

LEGISLATIVE COUNCIL,

Monday, 8th September, 1884.

Commutation of sentence passed on native "Abraham"—Moneys advanced for maintenance of Water Police—Roebourne Telegraph Line: Deviation from Point Cloates—Fortification of King George's Sound—Joint Stock Companies Ordinance, 1888, Amendment Bill: first reading—Supreme Court Ordinance, 1861, Amendment Bill: first reading—Presbyterian Church Bill: in committee—Message (No. 35): Approving of terms of proposed contract with Mr. Hordern for construction of Railway from Beverley to Albany—Police Benefit Fund Bill: in committee—Governor's Salary Bill: in committee—Estimates, 1885: further considered in committee—Adjournment.

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

PRAYERS.

NATIVE "ABRAHAM'S" SENTENCE.

MR. GRANT, in accordance with notice, asked the Attorney General whether, when it was decided to commute the sentence of death passed on the native Abraham, convicted of an attempt to murder Mr. Willie Fraser (the Colonial Secretary's son), on the DeGrey river, Government had knowledge of any facts connected with the case other than such as appeared in evidence at the trial? This was a matter which the hon. member said he conceived to be of very considerable importance to the settlers in outlying parts of the colony, and particularly to the cause of settlement in newly opened districts where the pioneers carried their lives in their hands. He thought the least thing any Government could do was to give these people some little protection, and to show that they placed some value upon their lives and property. He was sorry to say this protection had not been afforded in the past as it ought to have been afforded, and as the settlers had a right to expect. The Government had been very lax in the matter. In fact their conduct in some instances had been such as in his opinion to inculcate them in the outrages that had been committed upon the settlers by natives, and he could not help thinking that was the case in this instance. It might be said by the Government that the House had no right to be inquisitive in these matters; but, for his own part, he considered there was nothing that was too high or nothing that was too low for that House to inquire into, in connection with public

affairs. He thought they had a right in some cases even to scrutinise the actions of that august little assembly called the Executive, and he considered this was a case in point. Hon. members were aware of the facts of the case, how this native Abraham was taken from Rottnest prison by the Government to join a survey or exploring party in the Kimberley district, how he absconded from that party, armed with a rifle and ammunition, how he found his way to Mr. Fraser's station, and how, after remaining on the station for a short time, apparently on good terms with Mr. Fraser, he deliberately fired at him, occasioning him such injuries that it was only by a miracle he escaped with his life. When this native was afterwards arrested he made no secret of his having committed the deed; and he thought it was a very singular thing that the police who arrested him had not been called as a witness for the Crown, as he could have told a tale that would probably have had considerable effect upon the decision of the Executive in the matter. This he only had from hearsay, but he knew for a fact that when this native was brought down for trial he told the people he knew he would be hung, that he had committed murders before, and that he had no fear of the result. That was the feeling which the native policy of the Government had created in the minds of the natives, and this feeling must have been further strengthened by the action of the Government in allowing this double-dyed murderer to escape with his life. How long was this sort of thing to last? How long were our pioneer settlers to risk their lives in opening up new country for settlement and be treated in this way? How long were they to be the victims of this imbecile policy,—a policy founded upon what he called a spurious sentiment? They seemed to have a wonderful regard for the life of the black, no matter how great a scoundrel he was, while the life of the white man, of the pioneer settler, was held of no value. Had not the settlers of these new districts every cause to cry out to the Home Government for a different order of things, when they were allowed to be deliberately pot-shotted by a double-dyed and treble-dyed murderer like this, whom the Government had chosen to take into

their employ? What would be the effect of the commutation of the sentence of death passed upon this villain among the natives of the district? Would it not tend to convince them that the Government thought nothing of the lives and much less of the property of the settlers? And was such a feeling calculated to advance the cause of settlement in these remote districts? He said again this was a most important question for the pioneer settlers of this vast territory. Unless the Government had some extraordinary out-of-the-way grounds for commuting the sentence of this man, who had openly acknowledged himself a murderer, and a double and treble murderer, he thought their action in commuting his sentence would have a most disheartening effect upon the settlers, and a most injurious effect upon the native mind.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said the hon. member had put the question standing in his name, which question he would now answer. The hon. member, in asking his question, stated a number of facts in connection with the case which were brought out at the trial, and the hon. member had also mentioned things which he had heard had been stated by this native, and which possibly might have been produced in evidence, had certain witnesses been called before the Court. These witnesses, in the opinion of the Crown, were not material to the case, and therefore they were not called. It was not a part of his duty, he thought, nor did he intend, to follow the hon. member through his statements, and he would therefore simply answer his question as it appeared on the notice paper. His answer would be this: When the sentence of death passed on the native Abraham was commuted, the Government had no knowledge of any facts other than those which appeared in evidence at the trial. The Royal prerogative of mercy was exercised by His Excellency by virtue of the power vested in him, and after the case had been carefully considered in the manner prescribed by Her Majesty's Instructions.

MR. GRANT said he must express his great surprise that the Government should come forward in that House with such an answer. He thought the Gov-

ernment had been very remiss indeed in not inquiring into the antecedents of this native, whose antecedents were matters of notoriety.

THE ATTORNEY GENERAL (Hon. A. P. Hensman): Is this a matter for debate, sir?

MR. SPEAKER: It is not a matter for debate, sir.

MR. GRANT, continuing, said it was a well known fact that crimes, and, above all, crimes of murder, ran in certain lines. [The ATTORNEY GENERAL: We are aware of that.] Then why did the Government not inquire into the antecedents of this man before they took him out of prison, and let him loose about the country to pot-shot the settlers? Had they done so they would have found that he was a murderer in his heart. The Government might think he was thirsting for the blood of this native. No such thing. He was simply seeking for justice and fair play for our pioneer settlers, as well as justice and fair play for these natives. He considered that the action of the Executive in this matter was a blot upon the administration of justice.

MONEYS ADVANCED FOR MAINTENANCE OF WATER POLICE.

