

to a Select Committee, but he wished to say that he entirely approved of the principle of the Bill, which was to make those who made use of the roads pay for them. He thought most of the objections raised to the Bill were objections as to details, which could easily be adjusted in Committee, and had not been directed against the principle of the Bill. He thought most hon. members would agree that the third clause required modification, as to the weights to be carried. As to weigh-bridges, he did not think the Roads Boards could do better than invest the extra revenue which would be derived from this Bill, if it became law, in the purchase of weighing machines.

MR. GRANT was quite in accord with the object of the Bill, and he did not think better means could be devised for preserving our roads from destruction than regulating the width of the tires of vehicles using the roads, and the weights they shall carry. But he would go still further than this Bill proposed to go, in preserving our roads—he would make it compulsory for horses to be driven abreast, which would be another means of preventing roads being ruthlessly destroyed. No doubt the details of the Bill were not perfect, but these could be satisfactorily dealt with in Committee. The Bill, if it became law, would be of great benefit to the roads of the Colony.

MR. BURGESS quite agreed with the object of the Bill, which he considered a most necessary measure, and he thought the Government were deserving of every praise for bringing in such a Bill.

SIR T. COCKBURN-CAMPBELL pointed out a mis-apprehension under which many hon. members seemed to labor, with reference to town residents being more heavily taxed than country settlers with regard to the upkeep of roads. In towns, all the streets and roads, and even the footpaths, were made and maintained for the public by the various bodies entrusted with that duty, whereas in the country there was hardly a settler who had not to make his own road, and, after making it, to keep it in passable order, without any assistance either from the public revenue or municipal funds.

The motion to refer the Bill to a Select Committee was then agreed to.

The House adjourned at a quarter to ten o'clock, p.m., until Wednesday, 2nd August.

## LEGISLATIVE COUNCIL,

*Wednesday, 2nd August, 1882.*

Rules for Admission of Barristers—Minutes of Central Roads Committee—Poor Houses Discipline Bill: recommitted—Tariff Bill: second reading—Hawkers Bill: in committee—Adjournment.

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

### PRAYERS.

### RULES FOR ADMISSION OF BARRISTERS.

MR. STEERE, in accordance with notice, asked the Colonial Secretary: "What steps have been taken to form a Board for the approval of qualified persons to act as Barristers, &c., of the Supreme Court under the provisions of the 45th Victoria, No. 1; and whether any rules have yet been made and promulgated in accordance with the 2nd section of the said Act; and, if not, when it is intended to make and promulgate such rules?" His reason for asking the question was this: at the last Session of Council an Act was passed which had long been felt necessary, providing for the examination of candidates about to be admitted to practise in our Supreme Court, but, from what he was given to understand, the Act might as well not have been passed at all, as nothing had been done to give it force and vitality, or for enabling its provisions being carried out. The first clause of the Act provided that an examining Board shall be appointed, consisting of the Chief Justice and the Attorney

General for the time being, and some practising barrister of the Court, which Board was to frame and promulgate certain rules and regulations for the admission of barristers, and the examination of candidates. He understood that this Board had not yet been appointed, although twelve months had gone by since the Act was passed, and, so far as he was aware, no rules whatever had been framed regulating the admission of barristers to practise in the Supreme Court; so that, in reality, the Act remained to this day a dead letter, although it was generally recognised at the time that the measure was a very necessary one.

THE COLONIAL SECRETARY (Lord Gifford) replied—“(1) That the rules as ‘yet are not framed; (2) That the want ‘of the rules, &c., has hitherto not been ‘felt, and that other more pressing business has prevented them from being ‘undertaken; (3) That in default of an ‘appointment to the Board by the ‘practitioners in the Court of one of ‘their own members, as required by the ‘Act, the Chief Justice and the Attorney ‘General have determined to appoint the ‘third member themselves, as provided ‘by the Act.”

MR. STEERE: Am I to understand, then, that nothing whatever has been done in connection with the Act up to the present time?

THE COLONIAL SECRETARY (Lord Gifford): Nothing whatever that I am aware of, except the appointment of Mr. S. H. Parker as a member of the Board.

#### MINUTES OF CENTRAL ROADS COMMITTEE.

MR. S. H. PARKER, in accordance with notice, moved, “That an Humble ‘Address be presented to His Excellency ‘the Governor, praying that he will be ‘pleased to lay upon the Table of the ‘House a copy of the Minutes of the ‘Meetings of the Central Roads Committee during the last twelve months.” The hon. member said that for some time past they had heard a great deal with regard to what he might perhaps mildly term the negligence of the Government in respect to the management of our roads and bridges, and a great deal of public odium had been cast upon the Superintendent of Roads in connection

with the matter. But he thought the right thing to do would be to go to the fountain head, and ascertain by whose authority the work had been done. He did not think they were asking for anything out of the way when they asked for a copy of these minutes of the proceedings of a Board entrusted with the expenditure of public funds.

MR. STEERE seconded the motion, which was agreed to.

#### POOR HOUSES DISCIPLINE BILL.

On the Order of the Day for the third reading of this Bill,

THE ATTORNEY GENERAL (Hon. A. C. Onslow) moved that it be recommended. He said he much regretted troubling the House again with this little Bill, but since it had passed through Committee it had been brought to his notice that, according to the wording of the first clause, as it now stood, other institutions than those maintained solely at public expense might be included within the operation of the Bill, and one of the objects he had in view in recommitting it was to limit its application to institutions wholly maintained out of public funds. The second clause provided that it shall be lawful for the Governor in Council, from time to time, to frame regulations for the purpose of maintaining proper discipline in these institutions, and it had been suggested to him that it might be desirable to publish these regulations in the *Government Gazette*, and that after such publication they should be admissible as evidence for all purposes connected with the Act. An alteration was also proposed in the third clause, which provided the punishment to be awarded for a breach of the rules by the inmates of these institutions. It had been said that bread and water alone might not prove sufficient punishment in all cases, and it was therefore proposed to empower justices to give them solitary confinement as well.

MR. S. H. PARKER: I do not rise to oppose the motion of my hon. and learned friend the Attorney General, but I rise to point out the lesson which the motion teaches us, namely, the undesirability and the inexpediency of passing Bills through their various stages

hurriedly, and I may say prematurely. This Bill passed its second reading *sub silentio*, and went through Committee without further consideration, on the ground that we were told by the Government the Bill was only a small one, of little or no importance, but that it was desirable it should become law as soon as possible, without many hon. members, I venture to say, looking at it at all. What is the result? We now find it has already been found necessary to recommit the Bill, and to make sundry alterations in it, and no doubt very valuable alterations. Small as the Bill is, consisting only of three little clauses, yet we find the Government consider it necessary to alter each of these clauses, within a day or two after the introduction and passing of the Bill by the House. I only wish to point out to the House how inadvisable it is to hurry Bills through their various stages, and how desirable it is that, even as regards unimportant Bills of this kind, some time should be allowed to lapse between their second reading and their commitment.

The motion for recommitting the Bill was then agreed to.

#### IN COMMITTEE.

##### Clause 1:

THE ATTORNEY GENERAL (Hon. A. C. Onslow) moved, That between the words "institution" and "maintained," in the 7th line, the word "wholly" be inserted.

