

ment generally is. There seems to be always some sort of triangular policy pursued by the Government with regard to its lands. If they let the land they reserve to themselves the right to sell it, and when people ask them to sell it they get frightened, and instantly lock it up. The longer side of the triangle is in favor of reserving the land, and not selling it at all. I think it is quite unnecessary for the hon. member to go to the trouble of passing this resolution. The Government will take perfect good care that if any application is made for the purchase of any sugar lands in the district, those sugar lands shall be locked up from sale at once. This is our past experience of the Government land policy, and I do not suppose they are likely to depart from it in this instance.

MR. RANDELL thought hon. members were hardly prepared that evening to deal with the amendment of the hon. member Mr. McRae, and he would move that the debate be adjourned until Wednesday next.

This was agreed to.

BANK HOLIDAYS BILL.

Read a third time and passed.

APPROPRIATION BILL (SUPPLEMENTARY), 1884.

Read a third time and passed.

The House adjourned at half-past nine o'clock, p.m.

LEGISLATIVE COUNCIL,

Monday, 11th August, 1884.

Reserve for Public Cemetery—Land Quarantine Bill: first reading—Bridge over Wilgurnup Brook—Adjourned debate on Message (No. 13): Steam Service to Singapore—Closure of Streets in York Bill: second reading—Wines, Beer, and Spirits Sale Act Amendment Bill—Bills of Exchange Bill: third reading—Adjournment.

THE SPEAKER took the Chair at seven o'clock, p.m.

PRAYERS.

RESERVE FOR PUBLIC CEMETERY FOR PERTH AND FREMANTLE.

MR. RANDELL, in accordance with notice, moved: "That an humble address be presented to His Excellency the Governor, praying that he will be pleased to cause the necessary steps to be taken to reserve a portion of land, about equi-distant from the towns of Perth and Fremantle, and at some convenient and desirable point adjoining the Eastern Railway, for the purpose of a Public Cemetery or Necropolis; to be vested in, and to be under the control of, the Municipalities of Perth and Fremantle." He thought it was unnecessary for him to say any more than a few words in support of this address, for he was inclined to think it would commend itself to all hon. members. He might, however, state that he had been informed, as regards Fremantle, that there was some little difficulty felt there already, or will be in a short time, with reference to interments, in the burying ground in that town, and especially was this difficulty experienced in the case of one denomination. The grounds as originally laid out were very small, and, as regards the Congregational body—which was the denomination he referred to—it was probably owing to the liberality of the heads of that denomination in treating others than those who belonged to their own body, as regards giving them burial room, that they themselves had become straitened as to the available space for interments in their part of the public cemetery. The fact that no charge was made by the Congregational body had no doubt contributed to this state of affairs, and the result had been that already some difficulty and inconvenience was experienced. As to Perth, although there was a large area of ground set apart for public cemeteries, yet in view of the city extending in that direction, and the consequent sanitary considerations that must arise, he thought it would be found undesirable to continue the present practice of burying there for many more years to come. He might also say that a large portion of the inhabitants of the north-west of Perth thought the time had arrived when a public burying ground should be declared at that end of the town, in view of the long distance from the present

cemetery, which, as hon. members were aware, was situated at the extreme eastern end of the city. The western part of Perth was, comparatively speaking, growing rapidly in population, and the inconvenience referred to would be felt more and more every year. Under these circumstances it appeared to him desirable that some steps should be taken to set apart a piece of land, somewhere in the most eligible site that could be found between Perth and Fremantle, for a public cemetery. It should be adjacent, he thought, to the line of railway, which could then be availed of for the conveyance of the remains of the dead to their last resting place. He knew of no other body—at any rate none better—in whom this ground could be vested than the Municipalities of the two towns, who could make the necessary arrangements for the control of the ground. It was not necessary for him now to go into any details as to how this might be done—that was a matter that might well be left to the municipal authorities. But he should like to see a spot selected, if there was one to be found, that may by the expenditure of a sum of money be converted into a pleasant-looking ground,—if he might so speak of a place where their dead were buried. It was well known to hon. members that much care and attention was bestowed upon public cemeteries in other parts of the world, in the way of beautifying them, and laying them out so as to minister to the gratification of those who visited them, and so as to afford a feeling of melancholy satisfaction even to those who had relatives and friends near and dear to them buried there. If it were only the requirements of Perth that had to be provided for, he had a spot in his mind's eye, not very far from the city, and situated on the railway line, which he thought by the expenditure of a not very large sum of money might be tastefully laid out, and would answer the purpose in view very well. But he thought it was desirable it should be nearer Fremantle than the spot which had taken his fancy, and he was quite prepared to leave the selection of the site to those who, in his opinion, were quite competent to make such a selection; and, if the House agreed to this address, he had no doubt that steps would immediately be taken to reserve a site suitable

