

into the sister Colonies at public expense should be induced to come here by the offer of a free passage, but that the same system of nomination as obtained with regard to immigrants from the mother country should be applied as regards the neighboring Colonies, where many people here had friends and relatives whom they might be glad to nominate. He did not think any of the Colonies would object to such a proposition as that.

[THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy), at this stage, left the House.]

MR. STEERE: I find myself placed in a very awkward position. The hon. gentleman has left the House and intimated that it is not his intention to return again this evening. The Committee certainly require to be furnished with information relative to the items placed on the Estimates, and cannot be expected to vote the money in the dark; and, although members are anxious to get on with the work, I fail to see how they can be expected to do so in the absence of the leader of the Government. I believe His Excellency the Governor has stated to several hon. members that he is very anxious indeed that the work of the Session should be completed as soon as possible, and I know members are prepared to do all they can, compatible with their duties to the country, to gratify the Governor's desire; but it is not our fault if the work is not done, seeing that the Government do not seem to care whether they are represented in the House or not. Under these circumstances, I beg to move that Progress be reported, and leave asked to sit again at the next meeting of Council.

MR. BROWN said every desire had been manifested on the part of the elected members to proceed with the Sessional business, and no doubt the Government were equally desirous of getting on with the work. Under ordinary circumstances, the departure of the Colonial Secretary from the House, when the Estimates were under consideration, would no doubt be a very proper cause for complaint, but it must have been apparent to everyone that the hon. gentleman was not physically capable of proceeding with the work that evening, and he thought it was solely on that account

that the hon. gentleman had left the House.

Progress was then reported.

The House adjourned at half-past twelve o'clock, a.m., on Saturday, 28th August.

LEGISLATIVE COUNCIL,

Monday, 30th August, 1880.

Colonial Secretary's and Public Works Departments: Report of Select Committee—Public Lands held by Government Officials—Messages (Nos. 19 and 20)—Proceedings in Committee of Supply—Estimates: Further consideration of—District Roads Act, 1871, Amendment Bill: third reading—Jury Act, 1871, Amendment Bill: re-committed—Destructive Insects and Substances Bill: third reading—Supreme Court Bill: re-committed—Audit Bill: third reading—Recognition of Services of Alexander Forrest and Party: Adjourned Debate—Report of the Pearl Shell Fishery Commission—Municipal Institutions Act, 1876, Amendment Bill: second reading; in committee—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

COLONIAL SECRETARY'S AND PUBLIC WORKS DEPARTMENTS.

MR. STEERE, in accordance with notice, moved, "That the report of the Select Committee appointed to inquire into the proposed expenditure in the Colonial Secretary's Department and the Public Works Department (*vide* page 200, *ante*) be adopted."

Agreed to, *sub silentio*.

MR. STEERE moved, "That an Humble Address be presented to His Excellency the Governor requesting that he will be pleased to take the same into his consideration."

Question—put and passed.

PUBLIC LANDS HELD BY GOVERNMENT OFFICIALS.

MR. BURT, in accordance with notice, moved, "That the House resolve itself a Committee of the whole to take into consideration His Excellency's Mes-

"sage relating to the rule which had been submitted for approval to the Secretary of State, with reference to the leasing and acquiring of land by officers in the Public Service."

Agreed to.

IN COMMITTEE.

MR. BURT said that, on the 24th August, His Excellency had informed the House by Message that the following rule had been submitted to the Secretary of State for his approval, and, in the event of its being confirmed, would be embodied in the Colony's Land Regulations which were now undergoing revision: "No Public Officer shall be allowed to purchase or lease Crown Lands (other than town or suburban lots) without the permission of the Governor in writing; and no officer of the Survey Department, or contract surveyor, shall be permitted, under any circumstances, to purchase or lease, or to acquire, directly or indirectly, any interest in such land." He (Mr. Burt) was ready to admit that an endeavour to meet the anticipated evil, at which this rule was directed, was a desirable movement. He was not prepared to say that the evil existed at present—existed at any rate to such an extent that it had become a reproach, or anything like a system. He had always entertained the opinion, and he thought the majority of his fellow-members did, that the acquisition of Crown Lands by public officers ought to be stringently guarded against; but the rule submitted on the question for the approval of the Secretary of State he conceived to be somewhat unjust. It dealt in the first place with public officers generally, who are not to be allowed to purchase or lease lands except under certain conditions; and it then proceeded to single out the officers of a particular department, who, under no circumstances whatever, are to be permitted to purchase, or to lease, or to acquire any interest in Crown Lands, directly or indirectly. He thought this latter portion of the rule was altogether too stringent. If it was necessary to prohibit officers employed in the Survey Department, and contract surveyors, from acquiring any right or title to land, it was equally requisite to apply the same prohibition to other officers in the Public Service. But hon.

