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.

GERALDTON AND NORTHAMPTON RAILWAY.

Mr. PADBURY, in accordance with notice, moved—That, in the opinion of this Council, the amount expended in salaries for the staff employed in connection with the Geraldton and Northampton Railway is unsatisfactory, and requires that a strict enquiry should be made as to the necessity for such expenditure. The hon. member said there was a feeling outside—and a well-founded one, he thought—that there had been going on for some considerable time a very lavish expenditure, altogether unnecessary and unwarrantable, in connection with the superintendence of the construction of this line of railway. From the list before him he noticed that no less than sixteen persons were employed in superintending the contractor in the construction of a line thirty miles long—a ridiculous and a ruinous staff to maintain, seeing that it involved an expenditure of £6 18s. 1d. a day. Three persons at the outside would surely be a sufficient number for all the work to be done while the line is in the hands of the contractor, who no doubt was as honest a man as the generality of contractors. He repeated, the expenditure that was going on in connection with this line was a scandalous waste of public money, and it was high time it should be checked.

Mr. BURGES seconded the motion before the House. He had himself brought forward a similar resolution a few days previously, and the explanation then afforded by the Acting Colonial Secretary was, to his mind, not altogether satisfactory. The House was informed that the railway was now under the jurisdiction of the Government Engineer, who is at the head of the public works department; but, though he had every confidence in the Government Engineer, it must be borne in mind what sort of supervision he could exercise over a work 150 miles out of his sight. He (Mr. Burges) was convinced there was an extravagant expenditure going on, in connection with superintending the construction of the line, which should not be allowed to continue, and he thought it was the duty of the House to adopt some step to put an end to such extravagance.

The ACTING COLONIAL SECRETARY said he did not rise to oppose any inquiry which the members of that House might think fit to cause to be instituted, either with regard to this particular expenditure or any other. He had endeavoured to explain the other evening that the question of reducing the staff employed by the Government in connection with the railway referred to was already under the consideration of the Government Engineer with the view of reducing and economising, as much as possible, the expenditure going on. That officer was at present engaged in instituting a special inquiry into the matter, and no time would be lost by the Government in giving effect to his recommendations. The House might depend upon that.

Mr. CROWTHER characterised the expenditure incurred in connection with the supervision of the railway in question as the most outrageous expenditure ever incurred in the Colony. Every one of those employed on the Government staff, from the Superintending Engineer, with his £600 a year, down to the office boy with his 3s. a day, were personally known to the hon. member, and in the discharge of their duties came frequently under his observation. As illustrating the reckless and wasteful manner in which the work of supervision was conducted, the hon. member mentioned several incidents that had come under his own eye. The laborers employed by the Superintending Engineer were, in some instances, utterly worthless men who could get no employment at any other work, and, as a rule, were one day engaged in demolishing what they had done another. The system of supervision was not only lax, but positively indefensible,—not to say dishonest. When it was decided that the line should traverse the main street of Geraldton, within the jurisdiction of the municipality, the work of preparing the road for the reception of the rails, instead of being let out for competition, was performed on terms of which no one in the district was cognisant. The municipal council knew nothing about it, and when the Superintending Engineer was questioned upon the point he informed the council that he had not let out the work, that he had had nothing to do with the supervision thereof, nor did he know who had. Now, he (Mr. Crowther) was well aware that it was the Superintending Engineer himself who did let the work, and that it was

he who had the superintendence of it; but he never did superintend it. The work had been badly performed, at an expense that should have ensured its being done thoroughly well. Thousands of pounds had been paid on account of certificates representing work to have been performed, when in fact such work had never been seen by the person granting those certificates. Such a person, the House would agree with him, was utterly unworthy of the position he held. The hon. member repeated that the expenditure incurred in the supervision of the line had been outrageously extravagant, and that thousands of pounds which ought to be now to the credit of the Colony in the public chest, had been wastefully, wantonly, and deliberately thrown away. He sincerely hoped and trusted that such a strict investigation would be instituted by the Government as would effectually put an end once and for all to this unwarrantable and reckless expenditure.