for the purpose. Whatever change might take place in the public sentiment in large centres of population, in the crowded cities of the old world, with regard to this question of public burial, and the practice of disposing of the remains of the dead,—whatever might be urged in favor of cremation elsewhere, he was quite certain that it would be opposed to public feeling in Western Australia. It could not be urged that there was any necessity in this colony for resorting to cremation as the means of disposing of the remains of our dead, on the ground of there being no land available for burial purposes. We had any quantity of spare land at our disposal here, and an argument which might have weight in the crowded centres of population in a country like England, where every foot of ground was of value, had no weight here, and could in no way be urged in favor of the adoption of what he conceived to be nothing more than a heathen practice, which he trusted he should never see followed in this colony. He hoped the address would commend itself to the good judgment of the House.

MR. SHENTON, in seconding the motion, said he thought the time had arrived when some steps ought to be taken in the direction referred to. He thought he was correct in stating that some years ago this question of the proximity of the public cemeteries in Perth to the town was brought under the attention of Government by the municipal authorities. The present cemeteries were filling up fast, and—speaking now as the Mayor of the city—he thought it would be a great mistake if they were extended in any direction near to the present site. Perth was spreading very fast in that direction, and he thought the proper place for all public burying grounds was well outside the centres of population. If a convenient and suitable spot could be found between Perth and Fremantle for this purpose, perhaps it would be advantageous to have one public cemetery to meet the requirements of the two towns; but, if not, he thought that suitable reserves should be set apart for cemetery purposes convenient to each town, but at a reasonable distance from the centres of population.

The motion was then put and passed.

LAND QUARANTINE (AMENDMENT)
BILL.

THE COLONIAL SECRETARY (Hon. M. Fraser) moved the first reading of a Bill to amend "The Land Quarantine Act, 1878."

Motion agreed to.

Bill read a first time.

BRIDGE OVER WILGARUP BROOK.

MR. VENN, on behalf of Mr. Carey (absent through illness), moved that an humble address be presented to His Excellency the Governor, praying that he will be pleased to place on the Estimates for next year a sum of £50 to be expended by the Blackwood Roads Board for the erection of a bridge over the Wilgarup Brook, in the Warren district. The hon. member said he knew little or nothing about the matter himself, but he had that much confidence in the hon. member for the Vasse—the cause of whose absence they all regretted—that he knew the hon. member would never have asked him to move for any expenditure of this kind which he did not consider was absolutely necessary for the district.

THE HON. J. G. LEE STEERE, in seconding the motion, said the hon. member for the Vasse had shown him a letter received by him from the settlers of the locality in question, which was on the main road between Bunbury and Albany, pointing out the necessity of a bridge at this spot. Although the locality was within the jurisdiction of the Vasse Roads Board it was so isolated and remote from Busselton that it received little or no attention from that board; but the Blackwood Roads Board had dealt with it more liberally, and voted money for expenditure there, and he believed the bridge now asked for was much required.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) opposed the address. The money asked for was a small amount no doubt, but if they allowed this thin end of the wedge to get in, every Road Board in the colony would be only too ready to come asking for assistance towards some bit of road or some bridge or other. A large amount was voted last year for roads and bridges and fairly distributed by the Government among the various boards, and if they were going to supplement that distribu-

tion by additional votes like this, one district would be quite as much entitled to assistance as another.

The address was then put and passed.

SUBSIDY TO SINGAPORE STEAM
SERVICE (MESSAGE No. 13.)

ADJOURNED DEBATE.

The House then went into committee for the further consideration of His Excellency's message (No. 13), forwarding correspondence which had passed between the Government and Messrs. W. D. Moore and Co., and Messrs. Shenton and Co., relating to the London and Singapore steam services.

MR. SHENTON said he had moved that progress be reported, the other day, because the House was of opinion that the resolution moved by the hon. member for the Gascoyne should be amended, and he understood now that an amendment had been prepared, which he thought would meet the wishes of the House.