members would observe that any other public servant (excepting the officers of the Survey staff and the contract surveyors) were to be allowed to lease or purchase land, by permission of the Governor in writing. It was a well-known fact that in the Treasury, the forfeiture of lands, by reason of non-payment of rent, became known long before it did in the Survey Department, and the officers employed in the Treasury were in a position to take advantage of the omission, in many cases, before the officers of the Survey Office could avail themselves of it. He therefore conceived that, if it was considered necessary to provide safeguards against the acquisition of land by surveyors, it was equally necessary to make the same provisions as regards the officers of the Treasury Department. Why, then, should one lot of public servants be singled out as the victims? He maintained that if the rule were made to apply to the officers employed on the Survey staff and to contract surveyors as it was proposed to apply to all other public officers, the object which they had in view would be met, and the Governor as well as the Secretary of State be satisfied. He therefore begged to move the following resolution on the subject:—"That an Humble Address be presented to His Excellency the Governor, informing him that this House having taken into consideration Message No. 11, which His Excellency has been pleased to send down to this House in reply to an Address, No. 18, relative to the purchase and leasing, by Public Officers, of the Waste Lands of the Crown, is of opinion—(1.) That the rule on this subject which His Excellency informs the House will be inserted in the Land Regulations, if approved by the Secretary of State for the Colonies, is unnecessarily stringent, in so far as such rule applies to Officers of the Survey Department and Contract Surveyors. (2.) That, while acknowledging the desirability of guarding against the possibility of any undue advantage being taken by Officers of the Survey Department and Contract Surveyors in the acquisition of land by reason of their connection with the Lands Office: This House is further of opinion, that considering the vast area of unalienated

"Waste Lands of the Crown in this Colony, and its limited population, the evil aimed at may be sufficiently guarded against by the following regulation in lieu of that proposed:—That no Public Officer shall be allowed to purchase or lease Crown Lands (other than Town or Suburban Lots) without the permission of the Governor in writing. Provided, always, that the Governor shall withhold such permission until after the publication of any application for any such land by a Public Officer or Contract Surveyor in the *Government Gazette* for any period not exceeding three (3) months, the expenses of such publication to be defrayed by the applicant, which publication the Governor may direct." He thought that would meet the case, and receive the affirmation of every member in that House, and also give satisfaction to the public. In the case of an officer returning from conducting surveys in any locality, say Toodyay, or York, or elsewhere, and applying for land in that locality immediately upon his return, no doubt the circumstance might be regarded in such a light as to render it very desirable that such application should be thoroughly sifted before it was granted. And having done that, he thought they would have done all that could reasonably be expected of them. An application for land made by a surveyor immediately on his return from a district where he had been surveying would naturally be regarded with some degree of suspicion; but if the safeguards contemplated in the resolution now before the Committee were provided, the application would be sifted to the very bottom, and, by publishing such application in the *Gazette*, the owners of property in the neighbourhood would become cognisant of the same having been made, and be in a position to communicate with the Government on the subject, if they deemed it necessary or expedient to do so. This would prevent any undue advantage being taken by the surveyor of any knowledge he may have acquired while conducting his surveys. And in the event of there being no fair or reasonable objection to the granting of the application, he saw no reason why, with the Governor's per-

mission, a surveyor should not acquire an interest in the land. It was not even suggested that any facilities which were afforded to surveyors, even under existing circumstances, had led or were likely to lead to land jobbing; and the safeguards which it was now proposed to interpose in the way of these officers becoming possessed of landed property would effectually guard against any evils which might be anticipated. It was not proposed to provide against a person acquiring an indirect interest in land; simply because no provision that could be made for that purpose could possibly have an effect. It would be utterly impracticable to ascertain and to prove that a man was indirectly interested in land, if he was unprincipled enough to evade the rule laid down on the subject; but if any such evasion should be brought home to him, no doubt he would meet with the punishment which he deserved, and be instantly dismissed the service. He hoped the resolution would commend itself to the favorable consideration of the Committee.

