the election of a chairman and auditors, and in voting upon the question of any proposed loan, each ratepayer should have a number of votes proportionate to the rateable value of the property occupied by him within the municipality, according to the following

scale: rateable value, £25 and under—one vote; over £25 and not exceeding £50—two votes; exceeding £50 and under £75—three votes; exceeding £75, —four votes. The electoral lists were to be made up every year by the municipal council, on or before the 20th September, but persons omitted from such lists might, within ten days afterwards, claim to have their names inserted. It was further provided that the council of every municipality shall hold an open court for the purpose of revising the voters' list, on some day between the 10th and 20th of October in each year, of the holding of which court six clear days' notice would have to be given by advertisement and otherwise. The next section of the Bill dealt with the qualification and disqualification of councillors. Every person having his name on the electoral list would be qualified for election as a common councilman, provided he was not an uncertificated or undischarged bankrupt, or that he did not hold any office or place of profit in the disposal of the council, or had no interest in any contract under that body. No person, however, would be eligible for election as chairman or auditor who was not qualified to serve on special juries. Each candidate for election—whether as chairman, auditor, or councillor—would be required, according to the provisions of the Bill, to give notice in writing of his intention, at least seven days before the day of election. It was proposed that the polling at elections should commence at one o'clock in the afternoon, and close at five, and every elector desirous of exercising his right to vote would have to sign his name, address—as well as the name of the candidate or candidates for whom he voted—on his voting paper. The day fixed for holding municipal elections was the second Monday in November in each year, and it was proposed that the councillors should enter upon their office on the 1st December, following. Provision was also made in the Bill for their retirement, by rotation, in the following order:—in case the municipality be not divided into wards, or, if so divided and the number of councillors for each ward be divisible by three, one-third of the members would go out of office on the 30th November following the first election; another third on the same date next year, and the remaining third on the 30th November after that. After the first election, it was proposed that in municipalities such as these all councillors should be elected for a term of three years. In cases where the municipality is divided into wards, and the number of councillors for each ward is not divisible by three, it was provided that one-half should go out of office on the 30th November following the election, and the other half on the 30th November next succeeding. In these municipalities it was proposed that after the first election all councillors should be elected for a term of two years, instead of three as in the case of the municipalities previously provided for. It was also proposed that no person shall be eligible as chairman who had held such office for three consecutive years prior to any election. Extended powers, with regard to the abatement of nuisances detrimental to the public health, and also with regard to borrowing money, were also provided in the Bill before the House. It was further proposed to invest municipal councils with the power now possessed by the Governor with respect to the appointment of persons to examine weights and measures; as also with the powers now exercised by Justices of the Peace, in petty session assembled, under the Public Pound Ordinance. With respect to the borrowing powers which it was proposed to grant municipal councils, he might say that the Bill provided that, for the construction of permanent public works or undertakings, every council was empowered to borrow to the extent of ten times the average net ordinary income of the municipality, instead of three times the amount of that income, as at present. Power, however, was given the electors to veto the raising of any such loan. The council of every municipality in order to repay any money lawfully provided, with the consent of the ratepayers, were empowered to levy a special rate not exceeding 1s. 6d. in the pound for that purpose, and also for providing a sinking fund. These were the main provisions of the Bill, the second reading of which he now begged to move.

Mr. SHENTON, in seconding the motion, said the Bill would set at rest a great many questions which constantly cropped up under the present Act, for it

more clearly defined, among other matters, the qualification of electors, the duration of the poll, and the mode of procedure at elections. One of the most important sections of the Bill, however, was that dealing with sanitation, and he had no doubt that if its provisions in this respect were carried out stringently, yet judiciously, the public health would benefit thereby to a great extent. No doubt that to carry out the Bill in its integrity would cause some inconvenience to some persons and be productive of some hardship in individual cases, but this was unavoidable, and the public health must be regarded as of paramount importance. It was evident from the reports of medical officers recently published that unless some steps were taken to provide against the outbreak of disease, the two principal towns of the Colony would, when the evil day came, be in a very helpless position to ward it off. The atmosphere, both of Perth and Fremantle, was undergoing a process of poisoning, by reason of the nuisances injurious to public health which were allowed to accumulate, the municipal councils being powerless to deal with them. He thought it was the duty of the Legislature to invest municipal bodies with full power to abate and remove such nuisances, and this was one of the principal objects of the Bill before the House. He hoped the motion for the second reading would be adopted, with the approbation of every hon. member present.

