

House had, only a few months ago, approved of the Bill which it was now sought to repeal. He thought it would be very unjust towards merchants and others to go and repeal an Act of Council a few weeks before it came into operation. The Act at any rate ought to have a trial, though he felt certain that, ultimately, it would be repealed. But he did not think it would become the House to do so now.

SIR T. COCKBURN-CAMPBELL, referring to the statement of the hon. member for Geraldton that the House, last session, had been unanimous in its adoption of the Bill, said that he found on reference to *Hansard* that, although there was no division called for, there was a division of opinion as to the desirability of such a measure. As to the Repeal Bill inflicting any hardship upon merchants and importers, he thought that idea was simply ridiculous. Few, if any, had as yet imported the patent safety matches, to any extent, and those who had would be able to dispose of them as they had done heretofore.

MR. PARKER opposed the amendment, in the belief that the patent safety match would prevent a great deal of destruction and loss.

MR. GALE supported the motion for the second reading. He had heard of several instances in which accidents had occurred from the use of the so-called safety matches, which, under certain circumstances, ignited even sooner than the matches in common use.

MR. STEERE said he also would support the motion of the hon. member for Albany. Had he consulted his own feelings he would have preferred that the matter should have been postponed for another session, so as to give the Act passed last year a trial; but, as the Bill had been introduced he would vote in favor of its second reading. There was no doubt that public opinion was opposed to the patent safety match, and he thought it would be unwise and impolitic on the part of the Legislature to pass laws contrary to the general wish of the public.

Question put, "That the words proposed to be struck out stand part of the question," upon which a division

was called for with the following result:—

Ayes	...	...	10
Noes	...	...	8
Majority for			2

AYES.	NOES.
Mr. Gale	Mr. Randell
Mr. Steere	Mr. Crowther
Mr. Marmion	Mr. Burges
Mr. Burt	Mr. Padbury
Mr. Glyde	Mr. Monger
Mr. Pearse	Mr. Parker
Mr. Shenton	Mr. Hardey
The Hon. A. O'G. Lefroy	Mr. Brown (Teller.)
The Hon. H. H. Hocking	
Sir T. C. Campbell	
(Teller.)	

The amendment was therefore negatived, and the Bill was read a second time, and agreed to in committee.

The House adjourned at a quarter past eleven o'clock, p.m.

LEGISLATIVE COUNCIL,

Tuesday, 31st July, 1877.

Unlicensed dogs—Mode of escorting native prisoners—Opening foreign mails and distributing letters on Sunday—Resident Magistrate's quarters at Roebourne.

THE SPEAKER took the chair at noon.

PRAYERS.

DESTRUCTION OF UNLICENSED DOGS.

MR. STEERE said he did not think that the steps taken by the Government to abate the nuisance created by unlicensed dogs, and dogs belonging to aboriginal natives, would prove efficacious. The instructions issued by the Superintendent of Police merely directed constables to warn natives to destroy their unlicensed dogs, otherwise, unless kept out of sight of the police, they would be killed by the authorities. This would merely have the result of natives endeavoring as much as possible to keep

their dogs from being seen by the police, and would in no way tend to abate the nuisance which settlers complained of. It was solely in consequence of a representation made by the Acting Colonial Secretary that strict injunctions would be issued to the police in this matter that he had not again introduced a Bill to remedy the evil complained of. Unless some effectual steps were taken by the Government to abate the nuisance referred to, he would certainly, next session, bring forward a Bill having that object in view. For the present he would content himself by moving the following resolution standing in his name:—

“That the Council, having had under its consideration the letter of the Colonial Secretary to the Superintendent of Police with reference to the abatement of the nuisance of natives’ dogs, and also the circulars issued by the Superintendent of Police on the subject of the destruction of unlicensed dogs, is of opinion that the directions contained in the Colonial Secretary’s letter, and the instructions issued in accordance therewith, would be perfectly futile in attaining the desired purpose, as the mere warning conveyed to a native to get rid of a useless dog would be treated with indifference, and would not be observed; and that an humble address be presented to His Excellency the Governor, requesting him to issue instructions to the various Resident and Police Magistrates, and also to the police throughout the Colony, requiring them strictly to enforce the law in respect to unlicensed dogs, whether belonging to natives or otherwise, and thus to endeavor to lessen the vast injury experienced by the settlers in the destruction of their stock.”