MR. S. H. PARKER, in accordance with notice, asked the Colonial Secretary what amount was now owing by the Imperial Government to the local Government for moneys advanced by this colony for the maintenance of the Water Police? Hon. members were aware that the money for the maintenance of this force had of late been paid out of colonial funds, under protest, the feeling of the House being that the service should be disbanded or that the Imperial Government should contribute towards its maintenance.

THE COLONIAL SECRETARY (Hon. M. Fraser) replied as follows:—

	£	s.	d.
Amount due by the Imperial Government to the Colony, as per published Return, to 30th June, 1884
Less balance due to Colony on account of grant for Magistracy and Police, for the year 1881
	3808	17	5
	729	5	1
	3079	12	4

	£	s.	d.
Total advances made on account of Maintenance of Water Police between the 1st July, 1881, and 30th June, 1881	3079	12	4
Advances made since, taking in all claims to 31st August, 1881	252	6	6
Total advances to date on account of Maintenance of Water Police	£3331	18	10

A further sum of £2,295 2s. was charged in Expenditure for the year 1881 on account of surcharges by the Imperial Government prior to the 1st July, 1881; for particulars of which see Council Paper A 5, Votes and Proceedings, 1882.

ROEBOURNE TELEGRAPH LINE: DEVIATION FROM POINT CLOATES.

Mr. BURT, in accordance with notice, moved the following resolution: "That in the opinion of this House it is desirable that the overland telegraph line to Roebourne should be carried through the settled districts in the vicinity of the Minilia and Lyndon Rivers to the Ashburton, instead of along the coast to Point Cloates; and that the Government should ascertain the cost of such deviation; and, if reasonable terms can be made with the contractor, that the desire of the House be carried into effect." The hon. member said he thought this colony could look back with great satisfaction to the action it had taken in extending its telegraph system during the past five or six years, and they had now some hundreds of miles in progress of construction connecting the capital with Roebourne in the far North; and it was intended he believed, shortly,—they hoped so at any rate—to further extend this line as far as Kimberley. He thought all hon. members agreed with him that we ought to derive as much benefit as possible from these lines, and that they should be taken through country that was settled, so far as it was practicable to do so, rather than carry them hundreds of miles through a tract of country which it was inconceivable could ever be settled, for pastoral or any other purpose whatever. He also thought it would be admitted that if this telegraph could run through settled districts instead of along a bare coast line, where settlement was very lim-

ited, it would be better to do so. It appeared to him that, when the present contract was let, insufficient consideration had been given to this phase of the subject—the question of route. He believed it would be admitted that the contract was taken rather hurriedly, and along a route which upon further consideration would probably not have been followed. He understood the contract was merely to carry the line from Northampton to Roebourne along the sea coast, and that the dominant idea of the Government in doing so was in order to have the work carried out at as small a cost as possible. He had no fault whatever to find with the Government as regards their action in letting this contract in that way; at the same time he thought they ought to join with hon. members in adopting a more desirable route, if it could be done without incurring any very serious extra expense, so as to make the line as serviceable as possible. The line has now reached as far as Carnarvon, and he thought the colony was to be congratulated upon the creditable manner in which, so far as they were aware, the work so far had been carried out, and the speed with which the line had been constructed. It had now arrived at a point when he thought the question of its further extension should be very carefully considered. He thought the Government would do well to reconsider the question of route, and see whether it would not be much more desirable to take the line somewhat more inland, along the rivers of the Gascoyne district, rather than take it along a barren coast to Point Cloates. If the original intention were to be adhered to, the line would just escape all those portions of the country that were now being rapidly settled, and we should not derive anything like the benefits which we would otherwise derive from the line. Consequently he felt it his duty to take the sense of the House as to whether or not it was desirable that the Government should endeavor, if possible, to make some arrangement with the contractor to carry the line inland instead of along the coast. Of course it would entail some increased expense to do so, but the question was whether it would not be advisable in the interests of the colony to make this deviation, although it would entail

additional expense. Of course, the contractor would have a considerable amount of carting to do, perhaps a hundred or two hundred miles; but, whatever the extra expense might be, in his opinion the House would be justified in incurring it, and in deviating from the original intention, so as to take the line through settled territory. He had no personal knowledge of the country himself: but no doubt the Government, with the information obtainable from different sources, would be in a position to settle with the contractor where the line should go. It had been suggested that the line should continue up to a point near Cape Parker, where he understood the material could be landed, and branch off to the settled districts in the Minilia and Lyndon Rivers, and thence to the settlements on the Ashburton, following the course of that river until it struck the line as at present designed. This deviation, he understood, would avoid all the barren country, and also obviate the necessity of erecting a station at Point Cloates, which would be a useless expense. Feeling as he did that they would be committing a great mistake if they hesitated to incur any reasonable expense in effecting the proposed deviation, he had brought the matter before the House, in order to take the sense of the House upon it. As to the question of ways and means, he believed there would be loan money available before the contract was completed to Roebourne, upon which might be cast the burden of this extra expense. Therefore it would be no argument to say that we could not afford it, or that we did not know where the money was to come from. He believed the select committee who was considering the appropriation of this large loan thought there would be a balance available out of that loan. If so, what more justifiable work could it be devoted to than the carrying out of this deviation?

MR. GRANT, in seconding the motion, urged the necessity of immediate action being taken in the matter.

MR. SHENTON said the hon. member for the Murray seemed to think that in all probability there would be money available from the loan out of which the Roebourne telegraph was being constructed for carrying out this deviation.

MR. BURT: No, from the proposed new loan.

MR. SHENTON said, as to there being a balance left from the loan for the Roebourne line, the hon. member would find, when the Loan Estimates came to be presented, that a further sum of £5000 would be required for the completion of the present contract. No doubt, if the money were available, it would be better to have the line constructed through settled country; but he thought the cost would be much larger than the hon. member anticipated; for in looking at the map, it would be seen that the line as at present laid out skirted the coast, thus enabling the contractor to land his material by boats; whereas, if the line were to deviate as suggested, a very large amount would have to be paid for carting the material inland. Under these circumstances, he hardly saw where the available funds were to come from, more especially when it was borne in mind that in all probability £35,000 would be required for the extension of the line to Kimberley.