Agreed to.

##### Clause 2:

THE ATTORNEY GENERAL (Hon. A. C. Onslow) moved, That the following words be added to the clause:—"The said rules and regulations shall be published in the *Government Gazette*, and after such publication the same shall be admissible as evidence for all purposes."

Agreed to without discussion.

##### Clause 3:

THE ATTORNEY GENERAL (Hon. A. C. Onslow) moved, That between the words "inmate" and "to," in the 17th and 18th lines, the words "to be kept in solitary confinement, and" be inserted.

Agreed to *sub silentio*.

Bill reported.

#### TARIFF BILL.

THE COLONIAL SECRETARY (Lord Gifford) moved the second reading of a Bill to make fresh provision for imposing duties on imported goods and for the exemption of certain goods from duties. The right hon. gentleman said the Bill, or rather the question of a revision of the tariff, had engaged a great deal of the attention not only of the members of that House but of the Colony at large during the past few weeks, and it was but natural that it should do so, seeing that the question was one that materially affected the interests of the public generally. The circumstances under which they had found it necessary to introduce a Bill dealing with the revision of the tariff were known to hon. members, and to the country. The existing tariff, which came into operation three years ago, expired from effluxion of time on the 30th September next, and consequently it became necessary, as they were aware, to make fresh provisions in lieu thereof. The Government had considered the whole question some time ago, and prepared what they regarded as a very fair tariff; but, on second thoughts, it was considered best that they should invite the assistance and co-operation of certain members of that House, whose knowledge of the circumstances of the Colony and whose business capacities it was thought by the Government would prove a valuable aid in adjusting the tariff. He might say, at this stage, that this action on the part of the Executive was no departure from constitutional precedent, for the appointment of a Commission to advise the Government in revising the tariff was a course which had been adopted on previous similar occasions, and was a course which was being pursued at the present moment in the colony of Victoria. Before going any further, he might here take the opportunity, as chairman of the Commission whose labors had resulted in the Bill before the House, to thank the members of that Commission for the valuable assistance they had rendered, and for the unbiassed views they had taken as regards all points submitted for their opinion. He thought it would be a source of satisfaction to the members who had served on the Commission, and a matter of congratulation all round, that the tariff now submitted

to the House, and which the Government proposed to adopt, was one likely to give general satisfaction to the public at large. If hon. members had had time to look over the tariffs of the neighboring colonies, he thought they would have found that our proposed new tariff was second to none, with the exception possibly, as he saw mentioned in the Press, of that of New South Wales. Of course they were all aware that the best tariff was that which as much as possible relieved raw materials from duty, and thereby helped to foster and stimulate local industries; and a perusal of the schedules to the present Bill would show the House that the members of the Commission had not overlooked that fact, but had endeavored so far as possible to encourage the development of colonial industries. Broadly speaking, that was the fundamental principle upon which the Commission had worked. They had not sought, on the one hand, for obvious reasons, to favor too much the principles of protection; nor had they, on the other hand, aimed at making it a distinctly free trade tariff, for the simple reason that he thought the time had not yet arrived when this Colony could afford to do away with what was called protection. Hon. members were aware that at present they had to look chiefly to the Customs for the means to enable them to carry on the administration of public affairs; and the instructions which the Commission received from His Excellency the Governor were, that, in view of the proposed additional loan, it would be impossible for the Government to reduce the amount now received in the shape of Customs duties. Had the circumstances of the Colony been such as to have warranted the Commission in recommending a free trade tariff,—or a tariff that only taxed tea, sugar, and spirits—no doubt it would have been a very popular movement; but he thought the House and the country would recognise the fact that the time had not yet arrived when we could dispense with all these sources of revenue. As he had already said, the aim of the Commissioners had been to foster as much as possible all local industries, without at the same time favoring any particular branch of the community; and, where any increase was suggested, they believed it would not be found to

press unduly on any section of the population. The day might come—no doubt it would come—when the local industries of the Colony, when agriculture for instance, would not need to be fostered by fiscal agencies; but it could hardly be said that we had yet arrived at that stage of development. He should like to know what our poor farmers in this Colony were to do, or how they were to eke out a livelihood, unless they received some encouragement from the State to enable them to compete with their more favored neighbors in the other colonies. For that reason, and the necessity of keeping up the Customs revenue to its present standard, the Commission had not seen its way clear to have done what no doubt would have been a very popular thing in the eyes of some people, namely, taken the duty off flour. They had, however, removed that article from the specific list, and proposed to subject it to a fixed duty of £1 per ton. No doubt some people might call that protection, and possibly it was, but he would ask the House to consider the position of our farmers in this Colony, as compared with the same class in the adjoining colony of South Australia, which was essentially a corn-growing colony, and where they had immense surpluses of flour available for exportation, a great deal of which occasionally flooded our own markets, to the detriment of the local producer, while at the same time it afforded no corresponding advantage to the consumer. This duty of £1 a ton would of course not act as a prohibitory duty, but it would enable our own farmers to compete on pretty even terms with outsiders, and at any rate place some check upon indiscriminate importations of foreign flour, for mere purposes of speculation. No doubt some hon. members would be strongly opposed to this duty, and especially the hon. member for the North, who seemed to have very little faith in Western Australian flour, so far as his own district was concerned, where the imported article appeared to be most in favor, as our own flour, it was said, would not keep in the hot climate up there. But he thought there must be something wrong about that, and that the local article was not so bad as it was represented to be. The Government did not look upon the revised tariff

as a perfect one; no doubt there might be room for improvement in it, here and there, but the House should not lose sight of the fact that the greater portion of our revenue must be derived from this source. Possibly, if the various District Road Boards had met the overtures of the Government in some way, by supplementing the grant for roads by local contributions, and thus relieve the general revenue from a part of the charge upon it, the Government would have been able to have come to that House with a larger free list; but as they had to increase the roads vote from £6,000 to £10,000, it was impossible for the Government to meet the wishes of the general community in that direction. Consequently the free list did not show any material change from what it is at present. Some people might think they ought to have raised the duty on spirits or tobacco. With regard to spirits, he thought a duty of 15s. a gallon must be admitted to be a very high duty,—higher than it was in any other of these colonies, 14s. being the next highest. He did not think for a moment that if they were to increase this duty, it would have the effect of lessening the evils of drunkenness, which was the bane of the Colony; on the contrary, he believed it would lead to smuggling and illicit distillation, and the production of a very inferior and adulterated article, for which the consumers would have to pay as much as for the genuine article, and intemperance would still have its baneful sway. For his own part, he was afraid they would have to resort to other measures than increased duties to abate that evil. With regard to tobacco, he was afraid if they were to raise the duty upon that weed, the proposal would meet with general condemnation. To men in the bush, he looked upon tobacco as almost a necessity. He could speak feelingly on this subject, for he had had some experience of bush life himself, and he should be very sorry to put up with it, without the solace of his pipe. No doubt other people were the same, and he thought the Government had as much right to consult the feelings and the wants of poor shepherds and bushmen as those of the wealthier and more favored town residents. And, as regards tobacco, the Government did not propose