MR. SHENTON said he had received numerous letters from correspondents at Geraldton fully bearing out the comments of the hon. member for Greenough, and confirming the public belief that a very wasteful expenditure of public funds was going on in connection with the line, and he thought the sooner the better some alteration was made.

Motion agreed to.

CARTS AND CARRIAGES LICENSING BILL.

IN COMMITTEE.

Clauses 1 to 5 agreed to.

Clause 6.—"Who to grant licenses."

MR. RANDELL protested against the provisions of this clause, which proposed to do away with one of the most legitimate sources of income which the municipal authorities had at their disposal, namely, the license fees of carts. He failed to see upon what ground the municipal bodies were asked to surrender this source of revenue. Many of the carts now in use within the municipality of Perth never travelled the roads within the jurisdiction of the Roads Board, and yet it was proposed that the Roads Board should derive the revenue arising from the licensing of these carts. The same might be said about other municipalities. As regards Perth and Fremantle he considered such a proposition as this a measure of spoliation, so far as regarded the municipal councils of those towns. He would move that the words "or in any municipalities within its district," in the third line, be struck out.

MR. SHENTON supported the clause as it stood. In framing a Bill of this kind, he thought it was the duty of the Council to act as fairly as possible towards the two bodies concerned, and he thought that what was here proposed to be done was a very fair compromise. He believed there was a large number of carts and whyms in some districts—such as Bunbury—which paid license fees to the municipality but which hardly ever used any of the roads within the borders of the municipality, being always employed on the roads under the supervision of the district Roads Board, who, under the present arrangement, derived no benefit from these carts. He considered the proposal suggested in the clause under review a very fair one, to both parties.

THE ATTORNEY GENERAL said it was impossible to devise any scheme of taxation which would be absolutely just in its incidence, and all that could be hoped for was a fair compromise. As regarded the provisions of the clause under discussion, Perth was no doubt an exceptional case. It must be borne in mind that municipalities had the licensing of carriages, which, as a rule, did not use municipal roads; for one mile of such roads they used ten miles of the roads under the control of the Roads Boards. If the Bill was to be universal in its application, he could not conceive a more equitable arrangement, or a compromise which would operate more fairly, than the proposal contained in the clause under consideration.

MR. GALE had much pleasure in supporting the Bill. Carts in his district which paid a license to the Municipal Council travelled many miles over the roads managed by the Roads Board, and yet the Board got nothing out of them.

MR. PARKER considered the Bill a fair one, in every respect, towards all parts of the Colony. In his own district several persons, after paying a tax in respect of their carts to the Roads Board, had again to pay the Municipal Council, which could hardly be considered

fair. He knew of scores of teams the owners of which had paid for a license for them to the municipality, although they hardly ever used the roads under the supervision of that body. He himself had paid taxes for three drays which never entered within the bounds of the municipality. Under the provisions of the Bill now before the House, municipal bodies would have the benefit arising from the tax upon all spring carts and carriages, which, after all, were the description of vehicles which mostly used municipal roads.

Mr. MARMION said there seemed to be some anomalies in the Bill, especially as regarded Perth and Fremantle, where many carts never went beyond the limit of the municipality and within the jurisdiction of the Roads Board. The clause under consideration was, no doubt, very applicable to the country districts, but its operation in Perth and Fremantle would hardly be so, and he thought if those towns were excluded from the application of this section of the Bill, this might meet the difficulty.

Mr. MONGER said there were many carts, besides spring carts, in York which never went beyond the municipality. The Roads Boards in the Eastern districts received grants to the extent of about £1000 annually; the paltry sum which the municipality of York received was £75.

Mr. STEERE thought a good deal might be said on both sides, and it was only by accepting some such a compromise as this that the matter could be settled. For that reason he would support the Bill.

Mr. RANDELL could hardly conceive a grosser act of injustice than the arrangement contemplated by this clause. A compromise was a most singular term to apply to it, so far as regarded Perth, and perhaps still more so as regarded Fremantle. He certainly must take exception to the clause.

The ATTORNEY GENERAL pointed out that the latter part of the clause, if allowed to stand, would considerably increase the revenue of municipalities, who would be entitled to the fees paid in respect of all carriages and spring carts.

Mr. MARMION asked if any municipality had been consulted in the matter? He thought the arrangement here mediated would create a great uproar in the Perth and Fremantle municipalities, who would have to surrender a large portion of their present revenue.