Motion agreed to *nem. con.*

IN COMMITTEE.

Clauses 1 to 8 agreed to.

Clause 9.—"Qualification of electors, &c.":—

MR. RANDELL asked if these qualifications were intended to apply to females, possessed of property in their own right?

THE ATTORNEY GENERAL said he was not altogether prepared to answer the question at that moment, but that, according to the provisions of the Shortening Ordinance,—unless there was something in the subject or in the context repugnant to the interpretation—every word, in all local Ordinances, importing "masculine" gender and "singular" number, was to be construed as also meaning "feminine" and "plural," respectively. His present impression was that, under the clause now before the committee, females would be entitled to qualify as electors.

MR. RANDELL was glad to hear it, for he believed there were several of the fair sex in the Colony quite as competent to exercise the franchise as any of the sterner sex.

Clause 11.—"Electoral lists, how made up":—

MR. CROWTHER thought, if the Act came into force this year, that the date on or before which alphabetical electoral lists were to be prepared (30th September) was too early for country districts, where the population was scattered.

THE ATTORNEY GENERAL said this might be remedied by the introduction of a clause at a later period of the progress of the Bill.

Clause 15.—"Powers of revising court":—

MR. MARMION considered it objectionable to place such power as was here contemplated—with respect to the administration of an oath—in the hands of a chairman of a municipal council, unless he were also a Justice of the Peace; especially, regard being had to some of the country districts. It would lessen that respect for the sanctity of an oath which ought to attach to it.

THE ATTORNEY GENERAL did not see why the administration of an oath should be confined altogether to Justices of the Peace. Affidavits were sworn before commissioners, and clerks of courts, and he did not see that it was a very dangerous power to give to the chairmen of municipalities.

MR. STEERE said that under the Local Debts Ordinance, the bailiff was permitted to administer an oath, and he thought that the chairman of a municipal council was quite as fit as the bailiff of a local court to be entrusted with that power.

Clause 21.—"Clerk to furnish copy of lists":—

MR. CROWTHER thought that a shilling was too small a charge for furnishing copies of the electoral list, and he would suggest that the fee be five shillings.

Agreed to.

Clause 27.—"Qualification of councillors, chairman, and auditors":—

The ATTORNEY GENERAL moved the omission of the word "liable," in the sixth line. Every hon. member in that House was qualified to serve on special juries, but was not liable to serve.

Mr. CROWTHER asked if this clause would not limit the chairman's age to sixty years, at which age a man was exempt from serving on a jury.

The ATTORNEY GENERAL said, no; he would be in the same position as a legislative councillor.

Mr. RANDELL thought there would be some difficulty in obtaining auditors possessing the qualifications provided for under this clause; nor did he see the necessity for such qualifications in their case. He quite agreed with the principle so far as regarded the chairman, but he thought it would be no easy task to find auditors qualified to act under the provisions of this section, especially in country districts.

Mr. MARMION pointed out that, according to the Jury Act, members of the Legislative Council being exempted from serving on juries would not have their names on the jury list, and, therefore, under the provisions of this clause, would not be eligible for election as chairman of a municipality.

The ATTORNEY GENERAL said he would like more time to look into this matter, and, to that end, he would move that progress be reported, and leave asked to sit again.

Agreed to.

REPORT OF TARIFF COMMISSION.

IN COMMITTEE: RESUMED.

Item: Beer, 9d. per gallon.

The ACTING COLONIAL SECRETARY moved that 1s. be substituted for 9d. If the House agreed to this addition, the proposed increase of 1s. per gallon on spirits would not be pressed.

Mr. SHENTON asked, if this 3d. per gallon be added to the duty on beer, was it the intention of the Government to accept the recommendation of the commission as to reducing the duty on tea from 4d. to 3d. per lb.?

The ACTING COLONIAL SECRETARY replied that the Government had no intention to propose any other alteration in the list.

Motion for substitution of 1s. for 9d. adopted.

Item: Tea, 3d. per lb.

Mr. STEERE thought it was worthy of the consideration of the Government, whether the state of the revenue justified the reduction of a penny per pound in the duty on tea. Although he had been a member of the commission which had prepared the report under consideration, and had agreed to the recommendations embodied therein, still, regard being had to the unfavourable change which had come over the prospects of the Colony, and the probability of a disappointment in the hopes once entertained as to the revenue we should realise, he thought it was a matter deserving of the consideration of the Government, whether it could afford this reduction in the duty on tea—an article which was cheaper here than in almost any other part of the world.