MR. BROWN said he would support the resolution, although he must admit he had lost almost all hope of seeing the law with regard to the destruction of unlicensed dogs enforced. It was an enactment that had never been in favor with the various Governors of the Colony, so far as he could remember, for the past ten years; and the action of successive administrations, from first to last, had always been to set aside the law, and to content themselves with issuing instructions which suited their own particular views and proclivities.

It did seem to him very singular that the Legislature should have to come forward in this way, and press the Government to carry out the laws of the Colony. It ought to be quite sufficient that the laws are in existence, for it was the duty of the Government to see that they were strictly enforced, and not allowed to remain a dead letter.

MR. PADBURY thought the instructions issued to the police would have no effect at all. They might as well tell a native to destroy his offspring as to tell him to do away with his dog: he was as fond of one as the other. He thought, after all, that his own plan of dealing with these pests was the best—he poisoned them, and there was an end of them. But it was not the dogs belonging to natives that were the only source of nuisance; half the dogs owned by white people in the bush were unlicensed. He knew of one man who was possessed of no less than nine kangaroo dogs, not one of which was licensed. He would support the resolution before the House.

MR. CROWTHER thought that if the Government were to offer a reward to the police for the destruction of unlicensed dogs, the nuisance complained of would be soon remedied. To issue such instructions as had been promulgated by the Superintendent of Police would not have the slightest effect in the district which he represented, where there was a greater number than ever of unlicensed dogs. He hoped the Government would see the necessity of giving effect to the resolution submitted by the hon. member for Wellington.

Motion agreed to.

ESCORTING NATIVE PRISONERS.

MR. SHENTON called the attention of the Government to the present mode of escorting native prisoners from one district to another, and commented severely on the dangerous and inhuman practice of fastening natives with a chain to the horse of the policeman escorting them to prison. The hon. gentleman quoted an instance which had recently come under his own personal observation of this barbarous mode of escorting aboriginal prisoners.

THE ACTING COLONIAL SECRETARY (Hon. A. O’Grady Lefroy) said

the Governor had shortly after his arrival in the Colony observed the practice alluded to, and His Excellency had been so exceedingly shocked thereat that he immediately issued a memorandum to the Superintendent of Police directing that in no case whatever, under any circumstance, should the practice of fastening native prisoners to a policeman's horse be resorted to. If the hon. member for Toodyay would mention the name of the constable whom he had observed committing a breach of this order, steps would be at once taken to punish the offending policeman in an exemplary manner.

MR. SHENTON said the man was a stranger to him. He was, however, glad to learn that such instructions had been issued by the Government.

MR. BURGESS said that since his arrival in town for the present session he had observed the barbarous practice alluded to carried out on the Fremantle road.

MR. BROWN said it was a common occurrence in his district.

MR. MONGER instanced a case which had recently occurred at York, where the life of a native prisoner was placed in imminent danger by the running away of the policeman's horse to which the unfortunate wretch was attached. The hon. member had remonstrated with the policeman for employing such a "skit-tish" horse in escorting a native, and the reply received was that he had been instructed by the Sergeant to take it.

OPENING FOREIGN MAILS AT GENERAL POST OFFICE ON SUNDAY.

MR. SHENTON, in pursuance of notice, moved: "That in the opinion of this House, the present system of opening mails, and distributing letters on Sundays, is not at all necessary, and is a great hardship on the officers of the Postal Department; and that an humble address be presented to His Excellency the Governor, asking him to take such steps as he may deem necessary to carry out the wishes of this House." The hon. member said there was no necessity whatever for continuing this practice, as there was plenty of time for answering letters prior to the departure of the out-going mail. It was discreditable to

the Colony to see the officers connected with the Post Office called out of their respective places of worship, during divine service, to go to work assorting the mails. He did not object to the Governor having his despatches delivered, which could be done without any inconvenience, as they came in a separate bag and might be taken over to Government House by the caretaker, who lived on the post office premises.