The ATTORNEY GENERAL said the first part of the clause was the outcome of the deliberations of the committee appointed to assist in framing the new Municipal Act, of which Mr. Shenton and Mr. Lefroy (the respective chairmen of the Perth City Council and of the Fremantle Municipal Council) were members.

The amendment was negatived on a division (*Vide* "Votes and Proceedings," p. 53), and the clause ordered to stand part of the Bill.

Clause 10.—"Penalty for keeping cart or carriage without a license:"

Mr. BURGES called attention to the fact that no provision was here made for carts using bush roads—undefined roads, about stations.

The ATTORNEY GENERAL said if a man resided in the bush, and never brought his cart within civilised bounds, or, in other words, never used a road within the jurisdiction of either Municipality or Roads Board, it was not likely he would be troubled by the tax-gatherer, under this clause.

Mr. PARKER considered the clause explicit enough. Of course if a man used a cart anywhere beyond the limits of the Municipality and of the Roads Boards, neither of these bodies would have any claim upon him.

Mr. BURGES admitted that; but why render a man at all liable to be summoned? Why not save all unpleasantness by setting the matter quite clear?

The ACTING COLONIAL SECRETARY could hardly conceive an instance of a man who owned a cart who did not at some time or other have cause to use it within the jurisdiction of a Municipality or Roads Board. If he did not, then, of course, neither of these bodies would have any claim upon him.

Clause 13.—"No license to be granted to carriers of passengers except under certain conditions:"

Mr. RANDELL thought the provisions of this clause were very severe, as regarded the insertion of the name of the driver of every licensed cart (the property of a common carrier) in the license granted for such cart. A driver might be discharged at a moment's notice, and the conveyance

could not be used until some further arrangement was made. Many other contingencies might arise which would render the operation of this provision very inconvenient.

THE ATTORNEY GENERAL said there was nothing new in the clause that was not in the existing Act, and he was not aware that any inconvenience or difficulty had arisen hitherto.

MR. RANDELL pointed out there were several vehicles kept in Perth which were occasionally let out on hire, the owners of which never had any regular driver. It would be impossible for them to comply with this provision.

THE ATTORNEY GENERAL said it would not apply to such vehicles, but to conveyances regularly plying for hire, and used by persons in their trade as common carriers.

The clause was then agreed to, and the remaining sections having been adopted,

MR. BURGES proposed an additional clause to the following effect: "Every "cart or carriage licensed under this Act "shall carry such lights as hereinafter "mentioned, when travelling between sun-"down and sunrise, on any main road in "the Colony:—carriages to carry a light "on each side, and carts to carry one light "over the front rail. Any person neg-"lecting to comply with this portion of "the Act shall be liable to a penalty not "exceeding 40s." Such a system was in operation in the other colonies, and he considered it a very necessary precaution. It was deemed necessary for ships to carry lights to prevent collision at sea, and he thought the same course should be taken with regard to carts and carriages on land. Many serious accidents would thus be prevented.

THE ATTORNEY GENERAL did not think that such a clause was consonant with the object of the Bill before the House—a bill to regulate the licensing of carts and carriages. No doubt it was a very proper precaution, and the proposition might be discussed on its merits on another occasion.

MR. STEERE opposed the introduction of such a clause into the Bill. Such a provision was not in force in a densely-populated country like England, and there could hardly be any necessity for it in a Colony like this. Generally speaking, the majority of persons accustomed to driving preferred doing so without a light; and he believed that if the proposed clause were adopted the number of accidents would increase rather than diminish.

MR. HAMERSLEY supported the introduction of the new clause. He thought it a very necessary precaution, especially on the roads between Fremantle, Perth, and Guildford.

Motion negatived, on the voices.

MARRIAGE WITH DECEASED WIFE'S SISTER BILL.

IN COMMITTEE.

Clause 1.—"All marriages which shall "have been heretofore, or which shall be "hereafter, duly solemnised within the "Colony between any person and his de-"ceased wife's sister, shall be deemed and "are hereby declared valid, and of full "force and effect, any law or custom to "the contrary notwithstanding."