THE HON. J. G. LEE STEERE said although no doubt it was originally intended that these steamers should call at Fremantle both coming and going, still he thought under the circumstances—looking at the convenience which the service afforded, and the fact that no freight had hitherto offered, in the case of the return trip, to induce them to call—the House might consent to alter the original conditions, and he thought the following amendment would commend itself to hon. members, to be added to the resolution submitted the other day by the hon. member for the Gascoyne: "The Council, however, in view of the value to Western Australia of the services performed by the London line of steamers, would be pleased if the subsidy of £150 to each steamer calling at Fremantle *en route* to the Colonies from London were paid, irrespective of the condition that they should call at Fremantle on their return voyage."

MR. BROWN said he had moved the resolution somewhat hurriedly, simply so that the House might have something before it. The amendment had his cordial support. Of course no subsidy would be paid in respect of the homeward voyage, if the steamer did not call at Fremantle.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said he did not want to do more than point out what the original arrangement was, namely, "a subsidy of £150 per trip each way for steamers sailing direct from London and calling at Fremantle *en route* to and from the Australian colonies, such subsidy to be for not less than four trips per annum each way." He was not quite sure that he understood what was meant to be done now, but it was evident that the original agreement between the Government and the company was for four trips per annum *each way*; and, according to that agreement, unless they had four trips each way no money was due at all in the shape of a subsidy.

THE COLONIAL SECRETARY (Hon. M. Fraser) said the question for the Council now was whether the homeward trip should be insisted upon, and he gathered from the tenor of the debate that the wish of the House was that it should not be insisted upon, but that the subsidy of £150 should be paid in respect of each outward trip. That being the case, of course no money would be payable in respect of any other trip, unless the conditions of the original agreement were adhered to,—in other words, unless the steamer called at Fremantle on her return from the Eastern Colonies. The subsidy, in fact, would only be paid for each call made at Fremantle.

MR. SHENTON said the contractors understood exactly the position in which they were placed. They were bound to send out regularly four steamers in the course of the year, and for each steamer they were to receive £150, which would be £600 for the four trips. If they sent out a dozen steamers they would get no more than £600, and if they only sent two, they would only get £300. What the company wished to understand was that they were not to be deprived of this subsidy, if the steamers did not call at Fremantle on the return voyage.

MR. CROWTHER said that, being the proposer of the original resolution last year, he might be allowed to state what his views were then and what they were now. His impression was that the steamers would have returned this way on their return to England, and that for

that trip they would receive a subsidy of £150, the same as for the outward trip. The traffic, however, did not justify the contractors in carrying out that arrangement, so far as calling here on the return passage went, and the amendment now before the House, as he understood it, contemplated this—that the steamers should receive £150, as agreed upon, for the outward trip, and that should they by any chance be induced to call at Fremantle on the homeward trip from Hobart, they should likewise receive a subsidy of £150 as originally agreed upon; but that the number of trips must not exceed four trips a year each way.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said it seemed to him the whole question resolved itself into this. The promoters of this service made an offer to the Government, and that offer was accepted by the House. The promoters had not yet complied with the terms of their offer, and they now came to the Government, and the Government came to the House, asking to be paid the amount agreed upon, although they on their part were not prepared to perform the service they had agreed to perform. For his own part he had no particular objection to their receiving this subsidy, as now proposed; they might do the colony some good, by sending steamers out here from England direct. But he did not think this subsidy would induce them to do that; it must be the large cargoes they received, in the way of railway plant, and so on. He did not suppose they cared two straws whether they received this paltry £150 or not; they would call here, if they found sufficient inducement in the shape of cargo, whether there was a subsidy or not, and, if they did not find sufficient inducement in the shape of freight, he was sure this subsidy would not entice them to send out a steamer here at all. If it was the Government who had broken their part of the contract, we should have heard a great deal about it; but, because this company had not performed their part of the contract, they came to the Government and to the House, and said in effect: 'It has not suited us to perform our agreement in its entirety, still you may just as well pay us for what we do.' He thought an agreement was an agreement all the world over.

MR. SHENTON said if all the members of the House were as liberal in their views as the Commissioner of Crown Lands, he thought the sooner we changed our form of Government the better, if this was the policy of the Executive. He might inform the hon. gentleman that the steamer that brought the railway iron never received any subsidy at all from the Government—that was the “Kent.” As to this subsidy being no inducement, he was in a position to say that it was an inducement, and that without it the promoters would not have been able to persuade the steamers to call at Fremantle at all. It was a small amount no doubt, but competition nowadays was very keen in the way of freight.