to interfere with the present duty, either to raise it or lower it. Some persons, again, might think we ought to have placed an *ad valorem* duty on tea, but he thought such a duty would have been entirely frustrated by the extreme uncertainty of the Customs officers being able to arrive at the true value of the article. The Commission, it would be observed, had not made any very violent changes in the existing tariff, but had endeavored rather, by adjusting the incidence of taxation, to produce as simple a tariff as they could do, under the circumstances, by placing many articles which are now on the *ad valorem* list on the specific list. The duty on salt and on soda had been increased from 10s. and £1 per ton to 20s. and £2 respectively, the Commission considering the present duties to be inordinately low. Bearing in mind the large quantity of salt which was brought into the Colony simply as ballast, probably the majority of hon. members would be of the same opinion, and that the proposed extra duty was not a bit too high; at any rate, it was not higher than the duty upon salt in the other colonies. If the public would only patronise the Government he thought they would not find the Rottneest salt so bad as some people wished to make it out to be—at any rate, some of it. There was another tax which the Commission had considerably raised, and one which probably would give general satisfaction, namely, the tax on sparkling wines—essentially a rich man's tax, and one from which the Government expected to derive a pretty good sum. For the purposes of taxation sparkling wines had been separated from still wines, which the commission considered was but fair. Dried fruits had not been interfered with; the duty on them remained the same as at present, and it was not proposed to reduce it, though he admitted it was somewhat high. Some people, he believed, looked upon these fruits almost as necessities of life, but he could hardly regard them in that light, and he thought those who desired to indulge in such luxuries ought to be able to pay for them. A large number of items which were on the 12½ per cent. schedule had been removed and placed on the 10 per cent. list, with regard to which he did not anticipate

there would be much objection, if any. Whilst on this subject, he wished to correct an error which had been committed in copying the schedules, whereby printing machinery had inadvertently been placed on the 10 per cent. list, whereas it ought to be on the 5 per cent. He would move the insertion of that item in its proper schedule, when in Committee. Printers, however, were not the only people who would benefit by the reduction of these specific duties. The Commission had even gone to the extent of favoring the brewers, although it was known they were doing a very good trade. But the Government hoped to get at them another way, before long. They had also endeavored as much as possible to encourage fencing, by reducing the duty on wire netting from 10 per cent. to 5 per cent., and the same reduction had been made with regard to all agricultural machinery. On the whole, he thought it would be generally admitted that every effort had been made to deal fairly with all classes of the community in the adjustment of the tariff, and it could not be honestly said that any commodity had been taxed to excess. Had the Commission seen their way to frame the new tariff on a scientific basis, they would have been glad to have done so, and no doubt the country would have greatly benefited by it. But as the circumstances of the Colony did not in their opinion admit of a readjustment of the tariff on that basis, they devoted their attention to such a readjustment as they trusted would meet with the approval of the House and give general satisfaction to the country, while at the same time be productive of the revenue required from this source to carry on the Government of the Colony. It was not his intention to ask the House to go into Committee on the Bill that evening, but he hoped hon. members would favor the Government with their views on the Bill. He might add, in conclusion, that it was proposed to restrict the operations of the revised tariff to a period of three years, the Government in this respect being prepared to acquiesce in the motion which the hon. member for Perth had intimated his intention to move when the House went into Committee on the Bill. He hoped by the time the new tariff expired, the Colony would be in a

position to adopt a still better one,—if it could be found. He now moved the second reading of the Bill.

MR. S. H. PARKER said a Tariff Bill was at any time a most important measure for consideration, and with regard to the present Bill he would preface his observations by remarking that in his opinion the Government had displayed a great deal of worldly wisdom in the course which they had adopted in framing it. The noble lord in charge of the Bill said the Government at first prepared a tariff of their own, but upon second thoughts it occurred to them that, in order to secure a majority in that House, it would be a wise plan to appoint a Commission to do the work, and to nominate on that Commission a certain number of the elected members of the Legislature, and thereby secure a majority in the House in the event of there being any opposition to their fiscal proposals. The position in which the Government found themselves now, as regards the Bill before the House, was this: notwithstanding any opposition to the measure which might be raised by individual members, the Government had virtually a majority at their back, and whatever amendments might be suggested by hon. members there would not be the slightest chance of carrying them. In proof of this he might mention that when he made the proposition which appeared on the notice paper, that the Bill should be restricted in its operation to the term of three years, an hon. member of that House who had been one of the Tariff Commissioners said "What's the use of your doing that; we considered all that in Committee,"—from which it would appear that all the Commissioners, who also were members of that House, were banded together. [Cries of "No, no."] He gave the hon. gentleman's own words,—“What's the use of your proposing that; we (the Commission) considered the question, “and came to the conclusion it would be “more advisable to have a permanent “tariff.” Therefore, the whole thing was cut and dried. While on the subject he might remark, incidentally, that the newspaper press in this Colony came in for a great deal of abuse, as a rule,—and on many occasions perhaps the abuse was deserved, and the press was open to the

censures passed upon it; but when newspapers really deserved praise he thought they ought to get it. He believed a most able and carefully written article appeared the other day in the *Morning Herald* on the subject of the appointment of this Tariff Commission, an article which he ventured to say expressed the views of the great majority of people in this Colony, namely, that the Government in bringing in a new Tariff Bill ought to have done so on their own responsibility, and not to have sought the assistance of private members of that House, who ought to be in a position to deal with the measure, when it came for discussion, unfettered by any previous action on their part. The Government, however, thought otherwise, and he was bound to admit they had shown themselves wise in their generation, and he gave them much credit for having succeeded in obtaining the assistance and secured the support of so many honorable and independent members of that House on the Commission. The noble lord in moving the second reading of the Bill made more than one reference to the "poor man," and one would really imagine that there had been a strong desire on the part of the Commission and of the Government to favor the "poor man," in the compilation of this tariff; but, from all he could see, and he had looked carefully through the various schedules, he failed to notice how the "poor man" was favored one iota by it. If they wanted to favor the "poor man," why did they not take the duty off the staff of life? [The COLONIAL SECRETARY: Because he can pay for it.] Then he was not a poor man. When the House went into Committee on the Bill he intended to support the hon. member for the North, in moving that flour and all other grain should be placed on the free list. The great argument used hitherto by those who represented the agricultural districts,—the hon. member for York and the hon. member for Toodyay—in support of a duty on flour, was the absence of facilities for bringing the local article to market, the want of a cheap and expeditious means of transport. It was contended that if these facilities were provided, our farmers would then be in a position to compete with their South Australian neighbors, without any protective duty on flour

or grain. Well, we had now given them these facilities, we had now provided them with a cheap means of transport. [Mr. BURGESS: Not yet.] Had we not built a railway to the fertile valley of the Avon, right into the very heart of these agricultural districts? [Mr. BURGESS: Not yet.] He understood the line would be finished to Chidlow's Well by the end of next June; and, having brought the railway within a reasonable distance of our corn growers, he thought they might do away with this protective duty on flour, and when the question came to be tested in Committee, he hoped the hon. member for the North and himself would have a large majority at their back. Had he not known that it would be useless attempting to carry anything against the Government in connection with the Bill, seeing the support they were bound to receive, he would have moved to refer the Bill to a Select Committee; but, under the circumstances, he thought it would be altogether futile on his part to do so.