MR. RANDELL seconded the motion, on the ground of humanity, and the higher ground that we ought to do unto others as we would they should do unto us. He was averse to any work being performed on the Sabbath day, except works of actual necessity and deeds of mercy: the distribution of letters was neither one nor the other. He thought the resolution of the hon. member for Toodyay was one which would recommend itself to the favorable consideration of every member in that House: it would inflict no hardship upon any one, while, on the other hand, it would be a great relief to the officers of the postal department.

MR. BROWN said his opinion was adverse to the adoption of the resolution. He could not at all agree that the present system of distributing letters entailed a hardship upon the officers of the Post Office, although he did think that it was undesirable that foreign mails should be opened and distributed during the hours of divine service. The latter was a matter within the power of the Government to regulate. The hon. member for Perth said he thought that no work other than that of necessity or of mercy should be performed on the Sabbath day. On business grounds, he (Mr. Brown) did not think there was any necessity for the distribution of letters on Sunday, but when they came to consider the question of mercy he thought they should be, if only to relieve the anxiety of people who expected news from friends abroad. As to entailing any hardship upon the officers of the department, he believed nearly all of them were glad to avail themselves of the opportunity of earning extra pay for overtime.

MR. BURT would support the motion before the House, for he did not think that the practice here obtaining with regard to the distribution of foreign

mails on Sunday should be tolerated in any Christian country. He did not think there was any necessity for it at all: if they had to answer their letters on the following day, it would be a different thing, but instead of that they had a full fortnight to reply to their correspondence.

MR. HARDEY certainly thought that in a small Colony like this, the distribution of letters on Sunday could not be a matter of such vital importance. He did not think such a thing as calling public officers from their place of worship to distribute letters took place anywhere else except in this Colony, and there was no excuse for the continuance of such a practice. In England it would never be dreamt of.

MR. BURGESS opposed the resolution. He honored the Sabbath day as much as any man, but he really failed to see the necessity for such a motion as that before the House. The foreign mails only arrived once a month, and he could not see any great hardship in asking the officers of the postal department to issue them on the day they arrived, even although that day should happen to be Sunday—but certainly not during the hours of divine service.

MR. CROWTHER said the motion of the hon. member for Toodyay would have his support. As to any hardship which it would entail upon the public in waiting a few hours for their letters, that was all nonsense. If the mail cart happened to break down on the road, or the mail steamer were delayed beyond her appointed time, the non-delivery of letters would not be felt at all. As to the importance of the news conveyed by the mail, every item of importance was usually forestalled by telegraph. Moreover, letters could not be replied to for many days after their receipt, so that nothing would be lost on that score by the adoption of the resolution. If they pretended to honor the Sabbath day at all, they should honor it in its integrity: he did not consider the Sabbath was more sacred during the hours of divine service than during any other portion of the day.

MR. STEERE also supported it, although he did not pretend to be a very straitlaced man himself. He did not think the Governor's despatches were of such consequence that they need be

delivered on Sunday any more than other people's letters, and he would be glad to see His Excellency set an example to the community at large by discontinuing the present practice.

Question—"That the motion be agreed to" put, and a division called for, with the following result:—

Ayes	...	...	12
Noes	...	...	5
Majority for			7

AYES.

The Hon. A. O'G. Lefroy
Mr. Burt
Mr. Hardey
Mr. Parker
Sir T. C. Campbell
Mr. Pearse
Mr. Monger
Mr. Padbury
Mr. Crowther
Mr. Randell
Mr. Steere
Mr. Shenton (Teller.)

NOES.