THE ATTORNEY GENERAL moved, in accordance with notice, that the clause be struck out, and the following inserted in lieu thereof: "No marriage that has "been, or may be contracted, between a "man and the sister of his deceased wife, "shall, within this Colony, be deemed "other than a good and valid marriage "merely by reason of the relationship "between the parties to such marriage." In the original clause no provision was made whereby persons marrying elsewhere should benefit by this Act, if they came to reside in the Colony: it was simply intended to legalise marriages contracted here. He therefore proposed to render such marriages as were here contemplated—no matter where they were solemnised—good and valid within this Colony.

MR. BURT said the original clause was a transcript of the Acts in force in the other colonies. It appeared to him that, in adopting the amended clause, they would be legislating in a matter over which they had no control, and he was afraid we should be countenancing a state of the marriage laws which we would hereafter not like. He did not see the necessity of making the provision which was contemplated in the amendment. If a man contractcd a marriage with his deceased wife's sister, say, in Adelaide, and they came to reside in this Colony,

they would suffer no inconvenience or interference, where such marriages were already recognised as valid.

The ATTORNEY GENERAL maintained that we had a perfect right to legislate as to the effect and validity of any contract within the Colony.

Mr. STEERE said he had asked the hon. member for Geraldton (who had introduced the Bill) before he went away, if he would accept the amendment now under discussion, and he said he would, provided it did not interfere with the principle of the Bill. He (Mr. Steere) was therefore prepared to support the amendment.

Motion agreed to.

MUNICIPAL INSTITUTIONS' BILL.

IN COMMITTEE: RESUMED.

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

The ATTORNEY GENERAL said he had not yet had an opportunity to consider the question whether persons exempted (under the ninth clause of "The Jury Act") from serving on juries would, under the provisions of this section, be disqualified from becoming chairman of a municipality. Of course if such was the case, the clause under consideration of the committee would have to be amended. The matter was one of considerable importance, and, before expressing any further opinion upon it, he should like to have more time to consider the matter.

Mr. MARMION suggested the addition of a proviso, whereby those persons who were exempt from serving on juries—and who therefore could not have their names on the jury list—might be rendered eligible to serve as chairmen of municipalities.

The ATTORNEY GENERAL accepted the suggestion, and moved the addition of the following words to the clause under review:—"Provided that no "person exempted from serving on juries "by reason of anything contained in the "ninth section of the said "Jury Act, "1871," or by reason of his being over "sixty years of age, shall be disqualified "under this section to be such chairman "as aforesaid."

Clause, as amended, agreed to, and progress reported.

LEGISLATIVE COUNCIL,

Wednesday, 23rd August, 1876.

Dog Bill: second reading—Pensions Bill: in committee.

DOG BILL, 1876.

SECOND READING.

Mr. STEERE moved the second reading of a Bill to amend the law relating to dogs, which he regarded as one of the most important bills of the session, although the Attorney General might laugh at it. Looking at the damage done to the settlers not only by native dogs but also by dogs belonging to the natives, in the destruction of sheep and the consequent diminution in the quantity of wool available for export, he thought some very stringent measure was called for to protect sheep-farmers from these pests. From the returns before him of the number of sheep in the Colony, after allowing for the increase of lambs, and deducting the probable number sold to the butcher and otherwise killed for consumption, and allowing also for those which had died from natural causes, he found there were, within the year, no less than about 94,000 sheep unaccounted for—a fact which he attributed mainly to the destruction caused by native dogs and the dogs of natives, which prowled about all over the Colony. One of the principal features of the Bill was the introduction of a system of registration and a provision rendering it obligatory on the owners of all licensed dogs to provide collars for them. This was done in the other colonies, and he thought it might be very advantageously introduced here. It was proposed that the fees paid for registering dogs should be handed over to a district board, to be applied in such manner as the board might deem best, for the destruction of unlicensed dogs, whether native or otherwise. Stringent provisions were made as to the non-registration of dogs, and for other breaches of the Act, but, in his opinion, they were not a bit too severe, and were such as were in force in the neighboring colonies. It was not proposed that the Act, if adopted, should come into operation until January, 1878, so that ample time would be afforded dog-owners to comply with its provisions. He hoped