MR. CAREY was glad to find the hon. member for Perth so entirely of his own opinion with regard to the Commission. The other evening they were told by another hon. member (Mr. Burgess) that their work had been already done for them (referring to the great number of papers which were presented to the House at the opening of the Session), and that they might as well go home. Certainly, so far as the tariff was concerned, they might as well go home, for it would be no use whatever for the elected members who were not on that Commission attempting to effect any modification of the tariff, in view of the majority which the Government now had at their back. At the same time he felt bound to say that a better tariff could not have been devised by that House,—with one or two exceptions, and particularly with regard to flour. On the whole, however, he was ready to acknowledge that the work had been well done. The noble lord on the Treasury bench, defending the action of the Government in appointing a Commission to revise the tariff, referred to the Victorian tariff commission which is now sitting. But he would remind the right hon. gentleman that that Commission was not

appointed to frame a tariff, but to take evidence on the subject, and to report to the Legislature,—which was a very different thing to framing a tariff of their own. Moreover it ought to be borne in mind that the Legislative Assembly of Victoria consisted of a large number of members, and a vote or two, either way, would not be of much consequence. But here it was not so. In a small House like ours, every vote was of importance, and the Government, by securing the support of two or three of the elected members, could carry anything. He therefore agreed with the hon. member for Perth, that in the matter of the appointment of this Commission the Government had acted with very good policy. He might mention, at this stage, that he intended, if he found he was likely to have any support, in Committee, to move for the imposition of a tax on wool.

MR. MARMION: That would be an export duty, and one altogether foreign to the object of the present Bill, which is to make fresh provisions for imposing duties on imported goods.

MR. CAREY, continuing, said a duty of a half-penny per lb. would do; but he was afraid a tax on wool would not be a very popular tax in that House. As to the reference made by the Colonial Secretary to the refusal of the District Roads Boards to levy local taxation, he would only say at present that, in his opinion, they had very properly refused to do so. With regard to the duty on flour, he should support the hon. members for the North and for Perth, in attempting to remove it, and he hoped their efforts would be crowned with success. At any rate, it would be a very good test, as to the amount of support which the Government had secured by the appointment of hon. members of that House on the Commission. He felt bound, however, to admit, that although flour has not been placed on the free list, the proposed duty of £1 per ton was an improvement upon the present *ad valorem* duty; but he hoped a still further improvement would be effected in Committee, and that the duty would be struck off altogether. The incidence of taxation in this Colony, as regards Customs duties, fell unduly heavily upon the poorer classes, who were taxed, he might say, from the crown of their head to the sole of their foot. All

that they eat, all that they drink, and all that they wear, and even the implements which the poor farmer had to use to enable him to earn a livelihood, were taxed; and he thought that by way of a change, a half-penny duty on wool would be a very fair impost, and one that would help in a great measure to adjust the incidence of taxation.

MR. STEERE said it must be a source of great comfort to the members of the Commission, who had received a certain amount of obloquy for having acted upon it, to have it now acknowledged that the result of their labors at any rate appeared to meet with general approval, if not unmixed praise. He could not acknowledge what had been stated by the hon. member for Perth, and the hon. member for Vasse, that this question of the tariff had been at all prejudiced by the appointment and by the action of that Commission; because every member of the House who had a seat on the Commission was at perfect liberty to accept any amendment, in regard to the proposed tariff, which might be proposed in that House. They did not bind themselves in any way to support the various items on the tariff as now framed. They had simply recommended it to the consideration of the Government as being in their opinion about the best that could be framed, in view of the peculiar circumstances of the Colony. At the same time, every member who had been connected with it was perfectly free to propose or to accept any amendment which, to his mind, might appear to be an improvement upon it. Indeed, he was sure that none of the members who consented to serve on the Commission would have done so, except on the express understanding that, when the tariff came for discussion in the House, they would be free to vote in such a way as might seem most desirable to them at that time. He did not mean to say, perhaps, that it was not the duty, as it was the province, of the Executive to have framed a tariff of their own, for presentation to that House, without the assistance of any Commission, consisting of members of the Legislature; but it would have been extremely churlish on the part of any member who was asked by His Excellency to act on such a Commission to have refused to do so.

That was the view he took of it, and which he thought the other members took of it, when asked to serve on the Commission. The hon. member for Perth (Mr. Parker) stated just now that, when he proposed to give his notice restricting the operation of the Bill to a term of three years, he was told by one of the members of the Commission that it would be no use his doing so, as the Commission had already considered that point. The hon. member must have referred to him (Mr. Steere), for he had some conversation with the hon. member on the subject when he was preparing his notice. But he did not think he went so far as to tell the hon. member it would be no use his proposing such a clause. What he did say was, that the question had been discussed and considered by the Commission, and that there was a general opinion among the members that it would not be advisable to restrict the operation of the tariff to three years; and he had been extremely sorry to hear that evening from the noble lord opposite that the Government were prepared to accept such a proposal. He believed it was he (Mr. Steere) who had suggested to the hon. member for Perth, when the present tariff came into force, that he should move it should be restricted in its operation to a term of three years, but he had since had reason to think that it was by no means advisable to restrict the operations of our tariffs to any given period, and especially short periods, as it unsettled the minds of people and interfered with their commercial speculations. It was perfectly competent for the Government or the Legislature, at any time, to initiate a fresh tariff, without the introduction of any such clause into the Bill. This very question was discussed by the Commission, and to the best of his recollection there was a general feeling—he did not remember now whether they were unanimous—that the clause restricting the operation of the Bill should be omitted from the new Act. It was not his intention to enter at any length into a review of the revised tariff; having served on the Commission which drafted it, he need hardly say there was nothing in it which he objected to, although he was still open to vote in favor of any amendment which might appear to him

an improvement upon the present Bill. But he certainly should not vote for removing the duty off the so-called “necessary of life”—flour. He did not think flour was more a necessary of life than many other articles he could name. Could the “poor man,” of whom they heard so much, live upon flour alone? Did he not also want tea, and did he not want sugar? Did he not also require clothing? And were these not as much necessities of life as flour was? The hon. member for Perth said it was all very well, some years ago, to put a duty on flour, when the excuse was that our own producers were under a disadvantage as regards the means of conveying their flour to market; but now, the hon. member said, that excuse availed them no longer, as we had given them those facilities of transport which they had so long been crying out for. But he should like to know where those facilities were? He was not aware of them. The hon. member could not mean the railway, for we certainly had not yet given them that, and it would probably be three years hence before railway communication would be available for the farmers of our corn-growing districts to send their flour to market; and, so far as they were at present situated, there was just as much reason why there should be a duty on flour as there was years ago. It had been said in the course of the debate that the Government had been worldly wise in nominating members of that House on the Tariff Commission; but he would ask what would have been the result if no Commission had been appointed? The Bill, when introduced in the House, would have been referred to a Select Committee, who would necessarily have consisted of the members of that House, just as the Commission was. Probably the Select Committee would have consisted of a greater number of members than there was on the Commission, and they would of course have voted in the House in support of their own recommendations. He again asserted that every member who served on that Commission was at perfect liberty to say “aye” or “no” to any item of the revised tariff, as might, in his opinion, appear advisable. Under these circumstances, it was sheer nonsense to talk of the Commissioners being bound to sup-

port the Government, or of the revised tariff being a foregone conclusion—though, judging from the favorable reception it had so far received at the hands of the House, except in one particular only, there was every reason to suppose that it would give very general satisfaction.