MR. BROWN said the question raised by the hon. member for the Murray was an important one, and there was no doubt whatever that it simply resolved itself into a question of pounds, shillings, and pence. No one who looked at the map, or who was personally acquainted with the locality through which the line as at present designed was to run, but must see that from about Cape Parker to very nearly the mouth of the Ashburton the line would run through wholly unoccupied territory. He had not seen the country himself, but he had heard the opinions of those who had been over nearly the whole of it; and their opinion of the country was, that not only was it at present unoccupied but that it was likely to remain so for very many years, and that the probability was it never would be settled. It was a country that was unsuited for settlement; whereas the country inland, where it was proposed to divert the line, was, for the most part, already settled, or consisted of good pastoral country which if not already settled must become so very shortly. Therefore, he thought it was very desirable that the line should be diverted, as suggested by the hon. member for the Murray. At the same time,

as had been stated by other hon. members, this deviation must necessarily involve a much larger expenditure than the original contract. He noticed, however, that the resolution was very carefully worded, and that it did not commit the Government to carry out this deviation at any cost, but to enter upon the question and ascertain at what cost it may be effected, and whether it would be undertaken upon reasonable terms, within the means of the colony. He understood that the contractor, or the gentleman who was entrusted with the construction of the line, was at present in Perth; and, no doubt, if the Government entertained the suggestion, they were now in a position to ascertain, in a day or two, what the cost of the deviation would be. Having made this inquiry, they would then be in a position to make some representations to the House on the subject. Such being the case, he most cordially supported the resolution.

THE COLONIAL SECRETARY (Hon. M. Fraser) said it was no use crying over spilt milk. A contract had been entered into for the construction of a telegraph line from Northampton to Roebourne, and that contract embodied certain provisions as to the general direction which that line should follow, and as to what the cost of the line should be. He therefore need hardly point out that to enter now into the question of the construction of the line through territory which was never contemplated when the contract was entered into, would necessitate fresh negotiations, and probably saddle the colony with responsibilities which at present it was not aware of. He was quite sure that the hon. member for the Murray and Williams in bringing forward this proposition did not imagine what the difficulties might be which surrounded it, and the complications which might arise if the terms of the original contract were now to be departed from. The hon. member for the Gascoyne stated that in the course of a day or two the cost of the proposed deviation might be ascertained; but the hon. member must be aware that the contractors were pushing on rapidly with the work, and that they contemplated finishing their contract at a period earlier than was originally anticipated or thought of. The hon. member for Toodyay had already

referred to the fact that the committee who had under its consideration the various public works which may probably be entered upon with the money which the colony was about to borrow, had already had brought before it the necessity for making further provision for the completion of this Roebourne line. This further provision did not include any extra expenditure which the proposed deviation would entail; it merely referred to the extra expense which it was estimated would have to be faced for the completion of the line as now laid out. He hoped the House would recognise the fact that, in supporting this resolution, it was supporting an increased expenditure—how much, he did not at present know, but it must necessarily be very considerable; and it was not at all evident where the money was to come from. Nor indeed did he see at present where the funds necessary to complete the work as at present designed were to come from. No doubt the hon. member had in view certain advantages which might accrue to a few isolated settlers if the line were diverted inland as proposed; but he did not think the hon. member was at all prepared to show that it could be done without involving the colony in additional expenditure, and, unless he could do that, he certainly did not see how the hon. member's suggestion was going to be acted upon.

MR. MARMION thought it would be very desirable to divert the line as proposed, if the deviation could be made at anything like a reasonable expense; but he was very much afraid it could not be done at anything like a reasonable sum compared with the present contract, looking at the heavy expense which would be entailed in connection with the haulage of materials inland,—though it would shorten the line by about 30 miles. After all, he did not see that it would give very great advantages, unless they were going to have telegraph stations every thirty or forty miles along the line. No doubt every settler in the country would like to have a telegraph line within easy reach; but the question was, could the colony afford it? He doubted very much whether the line, whichever way it went, was likely to prove a reproductive work, and, even if we had the

money available for the proposed deviation—which the Colonial Secretary said was not the case—he thought the question was one that ought to be very seriously considered, before the terms of a contract already entered upon were departed from.

THE DIRECTOR OF PUBLIC WORKS (Mr. C. T. Mason) said it appeared to him they were all a little bit in the dark with reference to this question. It was proposed to alter material parts of a contract, while at the same time there was nothing before them to indicate whether the contractor himself, who surely must be consulted in the matter, was either willing or able to undertake the proposed alteration. The Government had entered into an agreement to carry the line from one given point to another, along a certain defined route, and it was now proposed to deviate considerably from that route, without anything before them to show them that the contractor would even favorably look at any such proposal. He thought they had had sufficient experience in this colony by this time to make them cautious at any rate before attempting to vitiate any contract, whether for the construction of a railway or of a telegraph; and he thought they ought to hesitate, even if it did not involve any additional expense, before they did anything that would, in any shape or form, tend to vitiate this contract.

MR. BURT said the Director of Public Works appeared to be very careful not to touch the contract, and the Colonial Secretary also seemed very timid on the subject, and both of them referred to the past experience of the Government in the matter of contracts. But, surely, it was not a very serious or a very dangerous matter to go to a contractor, and ask him whether he would be willing to vary the terms of his contract, and to enter into a sub-contract. The Government seemed to think that once a contract always a contract, and, though they believed the line would be utterly useless, as at present laid down, still they dare not touch it. He thought the House and the Government would yet regret if the proposed deviation should not be made now. These districts would sooner or later be largely settled, and the cry will then be to have the line extended, just in the direction it was

now proposed to direct it. If the Government found they had made a mistake in following the route which they had, he thought they ought to say so, and that, for the sake of a couple of thousand pounds, they ought to give the people of the district the benefit of it.