MR. CAREY said it was very satisfactory to him to find that the action which he took in connection with this subject last Session was likely to meet with more approval than it did on that occasion. The motion, at any rate, showed that he had been justified in the course which he had then felt it his duty, in the face of a great deal of opposition, and he might say of odium, to adopt. At the same time, he could not help thinking that the rule which had been submitted to the Secretary of State for his approval was unnecessarily stringent. A reference to the return which had been called for by Governor Ord, showing all the lands held by public officers outside the Survey Department, would show that abuses did exist, and that those abuses were not confined to the officers of the Survey Department. In the Treasury, as had been pointed out by the hon. member for Murray, even greater facilities for acquiring information as to the forfeiture of lands, and for taking undue advantage of that information, existed than in the Survey Office—not perhaps as regards the quality of land, but certainly as regards acquiring forfeited runs and other property. And he failed to see why any such invidious

distinction should be made with reference to the officers of the Survey Department as to exclude them altogether from acquiring any right or title to any landed property, under any circumstances whatever. He failed to see how it would be possible to guard against persons being indirectly interested in land, one way or the other, and he thought it would be much better to allow these officers, under certain restrictions, to acquire land openly, without reserve or disguise. As, however, the resolution submitted on the subject by the hon. member for Murray had only that moment been placed before the House, he thought it would be desirable, in order to afford hon. members an opportunity of carefully perusing it, to adjourn the debate until Wednesday.

Mr. BROWN was very glad indeed to find the hon. member for the Vasse entertaining such very reasonable views on this question this Session,—for the views now enunciated by the hon. member were reasonable. The hon. member would find that there had been no change whatever in the views entertained by other members of the House on the subject since last Session. One and all were then of opinion that the applications for land emanating from the officers of the Survey Department should be surrounded by some safeguards such as those now proposed by the hon. member for Murray. One and all admitted that. And one and all knew that, even before the hon. member for Vasse had taken any action in the matter in that House, the Government had taken up the question, being satisfied that it was desirable to provide these safeguards. And the despatches which had followed were in no way the result of the action taken in that House. The hon. member had twitted those members who sat in the House last Session with having altered their views on the subject; but if they would look at the resolution submitted by the hon. member on that occasion they would see that the change of opinion had taken place on his part and not on the part of those who were then arrayed against him. The hon. member's resolution went far beyond that now submitted for the consideration of the Committee. It proposed that not only should the officers connected with the Lands and

Survey Department be debarred from taking up any of the waste lands of the Crown, but that they should not be allowed to *hold* any land, however openly and straightforwardly acquired. So that, if that resolution had been affirmed, those officers possessing any land at all would either have had to dispose of it, or quit the service. The House was not prepared to endorse a proposal of that kind; nor was anything so manifestly unfair and unjust contemplated in the resolution of the hon. member for Murray. He thought the course which it was now proposed to adopt was a very much more reasonable one, and he was glad to find that the hon. member for Vasse was prepared to support it.

Mr. CAREY said, although the Government had taken action in the matter, as stated by the hon. member, he had reason to believe that no such step was adopted until it was known that action was going to be taken in that House.

The further consideration of the resolution was then postponed until Wednesday, September 1st.

MESSAGE (No. 19)—REPORT OF SELECT COMMITTEE ON COLONIAL SECRETARY'S AND PUBLIC WORKS DEPARTMENTS.

Mr. SPEAKER announced the receipt of the following Messages from His Excellency the Governor:

"The Governor has had under consideration the Report of the Select Committee appointed to inquire into the expenditure of the Colonial Secretary's and Public Works Departments. Believing that the want of a competent book-keeper in the Treasury is recognised by Your Honorable House, the Governor would suggest that you should provide on the Estimates a suitable salary, not exceeding £350 a year, for such an officer, and the Governor will then endeavor to make arrangements for filling up the appointment in such a manner as, at the same time, to meet the wishes of the Council to see the duties of the Registrar General removed from the Colonial Secretary's Office.

"A Government Storekeeper is also much required, and the Governor would advise Your Honorable House to pro-

"vide for such an officer a salary of £175 a year.