Mr. VENN said he also must offer his small meed of praise to the Government for their worldly wisdom. Notwithstanding what had fallen from the hon. member for the Swan, the fact remained that the House was in a great measure gagged, and bound to the Bill; and if any amendments affecting the principle of the Bill were proposed, it was not at all likely they would be adopted. At the same time, he thought the members of the Commission had done their work very well indeed; but it was not at all likely that, having recommended certain measures to the Government, they would now turn round to support any amendments contrary to the views which they had previously advocated and recommended for adoption. While saying this, he thought with those hon. members who had already spoken on the tariff now before the House, that if the framing of it had been entrusted to a Select Committee it could not very well have been improved upon. At the same time, it did not follow, if the Government had themselves prepared the Bill, that, when introduced into that House, it would have been referred to a Select Committee, but dealt with in Committee of the whole House. As to the duty on flour, he certainly should not vote for its being taken off, for, whatever might be the theoretical objections to the principle of protection, he was to a certain extent an advocate of that principle.

Mr. GRANT said he felt very much in accord with the sentiments of the hon. member for Perth—he really did not think it was a proper thing for the Government to call in this outside Commission. He did not think it was constitutional. It was just as likely, when the members of the Commission were selected that the lot might have fallen upon other hon. members, who entertained opinions diametrically opposed to those advocated by the Commission,—at any rate as regards the flour question; and he supposed the Government would have

been just as likely to have accepted their recommendations. As to the North-West, their experience there with regard to Swan River flour was anything but satisfactory, in comparison with the imported article, and it was very hard they should be taxed in this way. It was found that, whereas Adelaide flour would keep sweet for months together, even for a whole year, he must say, and he said it with sorrow, that Swan River flour would not stand their hot climate for three months, without becoming full of maggots,—rotten; and yet they were to be condemned and mulcted for not using it. He did not know whether it was the fault of the millers or of the soil, but the fact remained that it soon became unfit for consumption up at the North. And did they expect the Nor'-Westers to submit tamely to this treatment at the hands of the Southerners, in regard to flour? When the railway to the Eastern Districts was started, there was a very loud flourish of trumpets indeed about the wonders it would bring forth, in enabling our farmers to compete on equal terms with the South Australians; and the days of a duty on flour were said to be numbered. Well, the Colony acceded to the proposal to have the railway built, and the North offered no opposition to it in view of the great benefits it was going to produce, in the shape of cheap flour; but, now, when they had given them the railway, it was still proposed to keep this obnoxious tax on what to the great majority of people in the Colony was the staff of life. He considered it a downright fraud. Every part of the Colony was taxed to provide this railway for the benefit of the corn-growers, and the public consented to the tax in the belief that it would have the result of taking the duty off flour and grain. The people at the Nor'-West, at any rate, would not have agreed to it, had they thought it would not have had the effect of removing the duty off Adelaide flour; and this impost he now regarded as a fraud. The noble lord, the leader of the Government, said it was found impossible to do away with the duty at present, that they could not afford to do so; if that was the case, all he had to say was, it was a disgrace to the country. He hoped the House would think well before it agreed to continue this tax, and that

such an imposition would be no longer practised upon them.

MR. BROWN, as one of the members of the Tariff Commission, was exceedingly glad to find that the Bill embodying their recommendations had met with so little opposition, and that all those hon. members who had spoken of the labors of the Commission had done so in complimentary terms. He regretted, however, that the Government had been taxed with having acted in an unconstitutional manner in having appointed on the Commission several of the elected members occupying seats in that House. He admitted that, perhaps, there was something to be said on that subject, but he thought a great deal too much had been made out of it. What was the Commission appointed for? He could not answer that question better than by reading His Excellency's own words, when the appointment was made: "As the present Tariff Act," His Excellency said, "expires at the end of the year, and the question will necessarily occupy the attention of the Council at its approaching Session, I have thought it advisable to appoint a Commission to consider and report upon the subject,"—What for? "with a view to assist the Government in determining what proposal it may be desirable"—to adopt? No,—"to submit for the consideration of the Legislature." Surely no hon. member of that House, being asked to sit on such a Commission, could have any reasonable objection to consenting to do so,—to consenting to assist the Government in preparing a tariff to be submitted for the consideration of the Legislature of which he is a member. When he (Mr. Brown) was asked to sit on it, he knew perfectly that whatever proposals were recommended to the House by the Government would not necessarily be adopted, simply because they were recommended by the Government, and even backed by a Commission, but that he and every other member would be perfectly free, in that House, to support only such proposals as he and they considered best in the interests of the Colony. He could not help thinking that some hon. members, who had deprecated the action of the Government in appointing a Commission as unconstitutional, had been driven to make this charge by

reason of the fact that they could find nothing else to find fault with. They were unable to suggest any improvement in the tariff submitted for their consideration, but they felt bound to say something, and, there being nothing else to cavil at, they had fallen back upon this constitutional question. The proposition which had led to any adverse comment at all, was the proposition to retain the duty on flour, and if anything more than another could show that the Commission had hit the happy medium it was this: on the one hand, they had the hon. member for Perth and the hon. member for the Vasse advocating that this duty should be done away with, in the interests of the poor man in this part of the Colony, and, on the other hand, the hon. member for the North advocating the very same thing in the interests of the well-to-do and prosperous in his part of the Colony. The hon. member for the North had the reputation of being able to see through a stone wall as well as most persons, but, in this instance, as regards the quality of Swan River flour, he thought the hon. member must have been the victim of a practical joke, and that the flour which he represented as being uneatable must have been Adelaide flour placed in Western Australian bags,—for they all knew the good character of our colonial flour, which, generally speaking, was an uncommonly good article, and quite equal if not superior to the great bulk of imported flour. He would ask those who wished that flour should be admitted free, to look at the tariffs of the other colonies, where the interests of the poor man were regarded as of paramount consideration; but flour was not admitted free into those colonies, and if we had any surplus for exportation we should not be allowed to send it there without paying a much higher duty than is proposed to be charged here. For his own part he highly approved of a duty on flour, but certainly not on the grounds he had heard urged by some persons, namely, on protective grounds. All through, his support had been given to the imposts here proposed, without any consideration whatever to the question of protection or free trade. A certain amount of revenue was imperatively required to carry on

the Government of the Colony, and what the Commission had to consider, and what that House had to consider, was, how that revenue could best be raised, having regard to the equitable rights and the tax-paying powers of the various sections of the community. He believed the Commission had achieved that end pretty fairly in the Bill now before the House.