MR. McRAE thought the Government would be making a very great mistake indeed if they did not take immediate steps to stop the line from going to Point Cloates. He was pretty well acquainted with the country, for the last 150 miles before it reached the Ashburton, and he could safely say that it was such a tract of country as would never be settled; but, if the line were carried about fifty miles inland, as proposed by the hon. member for the Murray, it would pass through a tract of country that was already settled in several places, and which was of such a nature that before long it would be settled right through. A station at Point Cloates would be of no benefit whatever to the settlers between the Gascoyne and the Ashburton. But, if the line were carried inland, there might be a station at the Lyndon, or a little nearer the Ashburton, which would be of benefit to the settlers along the whole line, and, he thought, at a small additional cost—probably not more than £1000.

MR. CROWTHER said that when the contract was first taken the House and the country were led to believe that there would be a considerable surplus available to extend the line towards Kimberley; but they now found that it would require a large additional amount to finish the line as far as Roebourne. The Government, he believed, admitted that they had made some mistakes, and he did not think the difficulty of rectifying them would be very great. The contractors' agent was now in Perth, and, if the Government were to interview him, they might get all the information required by tomorrow evening. Although the proposed deviation was not a long one, it would be so much dead haulage, and possibly the expense would be more than hon. members imagined.

SIR T. COCKBURN-CAMPBELL said he was informed that the contractors had gone into the question of expense, and that they were prepared to make an offer.

THE HON. J. G. LEE STEERE thought the resolution embodied a very sensible suggestion. Anyone who looked at the map must see that a great mistake had been made in laying out the line; and the only question as to the deviation was whether it could be made with the funds at the disposal of the Government. If not, he did not himself see where the money was to come from.

MR. BURT said he never meant his resolution to be regarded as a substantive resolution, pledging the Government to make this deviation. All he asked for was that they should ascertain from the contractors what the extra work would be, and whether they would be willing to do the work, so that the matter might be again brought before the House in some definite form.

THE DIRECTOR OF PUBLIC WORKS (Mr. C. T. Mason): I think I now understand the hon. member, and I will endeavor to ascertain from the contractors what they are willing to undertake the deviation for. What the Government were opposed to was that they should be asked to pledge themselves to carry out the proposed deviation, whether they had the means at their disposal or not.

The resolution was then put and passed.

FORTIFICATION OF KING GEORGE'S SOUND.

SIR T. COCKBURN-CAMPBELL, in accordance with notice, moved, "That an humble address be presented to His Excellency the Governor, praying that he will be pleased to inquire of Her Majesty's Government whether any recommendations have been made by the Royal Defence Commission respecting the fortifications of King George's Sound, and, if such recommendations have been made, whether Her Majesty's Government propose to take any steps in the matter." The hon. baronet pointed out that for a good many years past this question of fortifying Albany and making it a naval coaling station had occupied attention at different inter-colonial gatherings; and he understood that the necessity of these fortifications had been admitted, but that it was considered undesirable to attempt to do

anything in the matter until the Defence Commission had reported. He believed the commission had reported about a year ago, but the report had not been made public. He supposed a good deal of it was of a confidential character; but in February last a question was asked in the House of Commons as to whether the Government could make any statement with regard to the recommendations of the Commission, and say whether they were prepared to carry them out. Lord Hartington replied that when the vote for fortifications came on he would be prepared to make a statement on the subject; but he (the hon. baronet) had carefully looked through the proceedings of Parliament ever since, and had failed to see that this statement had been made yet. He was perfectly aware that nothing definite would be done in this matter of fortification until the question of federation had been settled one way or the other. That question might of course take some little time, but this fortification question was not merely a colonial one, it was an Imperial one also. He had ascertained that Sir William Jervois, General Scratchley, and Commodore Erskine, before the Defence Commission had finished their labors, had pointed out that it was absolutely necessary for the safety of commerce in this part of the Empire that King George's Sound should be fortified: therefore it was an Imperial question as well as a colonial one, and no doubt when the time came to move in the matter, the Imperial Government would join with the Colonial Governments in adopting the necessary steps. At the same time, if our Government were to communicate with the Imperial authorities on the subject, it might have some effect perhaps in bringing the matter forward earlier than it otherwise would. At all events it would be satisfactory to us, and to the people of Albany in particular, to know what recommendations the Commission had made, and whether the Imperial Government intended to take any steps upon those recommendations.

The question was then put and passed.

JOINT STOCK COMPANIES ORDINANCE, 1858, AMENDMENT BILL.

MR. BURT obtained leave to introduce a Bill to extend the provisions of "The

Joint Stock Companies Ordinance, 1858," to insurance companies, and moved that the bill be read a first time.

Motion agreed to.

Bill read a first time.

SUPREME COURT ORDINANCE, 1861. AMENDMENT BILL.

MR. BURT, with leave, introduced a Bill to amend "The Supreme Court Ordinance, 1861," and moved that the bill be read a first time.

Motion agreed to.

Bill read a first time.

PRESBYTERIAN CHURCH BILL.

This Bill passed through committee without discussion.

MESSAGE (No. 35): APPROVING OF TERMS OF THE PROPOSED RAILWAY CONTRACT WITH MR. HORDERN.

THE SPEAKER announced the receipt of the following Message from His Excellency the Governor:

"The Governor has the honor to inform the Honorable the Legislative Council that he has approved of the terms of the proposed contract with Mr. Anthony Horder, for the construction of a Land Grant Railway from Beverley to Albany, as finally recommended in the address of the Council No. 34, of the 1st instant, and that, Mr. Horder having stated his willingness to accept the terms, and having deposited the guarantee of £10,000 agreed upon, instructions have been issued for the preparation of the contract, which, in the absence of Mr. Horder, will, it is understood, be signed by his duly authorised agents without further delay.

"2. A Bill will be at once introduced into the Council for the purpose of legalising the construction of a Railway between Beverley and Albany on the Land Grant System, and of empowering the Governor to enter into a contract on the terms advised by the Council.

"3. The satisfactory arrangement of the conditions of this very important contract is a matter for congratulation, and the Governor desires to express his sense of the labor, care, and ability with which the Council have

"considered a project of vital bearing on the future of the Colony.

"Government House, Perth, 8th September, 1884."

POLICE BENEFIT FUND BILL.