THE HON. J. G. LEE STEERE said that, in order to make the amendment more clear, he would add the words “not exceeding four in the year,” before the words “steamers” and the word “calling,” in the 4th line. [This was done]. He believed that as a matter of fact no contract at all was ever entered into, but certain letters had passed between the Government and the agents, which were looked upon by either party as quite sufficient, without any formal agreement.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said, whether there was a contract or not, an offer had been made and had been accepted, and the Government had treated it as a contract, and they now came to the Council asking if they wished the terms of the contract relaxed. The terms of the contract were perfectly clear, and not capable of misconstruction—to pay a subsidy of £150 per trip each way, such subsidy to be for a term of two years, and for not less than four trips per annum each way. Therefore, it was obvious that until they did “four trips per annum, each way,” the company was not entitled to the subsidy agreed upon, but having done “four trips per annum, each way,” they then become entitled to £150 for each trip. All he wanted to do was to point out that, in point of law, it was clear that until they got to the end of the year, and had sent four steamers, and made four trips each way, the company was not, in law, entitled to anything. But if the Council wished to encourage these steamers, then the Government were

prepared to take the Council's views on the subject.

MR. CROWTHER was glad to find the sentiments of the Attorney General differing from the sentiments of the Commissioner of Crown Lands. He looked upon the latter as decidedly illiberal and retrograde, while, on the other hand, the sentiments of his hon. and learned colleague were more liberal and progressive. The Attorney General, in fact, told them exactly what was wanted. The original intention, as the hon. and learned gentleman pointed out, was to have a whole loaf—four trips there and four trips back; but, finding we could not get the whole loaf, and being guided by past experience that half-a-loaf was better than no bread, we now offered to pay for what we could get, namely, £150 for each steamer that called here, not exceeding four each way in the year. As to the legal construction put upon the matter by the Attorney General—that these people were not entitled to any subsidy at all until they had actually accomplished four trips each way, that would simply be unjust. He was quite sure the promoters of the service, individually and collectively, desired to do all they could do in the matter, and to serve the colony in every way in their power. All they asked for was that they should be met in the same generous spirit by this Government, and he was glad to find that so far as that House was concerned there seemed to be a general wish that this should be done.

The amended resolution was then put and passed.

CLOSING OF STREETS IN YORK BILL.

THE ATTORNEY GENERAL (Hon. A. P. Hensman), in moving the second reading of a bill to make it lawful to close up certain portions of two streets in the town of York—being that portion of Seventh Road and Eighth Road, respectively, extending from Carter Road northward to North Road—said the necessity for the bill arose in this way. A piece of ground, about 120 acres in extent, situated about two miles from the town of York—that was to say from where the houses are—had been used as a racecourse, and lately an application had been made to the Government to

grant a lease of this ground to the local turf club, for a term of ninety-nine years. The Government had agreed to do so, but certain streets, or what were intended to have been streets, had been laid out through a portion of this ground, and, in order to enable the turf club to fence the ground, it was necessary to close up these streets. The Municipal Council, it appeared, were quite willing that this should be done, and the bill now before hon. members made it lawful for the Government to close up these streets.

The motion for the second reading was agreed to without comment.

WINES, BEER, AND SPIRITS SALE ACT,
1880, AMENDMENT BILL.

On the order of the day for going into committee on this bill,

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said he wished to say a few words before the motion for going into committee was agreed to. It would be remembered that when the bill was last before the House, on the second reading, the hon. member for Murray and Williams made a suggestion as to the desirability of amending the clauses of the bill dealing with the compulsory transfer of a license, by giving power to the Magistrate of the district to grant this transfer, pending the usual meeting of the Licensing Bench, so that there might be no delay in granting the new tenant his license. The hon. member had just now put into his hand the amendments which he intended to move, and of course the Government were anxious to consider them most carefully, and they hoped to be able to agree to them. Although he had not had an opportunity of carefully perusing them, he could see that they occurred in the first few clauses of the bill, and therefore it would be impossible to consider them properly that evening. He should also say that he proposed himself to move several additions when the bill went into committee, and he thought it would be desirable, if he was not out of order, that he should shortly mention the substance of these additions, as it would enable hon. members to consider them before going into committee on the bill. In the first place he proposed to ask the