MR. SHENTON said the hon. member for Perth had told them that the member for York and the member for Toodyay were now bound to support the proposal to place flour on the free list, because of the railway; but, for his own part, he failed to see that the people in the Eastern Districts up to the present time had derived any benefit whatever from railway communication, nor were they likely to do so within the next three years, to which term it was proposed to restrict the operations of the new tariff. The present section of the line would not be completed as far as Chidlow's Well probably before next June, which was nearly a year from now, and he could not see that even then the railway would be of any benefit to the great bulk of the people who resided in the corn-growing districts. After all, what did this so-called protective duty amount to? About one-eighth of a penny per lb. And as to the argument that such a duty would press heavily upon such "poor men" as we had in this Colony, that was altogether a fallacy. There were a great many other duties that pressed more heavily upon the poor man, and why should this particular tax be always singled out more than any other? It might be a good cry on the hustings, but he hardly thought it would have much weight in that House. The tariff had to be revised, not for the purposes of protection, but for the purpose of raising the larger part of the revenue required for carrying on the Government of the Colony, and that was what the Commission had to bear in mind, in framing it. The members of that Commission had been twitted for consenting to assist the Government in compiling a new tariff, and were accused of having forfeited their independence, as regards their freedom to vote when the subject came to be discussed in the House. He did not at all agree with

that, for, as had already been mentioned, it was distinctly understood by the members who sat on the Commission that they would be in no way bound to support the tariff, as a whole, or any particular item in it. In Committee there might be several amendments moved which might very possibly meet with the approval of individual members of the Commission, and, for his own part, he should be quite prepared to accept them, if he regarded them as an improvement upon the proposals submitted by the Commission, as embodied in the present Bill. The hon. member for the Vasse proposed there should be a tax on wool. He supposed that idea emanated from the Bunbury meeting, at which the majority of the members of that House were represented as "bloated squatters," and that consequently they were only prepared to legislate for the protection of the squatting interest. He could hardly think that. If it should be found necessary at any future time to levy an export duty in order to increase the revenue, he thought the most legitimate duty of that kind which could be levied would be a duty, not on wool but on timber, for at present this valuable product was being ruthlessly destroyed, and the Colony was not receiving anything like the benefit and profit which it ought to. [Mr. S. H. PARKER: Question.] The hon. member said "question." If the hon. member went into the matter carefully he would find that what he had said was correct. With reference to the complaints which had been made as to the course adopted by the Government in appointing a Commission, it had been stated that the Tariff Commission now sitting in Victoria had only been appointed to report to the Legislature, and that a vote or two in a House comprising so many members as the Victorian Assembly did, was neither here nor there. But he thought a reference to the division lists in that Assembly would prove that, on the contrary, a very small number of votes, comparatively speaking, often turned the scale; and if the recommendations of the Tariff Commission in Victoria would be supported by the Government, he thought the Ministry there would be in as strong a position to carry out their views as it was said our

own Government was with regard to this tariff. The great object which the Commission had in view was to adjust the tariff so that the burden of taxation should not press unduly upon any section of the community, and more especially to lighten as far as possible the duties now pressing upon the agricultural interest, and to encourage fencing and such like improvements. And he thought it would not be denied that a great deal had been done in that direction, without at the same time unduly favoring any particular branch of the community.

MR. MARMION said they had heard a great many arguments made use of in the course of the newspaper criticism to which the new tariff and the Commission had been subjected, and to some extent the tone of some of those newspaper articles had been echoed that evening by the hon. member for the Vasse, who complained that the incidence of taxation in this Colony was most unfair, inasmuch as it appeared to him to press too unduly upon the poorer classes of the community,—in other words, that the rich and prosperous were only taxed to the same extent as their poorer neighbors. At first sight, it might possibly appear to other hon. members that this statement was a correct one, but when he reminded them of the fact that the duty upon almost all articles of wearing apparel—and it was this to which the hon. member had particularly alluded—was an *ad valorem* duty, he thought he should be able to show that there was no foundation for the assertion that the poorer classes of the community were proportionately more heavily taxed than their neighbors. Newspaper writers, in support of their theory, had been very fond of referring to one article of apparel which was extensively worn by the laboring population of the Colony,—they always laid great stress upon the poor man's moleskin trousers, which they said were taxed to the same extent as the rich man's black cloth inexpressibles. Now those who penned such statements as that, had evidently given the subject very little consideration, for, under an *ad valorem* duty of (say) ten per cent., the moleskin trousers that cost 5s. in the London market would only have to contribute 6d. to the revenue, whereas the

black cloth trousers that cost (say) 25s. would contribute half-a-crown. It was therefore sheer nonsense to talk of the poor man being unduly taxed, as compared with his richer fellow-colonist. If trousers generally, whether they be moleskin or broad cloth, were subjected to a fixed specific duty, there might be some ground for that allegation, but under the present *ad valorem* rate it was a fallacy to say so. The same argument applied to most other articles of luxury which were worn or consumed by the more prosperous classes. Take artificial flowers, for instance. There were artificial flowers and artificial flowers, and some of them cost a great deal more than others. The lady who paid 10s. for hers contributed one shilling to the revenue, while the humbler fair one whose wants and whose tastes were satisfied by an artificial flower costing fifteen pence, only contribute three half-pence to the revenue. He did not mean to say that the revised tariff might not have been framed on a more scientific basis, but, as was stated in the report of the Commission, it was not deemed advisable to attempt a scientific readjustment of the tariff, as such a step, besides creating complications, where—owing to the exigencies of our local trade—so many varieties of goods are imported in the same package, would have rendered necessary a large additional clerical staff in the Customs Department, whilst at the same time causing great inconvenience to importers. With regard to the course adopted by the Government in calling in the assistance of a Commission, consisting of members of that House, to assist in the preparation of a fresh tariff, he was not prepared for a moment to say that it would not have been much wiser and a more politic course on the part of the Government to have brought in a tariff of their own; at the same time he was in no way disposed to condemn them for the action which they took, and which he believed they took in the interests of the Colony, and with the idea that those whose assistance they sought would be able to afford them valuable information. He thought that, in the result, as presented in the Bill now before the House, the action of the Government had been perfectly justified, judging from the reception which the new tariff had

received from the majority of hon. members. As to the Commissioners being individually bound in that House to vote in support of the recommendations embodied in their report, he distinctly denied it. He felt himself at liberty to vote as he thought proper upon one and all of the various items, just as much as if he had never sat on the Commission, and had he thought for a moment that his acceptance of a seat on the Commission would in any way have fettered his action in that House, he would never have served on it. One hon. member, in commenting on the action of members in accepting a seat on the Commission, spoke somewhat sneeringly of the Government being able to find a sufficient number of "independent" and honorable gentlemen in that House to assist them in framing a tariff. But he would remind that hon. member that the Governor had a precedent for appointing such a Commission—a precedent which had met with much favor in the eyes of the hon. member, when it suited his own views. He alluded to the Finance Commission. The hon. member thought it was a very proper course for the Government to adopt, to call in the assistance of members of that House for financial purposes, but not for fiscal purposes. The hon. member was somewhat inconsistent. Those who accepted a seat on this Commission had no personal interest to serve. There were no fees, or honorarium of any kind, attached to it. He had served, from time to time, on a good many of these Commissions, but he had never pocketed a sixpence in connection with them. On the contrary, he had even defrayed his own personal expenses while attending them, and he did think it was rather hard that, after thus giving his time and his labors gratuitously, for the public good, he should be twitted in his position as a public man with having forfeited his independence,—which in reality was the purport of the hon. member's remarks, though perhaps he did not intend it. In order to show that members who sat on the Tariff Commission were quite at liberty to vote as they liked when the schedules came to be discussed in that House, he need only point out to the fact that, representing as he did a free trade constituency—as free trade was