This Bill passed through committee, *sub silentio*.

GOVERNOR'S SALARY BILL.

This Bill passed through committee without discussion.

ESTIMATES, 1885.

The House then went into committee for the further consideration of the Estimates for 1885.

Works and Buildings, Item £16,885:

THE COLONIAL SECRETARY (Hon. M. Fraser) moved that the item "Survey of railway line from Cossack to Roebourne, £150," be struck out. He did so because the money would be found—he hoped it would meet with the approval of the House—out of the proposed new loan.

MR. GRANT thought there would be some preliminary expenses necessary before the loan money became available, and that it would be a pity if the survey of this line were to be delayed simply because the House had not voted a small sum for the purpose. He hoped the hon. gentleman who represented the Government would not press his motion seeing that the money was already on the Estimates.

The motion was then put and passed, and the item struck out.

MR. MARMION asked for some information as to the item "Albany Sand Patch, £400." For some years past they had been told that no more money would be required for this work, and he did hope this would be the last expenditure the House would be asked to vote.

THE DIRECTOR OF PUBLIC WORKS (Mr. C. T. Mason) believed this would be the last vote required—at least he was so informed by the Government Resident.

MR. BROWN would like some further information on the subject—how many acres of drift sand were there to be covered in the first instance, how many acres had been covered, and how many more re-

maintained to be covered. The Government were not without some experience in this sort of work, having spent a considerable sum of money on a similar work at Geraldton.

THE COLONIAL SECRETARY (Hon. M. Fraser) said there was every reason to believe that the sum now asked for would be sufficient to complete the work, for some years at any rate; but when the hon. member asked how many acres had been covered and how many acres remained to be covered, he was afraid the hon. member did not understand the nature of the work carried on at Albany. It was simply an attempt made, by the formation of brush-works or barriers, to arrest the advance of the sand-drift. The patch extended a distance of about three miles, and in some parts was half a mile wide. It was impossible to say whether, in the distant future, further expenditure would not be necessary—such was possible; at the same time there was reason to think that what was now being done would prove successful and that when they had expended this money they might, at any rate for a time, rest, and watch what the effect would be.

Mr. BROWN regretted to think, from the description of the work as given by the Colonial Secretary, that the money expended on the work was money thrown away. The thing was not to be done by the erection of barriers. He thought it had been proved to the satisfaction of the Government, at Champion Bay, that the only effectual way of stopping sand-drift was by thatching it, with brush-wood; and, if this sand-patch at Albany covered the area mentioned by the Colonial Secretary, the work could not be properly done—judging by the cost of similar work at Geraldton—under £20, 000. He thought £20 an acre was a low estimate, and, if there was no brush-wood available within a convenient distance, it would cost a great deal more. He hoped, if the Government came again next year and asked for any further sum for this work, as it was now being carried out, the House would refuse to waste any more money upon it.

Mr. GRANT asked for some information as to the item "Quarantine station, Carnac, £1000."

THE COLONIAL SECRETARY (Hon. M. Fraser) said hon. members were aware it had been necessary to place all vessels coming from Victoria in quarantine, owing to the outbreak of small-pox in that colony; and New South Wales had that day been placed in the same category. It was not known exactly yet whether there would be occasion to deal in the same way with vessels coming from South Australia, but the probability was that it would, and he feared that in the future, sooner or later, this disease would become endemic. At any rate it became imperative we should make some provision at our principal seaport for the accommodation of passengers who may have to undergo quarantine, and the Government, having taken advice on the subject, had come to the conclusion that the island of Carnac was the most eligible spot for a quarantine station, in the vicinity of Fremantle. This was the lowest estimate which the Works Department could give of the cost of the necessary buildings.

Mr. S. H. PARKER asked if the Government were enforcing the provisions of the Vaccination Act?

THE COLONIAL SECRETARY (Hon. M. Fraser) referred the hon. member to the *Gazette* notice. The Government were advising rather than enforcing the public in this matter.

Mr. GRANT asked if anything had been done to carry out the resolution of the House as to enforcing the provisions of the Vaccination Act among the native population?

THE COLONIAL SECRETARY (Hon. M. Fraser) was afraid the hon. member did not study his *Gazette*. If he had done so, he would have seen, in a late number, what had been done in the matter.

Mr. GRANT said it must be a very late number indeed, then. He was afraid the Government had been guilty of a considerable amount of procrastination in this matter.

Mr. MARMION hoped the Government would lose no time in proceeding with the erection of the necessary buildings at Carnac, and that if the money should be required before the vote became available it could be taken out of current revenue. What was to be done ought to be done quickly, as there was no knowing

how soon these buildings might be required.

THE COLONIAL SECRETARY (Hon. M. Fraser) assured the hon. member that the earliest opportunity would be taken of utilising the vote.

THE HON. J. G. LEE STEERE, referring to the vote "Completion of Geraldton hospital, £1200," said the House ought to be pretty well acquainted with this item by this time. Two sums of £1000 had already been voted for this building, and last year the House adopted a resolution requesting the Government to call for tenders for the work, and that the plans and specifications for the building should be so framed as not to exceed the amount already voted. The Governor informed the House, in reply to that address, that he had issued directions in accordance with it; and yet, in the face of that assurance, they were now asked to vote another £1200 for the same work. He moved that the item be struck out.

MR. BROWN pointed out that the original estimate for the work was £3000, and, as £300 had been appropriated for the medical officer's quarters out of a portion of the money already voted for the hospital (£2000), the present vote would in reality make the total sum available for the hospital £100 less than was originally intended. He might state that the sum now asked for was intended for the erection of a female wing or ward, which was very much needed, there being hardly any accommodation at present for female patients. The first vote for the hospital was £1000, —a sum which he pointed out at the time would be utterly inadequate, and he emphatically protested against its being regarded as being sufficient to do more than to cover a small portion of the cost of a building suitable to the requirements of the district. Next year the Council generously—particularly so, considering the feelings of some hon. members towards the district—voted another £1000; but what took place then? As already stated, the Government, for purposes of its own, adopted the extraordinary course of appropriating £300 out of that sum to provide quarters for the medical officer—an action that was the subject of considerable comment in the House at the time. The result was

that the vote for the hospital was crippled, and he believed the plans and specifications of the building had to be modified and cut down, the doors and windows reduced, until now the design of the building was that of a structure which he had no hesitation in pronouncing was a disgrace to the architecture of the town. It would afford very little more accommodation than the building which had to be abandoned, and which was a disgrace to our civilisation, being unfit for the accommodation of any human being, suffering from disease. The money now asked for was to provide additional accommodation in the shape of a female ward. Several of the residents had promised annual subscriptions to supplement the expense of maintaining this ward; and he hoped the House would not agree to the motion to strike out the vote.