"Government House, Perth, 30th August, 1880."

MESSAGE (No. 20)—GRANT FOR MINOR ROADS.

"Referring to paragraphs 20 and 21 of his Opening Speech, the Governor learns with regret that Your Honorable Council have removed from the Estimates the vote of £2,750 for Minor Roads. Had the Council at the same time made it compulsory on the Districts to tax themselves for the up-keep of Minor Roads, the Governor would have been able entirely to concur in the expediency of the change, but inasmuch as it must be feared that unless compelled to do so the Boards will not levy local rates, and as no assistance can be given from the loan to roads which are now classed as Minor Roads, the Governor greatly fears that the result of the removal of the vote will be to throw the Minor Roads into a state of great disrepair. The Governor would therefore urge on Your Honorable Council either to make it obligatory on the Boards to levy rates for the repair of their Minor Roads, or to continue the vote as heretofore. At all events it is the Governor's duty to place his views clearly before Your Honorable House, and to point out what he fears would be the inevitable result of the change of policy proposed.

"Government House, Perth, 30th August, 1880."

MR. STEERE moved, That His Excellency's Message (No. 20) be taken into consideration at once.

Agreed to.

MR. STEERE said he could not imagine that, within so short a space of time as had elapsed since the House had agreed to reduce the vote to £1,000, any hon. member would have found any reason to alter the decision then arrived at. He quite recognised the fact that His Excellency, holding as he did a decided opinion on the subject, was quite right in stating that opinion to the House, and in asking them to consider the question. But as the question had already been fully discussed in all its bearings, he failed to see what other result than that arrived at the other

evening could, consistently, be arrived at upon consideration of the message now received. He would therefore move— "That the Council having had under its consideration Message No. 20 from His Excellency the Governor, with reference to the reduction made in the Estimates for Roads and Bridges for 1881, regrets that it is unable to reverse the decision which has been already arrived at. "The Local Road Boards have the power, under 'The District Roads Act, 1871,' to levy a rateable tax upon property for the repair of roads, besides the tax upon carts and carriages which may also be applied to the same purpose, and, under these circumstances, the Council is of opinion that, in the present financial state of the Colony, it is advisable to withhold relief from Public Funds towards the repair of Minor Roads."

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) thought if the Council were simply determined to adhere to their original vote, it would almost be better to say so at once, and have an end of it; at the same time, the Governor, with that formality and ceremony which custom prescribed should characterise communications passing between the Executive and the Legislative Councils, having sent down a message setting forth his reasons for urging upon the House a reconsideration of the decision arrived at the other day, he did think it was taking matters with a very high hand, and, in short, adopting a very unusual course, to curtly reply to the Governor's formal message—"we have given our opinion, and we stick to it." His Excellency gave his reasons, briefly but concisely, why he thought the subject was deserving of further consideration, and surely there was something to be said for or against the arguments adduced by the Governor. He thought it would hardly be civil on the part of the House to send back a message merely to the effect that they simply stuck to their former views on the subject, and would have nothing more to do with it.

MR. CROWTHER said it appeared to him that His Excellency, like the House, had made up his mind on the subject, and, like the House, gave his reasons for arriving at the conclusions which he had arrived at. Under these circumstances,

he thought the only course open to them—one upon which they were ever likely to agree—was to agree to differ. At any rate, the fact of withholding the vote for minor roads for one year could not result in much harm, and he thought the experiment might as well be tried. As pointed out in the resolution before the House, the District Boards had the power not only to levy a tax upon property for the repair of their roads, but also a tax upon all carts and carriages within their respective districts, which might likewise be applied to the same purpose. Under these circumstances, and in view of the financial state of the Colony, he thought no great harm would be done if the House withheld, for one year at any rate, the usual relief from the public funds towards the repair of minor roads. If the circumstances of the Colony improved, and it was found that the roads were not kept up as they ought to be, the vote might be restored to the Estimates next year. He failed to see how the action of the Council in this matter could be regarded as an act of discourtesy towards the Governor. Surely the House must be allowed to have an opinion of its own, nor could it be reasonably expected that that opinion, when deliberately arrived at, should be changed without some strong reason for doing so.