understood in this Colony, which simply meant that there should be no duty on flour—he could scarcely have been expected to have been in accord with the recommendations of the Commission on that point, and if the question of a duty on flour came to be put to the test of a division in that House, he would vote on this occasion as he had voted in the past,—in favor of the abolition of the duty. No member of the Commission had yet alluded, in the course of the debate, to the fact that the Governor, in calling upon them to assist him in framing a tariff, did not leave them free and unfettered to frame any tariff they liked. His Excellency told them in his instructions that, in view of the proposed additional loan, he did not think it would be possible for the Government to reduce the amount which they were now receiving in the shape of Customs duties, but that, on the contrary, he thought if anything the amount received should show an increase, if possible, of not less than £2,000 or £3,000. Under these circumstances, he (Mr. Marmion) would ask how was it possible for the Commission, in the face of their instructions from the head of the Government, to have removed the duty off flour, unless they correspondingly increased the duty on some other items. At that time, the members of the Commission were not aware that there was likely to be a surplus of several thousands of pounds at the end of the year; but now, in view of the improved financial prospects of the Colony, he should be quite prepared to support a motion to strike the duty off flour altogether.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) thought it was incumbent upon him to say a few words in defence of the action of the Government in taking the advice of a few gentlemen in framing the tariff now before the House. This action on the part of the Government had elicited somewhat severe strictures from some hon. members, and, in defending it, he felt some diffidence, for it appeared to him that the Government was in the unfortunate position of the lamb in the fable, who, do what it might, could not possibly escape the fangs of the wolf, whose privileges, no matter what the poor lamb did, were always being interfered with. If the Govern-

ment acted on their own responsibility, without consulting the hon. members of that House, they were tyrannical. They were despotic. Last year they were charged with being as autocratic as the Czar of all the Russias, and he could not help thinking it was fortunate for them that they had not been disposed of in the same tragic way as their Imperial prototype. This year, because they had not acted upon their own responsibility, but had consulted hon. members of that House, and with the very best possible object, they were taunted with being—he did not know what. At all events, the hon. member for Perth seemed to think that they were actuated by the deepest Machiavellian motives conceivable. They were twitted with having nothing to suggest themselves, and with having therefore determined to suck the brains of other people, and, having done so, to put it forward as their own. He really failed to see how they were to reconcile their duties between these two extremes. He thought that, in acting as they had done in this matter, they had pursued a wise policy,—he did not say a worldly wise policy, for that smacked of Machiavellism; but the debate showed that at any rate they had adopted a policy which in its result appeared to be acceptable to the House, and, he ventured to say, a policy which was not unconstitutional. What had they done, after all? The Government did not bind the Commission in any way to any particular line of policy. They offered them no inducements, they held out no tempting bait for them. The hon. member for Fremantle had most triumphantly disposed of any such notion as that. The only condition which His Excellency thought fit to impose upon the Commission was that there should be no loss of revenue in the shape of Customs duties, and the House would see the absolute necessity of that. As to the steps adopted by the Government in consulting the members of that House, when not in Session, being unconstitutional, why should not members promise outside the House—even supposing they had promised, which he denied they had done in this instance—why should not members outside the House promise to adopt a certain course, just as much as in the

House? Were they deprived of their privileges, were they shorn of their responsibilities, outside the House, and only possessed of them inside the House? He failed to see why they might not advise the adoption of a certain course when outside the House just as much as inside it. And that was all they had done. He might remind hon. members that in the House of Commons it was an every day practice to submit questions of public policy—not Bills that were before the House which it was required to pass that same Session, but to submit questions upon which legislation in the future was sought, to a Committee of members. These members were chosen from all sides of the House, and their functions consisted in advising as to the form in which the proposed legislation should be submitted to Parliament. And what more had been done here? A certain most important measure, affecting the public interests, was submitted to certain members, outside the House, and they were asked to advise, perhaps for a purpose, what form legislation should take, with regard to it; and they had advised. They were appointed to determine what proposal it might be desirable to submit for the consideration of the Legislature, and they did so. That was all. Of course, although theoretically he was willing to admit that not one of them was bound to vote in that House by the advice he had thus given, yet as a matter of practice, or even as a matter of necessity, he would do so, and why? Because he would have voted exactly the same if these proposals had been recommended by other members than himself,—if they were in accord with his own views on the subject. The members of this Commission, if they voted with the Government on this Bill, would do so, not because they had recommended these proposals for the consideration of the Government, but because in their opinion they were the best proposals that could be adopted, and, being of that opinion, whoever had brought them in, they would have voted for them in precisely the same way. Therefore, he failed to see that any of them had in any way bound himself in an improper way to vote for this measure. He did not know that he need say anything about the

merits of the measure itself, for it seemed to have met with the approval of hon. members all round. Hardly a word had been said against it, except with regard to the flour question. With regard to that, he must say he agreed with the hon. member for the Swan; he failed to see why hon. members should have fallen foul of flour rather than any other article that may or may not be regarded as a "necessary of life." What actually were necessities of life seemed to him a question which they could not decide with any degree of precision. One man called one thing a necessary and others called another thing a necessary; but the one thing necessary here was to frame a tariff that would produce a certain amount of revenue. And unless these gentlemen could have seen their way clear to realise that amount, after taking the duty off flour, he failed to see how they could possibly have placed that commodity on the free list. As to whether flour was a necessity of life, he agreed in a great measure with the hon. member for Swan that it was just as much or just as little a necessity as clothing is. Hon. members would doubtless remember what Lord Sherbrooke (Robert Lowe), when Chancellor of the Exchequer, said with reference to sugar, when he proposed to reduce the tax upon that article, which he described as the delight of youth, the solace of age, and the necessity of all ages. He merely referred to that in order to show what wide divergence of opinion may exist in the very greatest minds as to what is a luxury and what is a necessity. He was glad, however, to think that this was a question which that House was at present not called upon to determine.