MR. CROWTHER said the building was a disgrace to any department, and actually afforded two beds less accommodation than the old hospital. Nobody but the Government would waste good money on such a structure.

MR. MARMION said this was another illustration of the necessity of having plans of public buildings laid on the table of the House before the money was voted. For years past he had set his face against any expenditure upon public buildings unless the House had an opportunity of judging by the plans and specifications whether such buildings were suitable to meet the requirements in view. A great deal had been said in that House, session after session, as to the necessity for this hospital at Geraldton, and one would really think that the town was the most important and most populous town in the colony. He might remind the representatives of the North that he had the honor of representing the second town of importance in the colony, next to the city itself, and that in that town they had no public hospital of any kind.

MR. BROWN said they had one at their doors—the Colonial Hospital, at Perth, which was available for the people of Fremantle connected as it was with the city by rail. It was a different thing for the inhabitants of a distant and widely-scattered district like the Victoria District.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said he had seen the new hospital at Geraldton, and he did not consider it was a hideous or unsightly building at all; on the contrary, it struck him as being the very best hospital in the colony, with the exception of the Colonial Hospital at Perth. There was not another country district in the colony which had such a building.

THE HON. J. G. LEE STEERE said it seemed to him that Geraldton always wanted something superior to any other part of the colony. The representatives of the district told them that this hospital which would cost about £3000 was a disgrace to the district; but the Surveyor General, who had seen it, told them it was the finest hospital in the colony out of Perth. He thought the hon. member for Fremantle hit the right nail on the head when he pointed out the necessity for plans and specifications of new buildings being submitted to the House before the money for such buildings was voted. They had no guarantee now that if this additional vote was passed, it would be sufficient to complete the building, to suit the fastidious tastes of the Northern people.

THE COLONIAL SECRETARY (Hon. M. Fraser) thought he could assure hon. members that no further vote would be asked for this work. At all events, if he should occupy the position which he now occupied, he at any rate would not have the courage another year to ask for any more. He believed the amount now on the Estimates would suffice to complete the building entirely.

The motion to strike out the item was then put, and negatived, on the voices.

MR. GRANT called attention to the item "Roebourne hospital and additions to medical officer's quarters, etc., £700." He thought this was a very small amount indeed for a district that contributed one third of the whole revenue of the colony. The hospital at Roebourne at one time consisted of nothing better than what he might call a stable, the heat of which in summer time reminded the wretched inmates of a place he did not like to mention. Since then the 'hospital' had been removed to the prisoners' cells, which were also utilised as a depository for coffins, thus affording a delightful

prospect for the patients. And now when at last it was proposed to build a real hospital all the Government asked for was £700, when, in the same breath, they were told that the hospital at Geraldton would cost £3000. He should have been ashamed to have put a sum of £700 down for a hospital for a district like Roebourne, which would have to serve the whole of our North-West territory. But it appeared to him there was no such thing as shame about our Government.

THE HON. J. G. LEE STEERE called attention to the item "Resident Magistrate and Doctor's stable accommodation, York, £400." He thought this was a most unreasonable item. Why should that House be called upon to provide stable accommodation, at an expense of £400, for these two gentlemen? One (the doctor) was not even allowed forage allowance, and, as he thought the committee must draw the line somewhere, he intended to draw it here, and he would move that the item be struck out.

THE COLONIAL SECRETARY (Hon. M. Fraser) said the present buildings were in a most dilapidated state, and he might say dangerous.

MR. SHENTON said the Government seemed to think more of providing accommodation for the doctor's horses at York than they did for the doctor himself in the district which he represented. He should vote against the item as it stood. He considered it was too much altogether.

MR. S. H. PARKER was afraid that unless the item were reduced it would be struck out altogether. He would therefore move that the item be reduced by £200.

MR. GRANT said it appeared to him that the Government took a great deal more care of their Resident Magistrates and of their doctors in this part of the colony than they did at the North, where no suitable accommodation whatever was provided for the doctor nor the magistrate. The sum asked for these stables at York was more than half the sum asked for a hospital and doctor's quarters at Roebourne.

MR. BURT said it appeared to him the vote was a new departure altogether. The doctor at York was not allowed forage allowance, and why should they

be asked to provide him with stable accommodation? Was this to be looked upon as a precedent?

THE DIRECTOR OF PUBLIC WORKS (Mr. C. T. Mason) said he wished to point out that the item was prepared before he took office, and that he was not responsible for its appearance on the Estimates. It seemed to him that the amount asked for (£400) was rather high, and, for his own part, he did not intend to oppose the motion to reduce it to £200.

The proposal to reduce the vote by £200 was then put, and, a division being called for, the numbers were—

Ayes 9

Noes 11

Majority against ... 2

AYES.
Hon. M. Fraser
Hon. A. P. Hensman
Hon. J. Forrest
Mr. Mason
Mr. Brown
Mr. Davis
Mr. Hammersley
Mr. S. S. Parker
Mr. S. H. Parker (Teller)

NOES.
Mr. Burt
Mr. Crowther
Mr. Glyde
Mr. Grant
Mr. Jeton
Mr. Marmion
Mr. McRae
Mr. Randell
Mr. Shenton
Mr. Venn
Hon. J. G. Lee Steere
(Teller)

The amendment was therefore negatived.

The motion to strike out the whole item (£400) was then put, and passed.