MR. BROWN said he would move an amendment to strike out the whole vote. He thought, when the Government proposed to expend a sum of £3,750 for road purposes—that being the original amount on next year's Estimates—they had proposed what they conceived would be the least amount that could reasonably be accepted as assistance by the various Road Boards. That would only give them an average of a little over £100 each for the roads in their respective districts. The House, however, had reduced the vote to £1,000, which, divided among the thirty-one District Boards, would give them a little over £30 each—a mere nominal sum. He thought the settlers would prefer not to be indebted for such nominal assistance as that, and have the credit of keeping up the roads themselves without any such paltry aid in the shape of a Government grant. He did not think it was treating the colonists with the respect

due to them, to offer them such niggard relief, and he would therefore move, as an amendment upon the motion submitted by the hon. member for the Swan, That the whole vote for Roads be struck out.

POINT OF ORDER.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): I think the hon. member is out of order. The question we have to consider is simply that referred to in His Excellency's Message—whether we shall make it obligatory on the Roads Board to levy rates for the repair of their minor roads or restore the vote of £2,750 to the Estimates for the maintenance of those roads. It has nothing whatever to do with the sum of £1,000 voted by the House for the upkeep of the main lines of road.

THE CHAIRMAN OF COMMITTEES: No amendment can be moved upon the motion before the Committee unless such amendment is relevant to the question under consideration. The only question referred to in his Excellency's Message is the vote of £2,750 for minor roads. No reference is made to the sum of £1000 left on the Estimates for main roads.

MR. BROWN: The Estimates do not show that the money is for main or for minor roads.

THE CHAIRMAN OF COMMITTEES: The message urges the advisability of making it compulsory on the Road Districts to tax themselves for the upkeep of their minor roads, or, on the other hand, that the House should continue the vote as heretofore. The motion of the hon. member for the Swan affirms that in the opinion of the Council it is not advisable to extend any relief from public funds towards the repair of minor roads. But the amendment which I understood the hon. member for Geraldton to propose goes, in my opinion, entirely beyond that, and contemplates the striking out from the Estimates the Roads Vote in its entirety. It seems to me that can scarcely be regarded as a relevant amendment upon the motion before the Committee, and consequently is out of order.

MR. BROWN said he should not think of disputing the Chairman's ruling, which he respected equally with the

ruling of His Honor the Speaker; but what he wished to point out was that there was nothing in the Estimates to show that the sum of £1,000 left out of the original vote proposed for "Roads and Bridges" was intended for main or minor roads; and as His Excellency in his Message desired the House to reconsider the question of the grant for roads, he had thought it would have been competent for him to have moved that no relief whatever should be granted out of public funds for road maintenance.

THE CHAIRMAN OF COMMITTEES: His Excellency merely asks the Council to reconsider the question of the removal from the Estimates of the vote of £2,750 for Minor Roads. The Message does not go beyond that, whereas the hon. member proposes to revert to another vote, with a view to removing it also from the Estimates.

MR. BROWN: It is true that His Excellency states that the Council struck from the Estimates a vote of £2,750 for Minor Roads, but what I contend is that no such vote ever appeared on the Estimates. The original vote was £3,750 under the head of "Grants for various Roads Boards"—nothing to show whether it was intended to be expended on Main or on Minor Roads, or on both classes of road. The Council, after due consideration, reduced the original vote from £3,750 to £1,000, but there is nothing whatever to show that the latter amount is intended for the maintenance of Main Roads alone. What my amendment contemplates is that we should reconsider the vote as it originally appeared on the Estimates, and either restore it in its entirety or strike it out altogether. As, however, you, Sir, have ruled that the amendment is irrelevant and out of order I am perfectly satisfied to let the matter rest.

DEBATE RESUMED.

MR. SHENTON moved, as an amendment upon the resolution submitted by Mr. Steere, "That, after considering His Excellency's Message (No. 20), this Committee is of opinion that the vote for Roads should be increased from £1,000 to £2,000." He thought this would be a very fair compromise.

MR. RANDÉLL thought it must be sufficiently apparent that the course pro-

posed to be adopted by the hon. member for the Swan was, to say the least of it, somewhat injudicious. There was evidently a considerable difference of opinion among hon. members on the subject, and he thought, in deference to that courtesy which was due to His Excellency the Governor on the part of the House, the question might at any rate be deferred for further consideration. Impulse, he thought, was a very unsafe guide in dealing with public questions, and, in order that hon. members might be afforded further time to calmly consider the whole question, as well as with a view to enable the Council to show that respect which a Message from the Governor of the Colony was entitled to at their hands, he would move, That Progress be reported, and leave asked to sit again next day.