Mr. SHENTON did not think there was any need for retaining a duty of 4d. in the pound when 3d. would serve to meet our financial requirements. The increased duty on beer would make up for the reduction in the duty on tea.

The ATTORNEY GENERAL thought the House would do well to adopt the suggestion of the hon. member for Wellington. It was not improbable that we should have a falling off in the value of our imports next year, and it was, of course, necessary that the revenue should be kept up. He did not think the present duty on tea pressed heavily upon any class of the community; nor was it likely that the price to the consumer would be less even if the duty were reduced from 4d. to 3d.

Mr. SHENTON said that before he had voted in favor of the addition of 3d. per gallon on the duty on beer, he had understood from the Acting Colonial Secretary that it was not the intention of the Government to propose any other modification of the report of the commission; and it was upon that understanding that he had voted for the additional duty on beer. Otherwise, he should not have so voted; and other members would have followed suit.

Mr. PADBURY, individually, did not care whether the duty on tea were 3d. or 4d. Storekeepers, if they wanted to keep out of the insolvency court, must obtain a certain amount of profit on the articles

which they sold; and the result of retaining the present duty, instead of reducing it by a penny per lb., would be that the customer would get as much tea in quantity, but not so good in quality.

MR. BURGES did not think it would be any benefit to the public to reduce the duty on tea from 4d. to 3d. The reduction might benefit the wholesale dealers.

MR. MARMION said it was understood by the members of the commission that this duty should be reduced if the increased duty on spirits were agreed to. Instead of increasing the duty on spirits, the House, at the request of the Government, had substituted an additional 3d. per gallon on beer; and he thought the other recommendations of the commission should, under the circumstances, be adopted. He did not apprehend that we should require any increase of revenue next year; nor, indeed, did he anticipate that the drain upon the revenue would be so great as during the past few years, inasmuch as some of the works the cost of which were now defrayed out of current revenue would be completed. Of course, if they went in for public works and a public loan to carry out those works, an increased revenue would have to be provided; but there did not appear to be any immediate prospect of this taking place.

MR. RANDELL did not think that the increased duty on beer would have the result anticipated. There was a considerable diminution in the quantity of beer imported last year, and this increase of duty would probably still further reduce the quantity imported into the Colony next year: the result would be that the revenue would not be augmented to the extent anticipated. He was not sorry for this, because it was likely to increase the manufacture and consumption of colonial beer. As to the proposed reduction in the duty on tea, he failed to see any necessity for such reduction. It would not, on an average, make a difference of a penny a week to colonial families, whereas, on the other hand, it would diminish the public revenue to the extent of about £1,100.

Motion negatived on a division. [*Vide* "Votes and Proceedings," p. 47.]

LEGISLATIVE COUNCIL,

Tuesday, 22nd August, 1876.

Murray River Bar: Official Survey of—Geraldton and Northampton Railway: expenditure thereon—Carts and Carriages Licensing Bill: in committee—Marriage with Deceased Wife's Sister Bill: in committee—Municipal Institutions' Bill: in committee (resumed).

MURRAY RIVER BAR.

MR. HAMERSLEY moved, That the House request His Excellency to place a sum not exceeding £1000 on the Estimates for an official survey of the Murray River Bar, with a view to its improvement. The hon. member also presented a petition from the settlers of the district in support of his motion.

THE ACTING COLONIAL SECRETARY said that in April last, His Excellency the Governor visited the southern districts of the Colony, and found the settlers of the Murray exceedingly anxious that the river should be improved; and no doubt if the navigation were improved it would be of almost incalculable benefit. His Excellency was most anxious to do all that was within his power to comply with the wishes of the settlers, and he proceeded with a number of the residents to examine the mouth of the river. His Excellency was quite alive to the necessity and the importance of improving the entrance, if it could be done within reasonable means, and, having promised the settlers that he would do so, he was only waiting for the means to enable him to cause it to be examined by some competent person, such as the Government Engineer. As soon as His Excellency had it in his power to have the bar examined and the mouth of the river, and he was in a position to lay before the House a report upon the subject, it was his intention to do so.

MR. HAMERSLEY said he was very glad to hear so, and hoped that when the report was submitted to the Council the necessary sum for carrying out the requisite improvement would be unanimously voted. Under the circumstances, he would therefore prefer withdrawing his motion, and leaving the matter in the hands of the Governor and of the House.

Motion withdrawn.