MR. MARMION, referring to the item "Minor Works, £4000," asked whether any schedule had been prepared showing the works upon which it was proposed to expend this money. It was a large amount to vote away without any information whatever as to how it was proposed to expend it.

THE DIRECTOR OF PUBLIC WORKS (Mr. C. T. Mason) said it would be impossible to prepare any list showing how this vote was likely to be expended. It was intended to meet any contingencies that might arise. The amount set apart under the same head in former years had almost invariably proved insufficient to meet the demands made upon the department from all parts of the colony,—demands which it would be impossible to foresee and to provide for specifically.

MR. S. H. PARKER said the fact of the matter was this—they were asked to place this large sum at the disposal of

the Works Department to do whatever it pleased with it, without reference whatever to that House; and, when they spent this amount, they would then go to the Audit Committee and ask them to sanction additional expenditure. That was what was done last year. The vote was all spent before the middle of April, and no one knew how, and when the department wanted a further sum they asked the Finance Committee to advise His Excellency to sanction it. Seeing that this Finance Committee was at all times available for consultation in any case of emergency that might arise, and that the Legislature through that committee might be said to exercise some control over the expenditure, he thought the Government might be content without asking the House to place a large sum like this at the disposal of one department, without giving the Legislature any control whatever over its expenditure. Under the circumstances he thought he would be justified in moving that the item be struck out, and he now did so.

THE COLONIAL SECRETARY (Hon. M. Fraser) hoped the hon. member would not do that. The hon. member must be aware how very inconvenient it would be for the Works Department if it were left without any margin to meet the demands made upon it from time to time from all parts of the colony. The department would in fact be paralysed.

MR. RANDELL was sorry to hear that no list whatever had been prepared showing how it was proposed to expend some of this money. There was one work in particular which he should like to see provision made for,—a most necessary work in his opinion. He alluded to the steps which ought to be taken to prevent the encroachment of the sea into the river, over the narrow neck of land at Rous' Head, at Fremantle. Possibly the first heavy blow, with a high sea running, would result in the sea making its inroad into the river at this place, and he need hardly say the consequences might be very serious, not only as regards the navigation of the river, but also endangering the railway embankments, and possibly the town of Fremantle itself. He hoped the Government would lose no time in taking the necessary steps to prevent any such disastrous result. Mr. Wardell, an engineer, who, it would be

remembered, was instructed to report on the subject of harbor improvements at Fremantle, as long ago as 1874, referred to the necessity of something being done in this matter without delay. [Mr. MARMION: Sir John Coode also draws attention to the same thing.] Under these circumstances, he hoped the Government would not lose sight of this work, and, if only on these grounds, he should be sorry to see this vote struck out, as proposed. As to the Audit Committee, although he entertained very considerable respect for the members of it, he still had sufficient confidence in the Government to entrust the expenditure of this vote to the department. It would be absurd, it appeared to him, to expect the Government to run for the committee's advice and consent for every two-penny-halfpenny work. If the Government could not be entrusted to expend £4,000 judiciously upon the various minor works that might be required throughout the colony in the course of the year, he thought the sooner the better the hon. member for Perth put on steam and ejected them from office.

Mr. BROWN thought some hon. members misunderstood the position of the Finance Committee altogether, when they proposed to delegate to that body the functions of the Legislature. He had always looked at the clause in the Audit Act appointing this committee as a clause to support the Governor of the colony in incurring over-expenditure. It gave the Governor the support of four members of that House in every case of over-expenditure. He held the position of the members of the Finance Committee to be simply this—that their duty was to take care that no illegal expenditure is incurred. It was not for them to ask the question whether any expenditure would be wise or unwise.—[Several hon. members: Oh, oh]—but to ask whether the expenditure had been authorised by the House, or whether on the other hand it was a case of emergency. If it was a matter that might wait a few months it was their duty to let it stand over until the Council met and had an opportunity of pronouncing an opinion upon it. They had no right to support the Government in the expenditure of any monies upon any object whatever which might fairly stand over; and when they came forward

and asked the House not to vote this item—an item which it had been found necessary to vote every year since the Council was in existence—but leave it to the discretion of the Government and the Audit Committee, they were certainly asking that House to delegate its functions, and the House if it did so would be putting this Audit Committee in a position superior to the Government itself, and making the Government subservient in every way to the committee. They would be saying in effect, "We will entrust the Finance Committee with an expenditure which we will not entrust the Government with." Personally he should prefer there was no Finance Committee, and let the Government be controlled in their expenditure by the law, which he considered would be a better guaranty to that House than any Finance Committee.

Mr. S. H. PARKER said that when the House passed the Audit Act and established this Finance Committee there could be no question of the fact that it delegated a portion of its functions to that committee. It was said that it was only in cases of emergency they ought to sanction any expenditure. He concurred with that, and if hon. members would look at the minutes of the committee they would see that in no single instance except in a case of emergency had the committee authorised any expenditure. Over and over again they had been asked to authorise expenditure and had not done so, because they thought it might stand over until the Council met.

Mr. GRANT moved, as an amendment upon the motion to strike out the whole item (£4,000), that the item be reduced by £2,000. He thought £4,000 was too large a sum altogether to be placed in the hands of irresponsible ministers, who were unable to inform the House how they proposed to spend any of it. The whole amount might be expended upon works which the House would never have sanctioned, if its sanction had been asked.

THE COLONIAL SECRETARY (Hon. M. Fraser) said hon. members seemed to object to the vote, because the Government were not in a position at the present moment to enumerate the various minor works upon which the money would be spent. Was he to take that as a sort of want of confidence motion? He

assured hon. members that the same care would be exercised in the expenditure of this money, as if every item upon which it might be spent could have been specified beforehand. But that was impossible. It was merely a speculative vote. There was not a week in the year that passed without the Government being called upon to undertake some minor work, which, in the interests of the public, must be attended to at once. He would himself undertake that, if alive and occupying a seat in the House next year, a full account should be given of all the items upon which the money had been expended. There was no reason or wish on the part of the Government to conceal the information. Past experience had shown that an open vote like this was absolutely necessary to meet the exigencies of the public service, and he hoped the committee would show its continued confidence in the Government by voting the whole amount asked for.