MR. STEERE said he would oppose the motion to report Progress, for he failed to see the slightest necessity for it. He could not conceive that by dealing with His Excellency's Message that evening they were showing any want of respect or lack of courtesy towards His Excellency. On the contrary, he conceived they were acting in accordance with His Excellency's own desire that they should get through the work of the Session as soon as possible, in order to suit His Excellency's own convenience, perhaps, more than the convenience of hon. members themselves. The hon. member, Mr. Randell, might think that, by deferring the decision upon this question until the following day, he might have an opportunity of winning over a vote or two; but, for his own part, he did not think any hon. member would so far stultify himself as to reverse the vote he had given on the very same question the other evening.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) would gladly support the motion to report Progress, and leave the decision to be arrived at with regard to the question dealt with in His Excellency's Message until hon. members had had an opportunity of further considering it in all its bearings. He must take exception to what had fallen from the hon. member for the Swan as to the Governor suiting his own convenience. Hon. members must be aware why His Excellency was anxious that the work of

the Session should be completed as soon as possible; it was simply in order that—acting, as he conceived, in the interests of the Colony—he should be present with the Governors of the sister colonies at the opening of the International Exhibition. He did not think it could be said for a moment that His Excellency was desirous of being present merely to gratify any personal wish of his own, but simply as a matter of public duty which he owed to the Colony.

MR. VENN would support the motion to report Progress in the hope that it might lead to a reversal of the policy adopted, with regard to roads maintenance, the other evening.

MR. BURT believed that if the only object for which the adjournment of the debate was moved was in order if possible to try to win over votes for the Government.—[MR. RANDELL: No, no.] The hon. member said “No, no;” but he would ask what other object could there be in view? He should be sorry to oppose any *bonâ fide* appeal for an adjournment, and if it could be shown what possible object was to be gained in this instance, except the chance of securing a wavering vote, he would offer no opposition to Progress being reported. But seeing that no new arguments were likely to be brought forward and that the House had already made up its mind on the subject, a motion to report Progress appeared to him, in reality, to be a movement to oppose Progress.

MR. RANDELL said no such thing had entered his mind as to suppose that by adjourning the debate any votes were to be won over on one side or the other. He merely thought it would be more respectful, more courteous, and he might say more dignified on the part of the House to give His Excellency’s Message due consideration, rather than to reply to it on the impulse of the moment. He did not expect for a moment that the House would reverse the decision arrived at the other evening, still he did think that a refusal to do so would come with better grace, and have greater weight both with the Governor and with the country, if it was seen that the determination of the Council to adhere to its former opinion was the outcome of calm and deliberate consideration.

MR. MARMION was sure it was out of no lack of courtesy or respect entertained for His Excellency the Governor that hon. members wished to proceed with the motion before the House. The only objection to reporting Progress was that such a step would simply involve delay and impede the business of the Session, for no practical purpose.

Question—That Progress be reported—put.

Committee divided, with the following result:

Ayes	...	...	11
Noes	...	...	8
Majority for			3

AYES.
The Hon. G. W. Leake
Mr. Burges
Mr. Carey
Mr. Hamersley
Mr. Higham
Sir L. S. Leake
Mr. S. S. Parker
Mr. Randell
Mr. Stone
Mr. Venn
The Hon. R. T. Goldsworthy (Teller.)

NOES.
Mr. Brown
Mr. Crowther
Mr. Grant
Mr. Marmion
Mr. S. H. Parker
Mr. Shenton
Mr. Steere
Mr. Burt (Teller.)

The motion was therefore carried.

THE SPEAKER took the Chair.

THE CHAIRMAN OF COMMITTEES reported Progress, and asked leave to sit again on Wednesday, 1st September.

Ordered.

ESTIMATES—FURTHER CONSIDERATION OF.

The Order of the Day for the further consideration of the Estimates being read, the House went into Committee of Supply.

POWERS OF COMMITTEE.