House to pass a clause to the effect that liquor shall not be supplied to young persons apparently under the age of sixteen years, and also that no licensed person shall allow these young people to linger or remain on their licensed premises, except under the guardianship or care of some parent or other person. Suggestions had been made to the Government, coming from most respectable sources, that a great deal of injury was done in some parts of the colony by the practice of early drinking amongst young people; and, without in the least wishing now to argue or bring forward any reasons in support of this view, he merely desired to state that this was one of the new provisions which the Government proposed to introduce. Then there was another suggestion: they proposed to suggest the creation of a fresh kind of license, to be called an hotel license, which would enable a person to open a house where he could supply liquors to his guests, or lodgers staying in the house, but who would not at the same time be obliged to have a drinking bar open to the general public. They proposed to issue this license at a less annual fee than was now payable in respect of a publican's general license. It had been suggested by gentlemen of great experience in these matters that it would be a useful thing to enable a quiet sort of house to be kept up, where persons could go without being exposed to the noise and discomforts arising from an open tap or bar, and also to enable a licensee who kept such a house,—without being obliged, whether he liked it or no, to supply everybody with liquors,—at the same time to be in a position to supply his guests or lodgers. These were the only two additional clauses which the Government proposed to introduce, but of course there were various provisions necessary to enable them to be carried into effect, which he need not now refer to. Under these circumstances he thought it would be no saving of time if they were to go into committee on the bill that evening. It would be desirable they should have an opportunity of considering the amendments of the hon. member for Murray and Williams, and also the suggestions he had himself just thrown out, and he therefore proposed they should go into committee on the bill on Friday.

MR. CROWTHER said, without desiring in any way to offer any objection to the course proposed by the Attorney General, he would simply state that to his mind the House was getting into a very bad practice of putting off the business from day to day. They seemed to have foregone the morning sittings (Tuesdays and Thursdays) altogether, simply, it appeared to him, because hon. gentlemen living in town found it inconvenient to attend these morning sittings, forgetting the loss of time and inconvenience which all this delay entailed upon country members. His experience had been that, for getting through the formal business of the House, for getting rid of matters of dry technical detail, of which the majority of hon. members knew very little and cared less, these morning sittings were by far the best sittings for wiping these matters off the notice paper. He noticed there was nothing on the notice paper for either Tuesday or Thursday, and he thought the Government ought to take into consideration, so far as they could see their way clearly to do so, the desirability of bringing forward their measures as soon as they could, so that the work might be got through, instead of being put off, from one day to another.

THE HON. J. G. LEE STEERE said he sympathised very much with what had fallen from the hon. member for the Greenough, that some regard should be paid to the convenience of country members in these matters,—and that the work should not be postponed from day to day, without there being, in his opinion, any necessity for it. He did not know how much better able hon. members would be to judge of the effect of these amendments on Friday next than they were now. [MR. MARMION: Unless they are printed.] He did not know how they were going to be printed, unless they were first moved, or notice given of them.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said, so far as the fresh clauses or the amendments of the hon. member for the Murray and Williams were concerned, as he had already said they were only placed in his hands that evening, and he thought it was obvious that a member in charge of a bill ought to have some knowledge of the amendments proposed before going into them.

A man must be differently constituted from the ordinary run of humanity if he could at a moment's glance take up a bill, almost every line of which required interpolation, and say "I assent to this" or "I agree with that"—a provision that might remain on the statute book for years, when they knew that the insertion of one wrong word might lead to litigation in the future. Therefore, so far as these amendments of the hon. member for the Murray and Williams were concerned, he was not prepared—nor did he think the House was prepared—to adopt them at once. With regard to his own amendments, he should be very happy to put them on the notice paper that evening, as he had them all ready. With regard to the date of adjournment, he should be quite content to make it Wednesday instead of Friday, if that would please the hon. member for the Swan.

This being agreed to, the order of the day for going into committee on the bill was discharged.

BILLS OF EXCHANGE BILL.

Read a third time and passed.

The House adjourned at half-past eight o'clock, p.m.

LEGISLATIVE COUNCIL,

Wednesday, 13th August, 1884.

Post Office Savings Bank Funds—Vote for Town Hall, Fremantle—Berthing of Steamers at the Port of Fremantle—Reorganisation of Works and Railways Department (Message No. 7)—Masters and Servants Bill: first reading—Newspapers (Registration and Libel) Bill: in committee—Message (No. 18): Progress of Negotiations with Sir Julius Vogel and Mr. Hordern re Land Grant Railway to Eucla—Deeds of Grant Bill: further considered in committee—Kimberley Sugar Lands: adjourned debate—Closure of Streets in York Bill: in committee—Wines, Beer, and Spirits Sale Act, 1880, Amendment Bill: in committee—Adjournment.

THE SPEAKER took the Chair at seven o'clock, p.m.

PRAYERS.