THE DIRECTOR OF PUBLIC WORKS (Mr. C. T. Mason) hoped the committee would pause before agreeing to either the amendment or the motion to strike out the whole item. The result of the former would be to cripple the department, probably to a serious extent, while, if the vote were struck out altogether, the department would be completely paralysed, in the matter of carrying out minor works. As to the Finance Committee, no doubt the members of it deserved every credit for doing so much as they did, in watching over unauthorised expenditure; but, if every little trumpery item, involving an expenditure of 2s. or 3s., had to be referred to the members of the Finance Committee, they would become dissatisfied with being merely an honorary body, and would want a pretty large salary.

THE HON. J. G. LEE STEERE said he agreed in a great measure with the proposal to reduce the vote to £2,000. If that should not prove sufficient, the Finance Committee might be applied to. He was quite convinced that the money would be wanted, but he should like to see it put under the head of "Public Buildings," rather than "Minor Works," which gave the department a very wide latitude indeed.

The amendment—that the vote be reduced from £4,000 to £2,000—was then

put, and negatived; as was also the motion to strike out the whole item.

THE COLONIAL SECRETARY (Hon. M. Fraser) moved that the item "Moorings, Rockingham, £100" be added to the vote; which was agreed to, without comment.

The departmental vote was then put and passed.

Roads and Bridges, Item £15,850:

Mr. BURT hoped the Government when allotting the annual vote to the Roads Board would set apart a sum of £200 to complete the road from Pinjarrah to Mandurah. Governor Ord promised to appropriate £300 out of the Road Loan for this work, but somehow or other £200 of that sum was diverted by the Government to some other purpose, and the road to this day had not been completed.

The item was then put and passed.

Ecclesiastical Grant, Item £3,543;
Literary, Scientific, and Agricultural Grant, Item £920:

Agreed to, without comment.

Pensions, Item £1,770 17s. 8d.:

Mr. MARMION referred to the small pension granted to the late matron of the Lunatic Asylum (Mrs. Pyke), and asked whether her case had been brought under the notice of the Executive, as was promised in the House last year?

THE COLONIAL SECRETARY (Hon. M. Fraser) said it had, and that the case had received every attention. Hon. members must be aware that these pensions were regulated by statute, and he only regretted that the amount in this instance was not more than the late matron was entitled to.

The item was then put and passed.

Revenue Services, North-West Coast, Item £1,140:

Agreed to, without comment.

Miscellaneous, Item £19,796:

THE HON. J. G. LEE STEERE asked for some information as to the item "Royal Humane Society of Australasia, £20," which appeared on the Estimates now for the first time.

THE COLONIAL SECRETARY (Hon. M. Fraser) said that an appeal had been made by the society to the Government of this colony for some assistance in common with the Governments of the other Australian colonies, some of whom contributed from £50 to £250 annually

towards the funds of the society, which, he believed, was acknowledged to be a most worthy society. Upon an appeal being made to this Government, a contribution of £20 was forwarded to the society, and they were informed at the same time that the Legislature would be asked to continue this small donation annually.

THE COLONIAL SECRETARY (Hon. M. Fraser) then moved that the following item be added: "Compensation for land taken for Northern Railway, £125." Hon. members were aware that a claim had been made for compensation in respect of some land resumed for the purposes of this railway, and, no provision having been made to meet the claim, he had now to move this item.

The motion was agreed to, and the item "Miscellaneous, £19,921" put and passed.

Refunds, Item £600:

Agreed to, without comment.

THE COLONIAL SECRETARY (Hon. M. Fraser) moved that the Chairman of Committees should report the Estimates to the House on the following day.

Agreed to.

The House adjourned at midnight.

LEGISLATIVE COUNCIL,

Tuesday, 9th September, 1884.

Appointment of Mr. J. G. Lee Steere to a seat in the Executive—Opening of Closed Pearling Banks at Sharks Bay (Message No. 22)—Beverley-Albany Railway Bill: first reading—Public Works Loan Bill (£525,000): first reading—Transfer of Imperial Convict Establishment (Message No. 33)—Refund of Duty upon Machinery and Plant for Perth Gas Co.—Albany Mechanics' Institute Bill: third reading—Police Benefit Fund Bill: third reading—Governor's Salary Bill: third reading—Estimates, 1885: re-committed and reported—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

APPOINTMENT OF Mr. STEERE TO A SEAT IN THE EXECUTIVE COUNCIL.

Mr. GRANT moved, "That an humble address be presented to His Excellency the Governor, praying that he may be pleased to lay upon the Table of the House the Despatch from the Secretary of State, by virtue of which the recognised leader of the elected members of the Legislative Council, Mr. J. G. Lee Steere, had been appointed a member of the Executive Council."

The motion was agreed to.

RE-OPENING OF SHARKS BAY PEARLING BANKS.

Mr. BROWN, in moving the resolution standing in his name, said hon. members were aware that certain papers relating to measures advocated in connection with the opening and closing of the pearling banks at Sharks Bay had been forwarded to the House by His Excellency the Governor, with a request that the Council would let him know what course it was inclined to recommend as to the opening of the banks which had been closed, some three years ago. These papers were referred to a select committee, of which he had the honor of being chairman, and he had now to ask the House to agree to the recommendations made by the committee in their report. The committee ascertained that in the opinion of those engaged in the pearling industry at Sharks Bay all the banks within the closed area were now plentifully restocked with mature shells. This allegation was fully borne out by the result of recent dredging upon some of these banks, carried out under the personal supervision of the Government Resident, who reported that there were plenty of well matured shells. The committee had an opportunity of inspecting some of these shells, and of comparing them with the shells now being dredged from the open banks, and the conclusion forced upon the committee as regards these Sharks Bay shells was that they matured in the course of three years—an opinion which was shared by the Resident Magistrate of the district and by the pearlers generally. It was also asserted by those engaged in this industry that the banks now open were completely worked out, and that unless fresh banks were opened