The Hon. H. H. Hocking
The Hon. M. Fraser
Mr. Marmion
Mr. Burges
Mr. Brown (Teller.)

The motion was therefore carried.

RESIDENT MAGISTRATE'S QUARTERS AT ROEBOURNE.

MR. BURGESS, in accordance with notice, moved, That an humble address be presented to His Excellency the Governor, praying that he will be pleased to take such steps as may be considered necessary to re-build the Resident Magistrate's quarters at Roebourne, which were totally destroyed by a hurricane in the year 1872.

MR. BROWN seconded the motion.

MR. CROWTHER, whilst aware of the great necessity for providing improved accommodation to the Resident Magistrate at Roebourne, thought it would be well to defer the matter until the Government had decided whether Roebourne or Port Robinson should be the future seat of Government in that district.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said the latter port had been favorably reported upon to the Government, and the question of whether it should be appointed the seat of Government depended upon a supply of water being discovered in the neighborhood. It was undeniably the best port on the North-West Coast, and, in due time, would no doubt become a centre of population. He thought, with the hon. member for Greenough, it would be unwise to expend any money

in improving the Resident Magistrate's quarters at Roebourne until it had been definitely determined whether that town or Port Robinson should be the seat of Government.

THE ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) said the Government were quite alive to the necessity of providing improved accommodation to the Resident Magistrate at the North-West Settlement, but the question of whether Roebourne or Port Robinson should be the future seat of Government being in abeyance, he thought it would be better to postpone the consideration of the motion before the House until that question was settled. Meantime he assured the hon. member who had brought it forward that the Government fully recognised the necessity of providing better quarters for the Resident Magistrate than that officer now had.

Motion, with leave, withdrawn.

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

LEGISLATIVE COUNCIL,

Wednesday, 1st August, 1877.

Police Station on Eucla Telegraph Line—Powder Magazine at Albany—Wines, Beer, and Spirit Sale, Act, 1872, Amendment Bill, 1877—Industrial Schools Act, 1874, Amendment Bill 1877: in committee—Closing of Streets in Fremantle Bill: second reading; in committee—Third readings—Ballot Bill: further considered in committee.

THE SPEAKER took the chair at seven o'clock.

PRAYERS.

POLICE STATION ON EUCLA TELEGRAPH LINE.

SIR T. COCKBURN-CAMPBELL asked the Acting Colonial Secretary whether the Government was aware of the urgent necessity for a police station on the Eucla Telegraph Line, in the

neighborhood of Israelite Bay; and whether they were prepared to take any steps in the matter.

THE ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) replied that the Government was aware that a police station in the neighborhood mentioned would be desirable, and the question would be further considered in connection with the Estimates for 1878.

POWDER MAGAZINE AT ALBANY.

SIR T. COCKBURN-CAMPBELL, in accordance with notice, asked the Acting Colonial Secretary, whether the Government was aware of the dangerous position of the powder magazine at Albany; and whether it was their intention to take any action in the matter.

THE ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) replied that the Government was aware of the position of the powder magazine, but was not aware that the danger in connection therewith was now any greater than it had always been. It was, however, the intention of the Government to take action in the matter as soon as it could do so, in justice to other works of more urgent importance.

WINES, BEER, AND SPIRIT SALE ACT, 1872, AMENDMENT BILL, 1877.

MR. BROWN moved the second reading of a Bill to further amend "The Wines, Beer, and Spirit Sale Act, 1875." In dealing with this question he need only refer to two out of the various kinds of licenses granted under the Act, namely, that known as a publican's general license, and that designated as a boarding and lodging house license. As the law stood at present any holder of either of these licenses supplying drink to a person in a state of intoxication on the premises, or any of the appurtenances thereof, rendered himself liable to a penalty of any sum not less than £2 nor more than £5. This was a very wise and wholesome provision, within reasonable limitation, and his object was to modify the stringency of its application by restricting its operation to persons other than *bona fide* lodgers. He wished the law to remain as at present with respect to the ordinary customer—the frequenters of the taproom,—but the