MR. RANDELL said the noble lord in charge of the Bill had deemed it right to enter somewhat into a defence of the measure, which seemed to him (Mr. Randell) altogether unnecessary, for there appeared to be a very general consensus of opinion that the Bill was as good a Bill as could be framed under the circumstances. The Commission had been called upon to prepare a tariff which, in their opinion, would answer the requirements of the Colony, and provide for the exigencies of the public service, and, to the best of their ability, they had done so. There had been some

slight compromises no doubt, which was but right when a number of persons met to deliberate upon a public measure of this importance, for it was only by such compromises they could ever hope to arrive at a solution of the question. He was very pleased to find, as one of the Commissioners, that the Tariff Bill had been so very generally acceptable to the House, and that objection was only taken to one item, the duty on flour and corn. For years he had maintained the opinion that the farmers of this Colony, situated as they are, were entitled at least to this little help at the hands of the Legislature,—call it protection if they liked, but he looked upon it rather as a slight encouragement to our farmers to cultivate their land, and to endeavor to supply the wants of the Colony in this respect. He hardly thought, under the painful circumstances of our being obliged last year to introduce such a large quantity of flour from the other colonies, the time had yet arrived for removing the duty upon the imported article. If we were situated here as they are in England, it would be a very different thing; but a policy that may be suitable for a country like England might not be at all applicable to a rudimentary Colony like this. If we were even situated like our Victorian sister, he should be prepared to advocate a policy of protection—not perhaps to such an extent as that now in force there, but in that direction. He believed that policy had been productive of great benefit to the colony of Victoria, and that it had contributed largely to enable that country to attain its present proud position,—although possibly they had gone somewhat beyond the bounds of prudence in pursuit of it. He should, under any circumstances, heartily vote for this £1 duty on flour, on general principle, independent of the encouragement which it gave to our farmers. He thought those who looked upon the duty with disfavor, like the hon. member for the North, ought rather to submit with a good grace to the imposition, which, after all, could not be appreciably felt by any consumer of flour in the Colony. The hon. member for the North stated that he had been induced to give his adhesion to the proposal to extend the railway to the Eastern Districts, in the

belief that it would have the result of the duty on flour being remitted; but he had always understood—he might be laboring under a wrong impression—that it was for a very different reason the hon. member had supported the resolutions of the hon. member for Swan in favor of that extension. He had always understood that the hon. member for Roebourne supported that proposal on condition that the hon. member himself received the support of the House in the proposal to extend the telegraph line to the North-West.

MR. BURGESS thought the Commission had done their work well; but he should like to see agricultural machinery, and corn and flour sacks, placed on the free list. Seeing, however, that they were bound to provide sufficient revenue to carry on the Government of the Colony, he supposed they could not all get what they wanted free of duty, and there must be some compromise on all sides.

The motion for the second reading of the Bill was then adopted.

#### HAWKERS BILL.

##### IN COMMITTEE.

Clause 1.—Date of Act coming into operation:

THE ATTORNEY GENERAL (Hon. A. C. Onslow) moved that the Act should come into operation on the 1st January, 1883.

Agreed to.

Clause 2.—Repealing 25th Victoria, No. 4:

Agreed to.

Clause 3.—Definition of hawking:

MR. MARMION asked whether this clause would embrace commercial travellers, carrying samples of their wares about the country, and disposing of those samples, as they often do, or selling from them?

THE ATTORNEY GENERAL (Hon. A. C. Onslow) did not think that a commercial traveller, selling from samples, came within the category of either a hawker or a pedlar, within the meaning of this Act, and that if a Magistrate were to decide otherwise he would be wrong in his law.

MR. BURT referred to a practice which obtained among a certain class of

commercial travellers who took their samples from house to house, and sold from them, afterwards delivering the goods or forwarding them from their hotel.

THE ATTORNEY GENERAL (Hon. A. C. Onslow): I should say that man was a hawker and not a commercial traveller, and would be amenable to a penalty under this Act unless duly licensed. A commercial traveller, in my view, is a person who travels about taking orders from samples which he carries with him, representing established houses.

MR. MARMION said these commercial travellers, as a matter of practice, when they had no longer need of their samples, rather than take them back again with them, dispose of them here in the Colony.

THE ATTORNEY GENERAL (Hon. A. C. Onslow): I do not think they should be allowed to do so without first obtaining a license.

The clause was then agreed to.

Clause 4.—No person to carry on business as a hawker without a license:

Agreed to without discussion.

Clause 5.—Two sorts of hawkers' licenses:

Agreed to *sub silentio*.

Clause 6.—“A general meeting of the justices in each magisterial district shall be holden in the court house in the said district on the second Tuesday in the months of March, June, September, and December in every year, for the special purpose of taking into consideration applications for hawker and pedlar's licenses; and it shall be lawful for the justices assembled at such meeting, or a majority of them, in their discretion, to grant to the persons who may be approved of by them a license in one or other of the forms aforesaid; and it shall be lawful for the said justices to reject any such application or to adjourn the consideration thereof from time to time as they shall see fit: Provided that such adjournments do not in the whole exceed three weeks from the day of such general meeting.”

THE ATTORNEY GENERAL (Hon. A. C. Onslow) said hon. members were aware that some magisterial districts are

very small, in area, compared with others, and it might be a hardship if a hawker had to take out a license in each of these districts. That proposition involved this principle—that, for the purposes of this Act, the Colony should be divided into three or four principal districts, within which alone licenses would be obtainable. It had also been pointed out to him that it was desirable that these licenses should be issued when the Magistrates are assembled in petty sessions for the purpose of issuing licenses under the Wines, Beer, and Spirit Sale Act. He would therefore move, That all the words down to the word “licenses,” in the 9th line of the clause, be struck out, and the following be inserted in lieu thereof:—“The Justices of the Peace assembled in the Court Houses of Perth, Geraldton, Roebourne, and Albany respectively, for the purpose of issuing licenses under the provisions of ‘The Wines, Beer, and Spirit Sale Act, 1880,’ shall, at such meeting held for such purpose aforesaid, also take into consideration applications for Hawkers and Pedlars licenses.”

Question—put and passed.

Clause, as amended, agreed to.

Clause 7.—Persons desirous of obtaining license to deliver notice to the clerk of the Resident Magistrate of the district within which it is proposed to exercise such license:

MR. STEERE thought applicants ought also to be compelled to publish their applications either on the Court House door, or in a newspaper, or the *Government Gazette*, so as to enable people to know whether the applicant was a proper person to be entrusted with a license. These men might go to a district where they were not known, and obtain a license from an unsuspecting Magistrate, which they would use as a cloak for illicit traffic. Some precautionary measures ought to be taken with regard to licensing these hawkers, and he thought that the same principle as applied to persons seeking licenses under the Wines, Beer, and Spirit Sale Act might advantageously be applied to these hawkers, so far as giving publicity to their applications was concerned.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) said he recognised the importance and value of the suggestion,

and he would move that Progress be reported, with a view to enable him to give the matter further consideration.

Progress reported, and leave given to sit again on Friday, August 4th.

The House adjourned at ten o'clock, p.m.

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## LEGISLATIVE COUNCIL,

*Thursday, 3rd August, 1882.*

Presentation of the Address in Reply to the Governor's Speech—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

### ADDRESS IN REPLY.

At half-past twelve o'clock, the Council adjourned to present the Address in Reply to His Excellency's Speech.

The Council re-assembled at a quarter to one.

THE SPEAKER took the Chair.

THE SPEAKER announced to the Council that the Address to His Excellency the Governor had been presented in accordance with the Resolution of the House, and that His Excellency had been pleased to reply as follows:—

“MR. SPEAKER AND GENTLEMEN OF THE  
“LEGISLATIVE COUNCIL,—

“I thank you for your Address in Reply  
“to my Opening Speech.

“I appreciate your assurance that you  
“will carefully consider the various ques-  
“tions which have been submitted to  
“you, and I cordially reciprocate your  
“wish to co-operate with the Govern-  
“ment for the welfare and advancement  
“of the Colony.

“Government House, Perth, 3rd Au-  
“gust, 1882.”

The House adjourned at a quarter to one o'clock, p.m.

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