THE CHAIRMAN OF COMMITTEES said that, before proceeding any further with the consideration of the Estimates, it might be as well to define, more clearly than they seemed to be understood by some hon. members, the powers and functions peculiar to Committees of Supply, and the forms of procedure which applied to such Committees. Formerly, it was regarded as a constitutional doctrine that the redress of grievances was to be considered before the granting of supplies to the Crown, but that practice had more recently been

superseded by the practice—a very common one in the Imperial Parliament—of permitting every description of amendment to be moved on the question “That the Speaker do now leave the Chair,” before going into Committee of Supply. As he had already pointed out (when a Point of Order was raised in the course of the debate upon His Excellency’s Message, which the House had just been considering), upon other occasions amendments proposed must be relevant to the motion under consideration; but on the question for the Speaker leaving the Chair, for going into Committee of Supply, amendments were permitted to relate to every question upon which any member might desire to offer a motion. It was not even necessary that such amendments should be moved upon the question “That the Speaker do leave the Chair;” it was competent for members to submit their amendments upon the question of going into Committee of Supply being put, when the rules of relevancy in debate, as well as in amendments, were wholly ignored, with these exceptions—a member must not discuss any previous or intended vote of the Committee, or any item in the Estimates, nor any other Order of the Day; or motion of which a notice had been given. Beyond these restrictions, it was the practice in the House of Commons to permit every description of amendment to be moved on the question for the Speaker leaving the Chair before going into Committee of Supply. Of course, the practice was not a desirable one to be introduced here, but he thought it was well that members should be made aware of the privileges and the peculiar functions which recent parliamentary usage had conferred upon Committees of Supply, and which answered all the purposes of the ancient constitutional doctrine with regard to the redress of grievances.

The Committee then proceeded with the Order of the Day—the further consideration of the Estimates.

Immigration, Item £4,000 :

THE CHAIRMAN OF COMMITTEES said the question before the Committee was the amendment submitted by Mr. Marmion (when the item was under discussion on Friday evening), to reduce the vote to £2,000. (*Vide p. 258, ante.*)

MR. S. H. PARKER called the attention of the Government to the desirability of applying the principle of nomination with reference to the introduction of immigrants from the neighboring colonies. The hon. member pointed out that, while it cost the country about £18 or £20 per head to obtain immigrants from England, an equally desirable class might be had from the Eastern colonies for one-fourth that sum.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the Government had not lost sight of the suggestion made by the hon. member, but he thought it was desirable that we should first obtain the concurrence of our neighbors in the proposal, before putting it into practical operation. Providing there was no opposition on their part, he thought it would be very desirable that the principle of nomination should be extended to the other colonies.

MR. STEERE moved, as an amendment upon Mr. Marmion’s amendment, that the vote should stand at £3,000. He believed there were already about 100 immigrants nominated in England by friends in this Colony, and we certainly must provide for the passages of those persons. He did not know whether all who had been nominated would be prepared to emigrate, but the Government would of course be bound to pay their passages in the event of their doing so. This alone would require about £2,000, and he certainly thought they ought to provide an additional £1,000 towards the introduction of others. As had been said the other evening by the hon. member for Fremantle, there was a great dearth of female domestic servants throughout the Colony, and the Government, he thought, would do well to make an effort to supply this want. He quite agreed in the proposal of the hon. member for Perth, as to the desirability of offering a bonus to persons introducing suitable immigrants from the other colonies, and he failed to see what ground there was for apprehending that the Governments of those colonies would complain of our action. The same system was in force before, and they heard no complaints. It was only abrogated when the contract for the construction of the Eastern Railway was

accepted, because it was feared the contractor would avail himself of the regulation to introduce the labor he required, free of expense. He did not think it would have been a bad thing for the Colony if the contractor had been allowed to do so, for the labor which the railway had attracted from the country districts would then have been available for the settlers in the interior.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said he would vote on this occasion with the hon. member for the Swan, for two reasons: first of all because the chances were, if we reduced the vote beyond the amount named, we should not obtain that valuable class of immigrants whom they were told had already been nominated by friends in the Colony; and, in the next place, we should be precluded from obtaining that equally desirable class whose introduction had been so strongly advocated by the hon. member for Fremantle—female domestic servants. As to getting immigrants from the sister colonies, he was afraid that the class most likely to avail themselves of an offer of a free passage would be the “riff-raff,” the predatory vagabonds of Melbourne and Adelaide, the class represented here by that unsavoury specimen of humanity yclept the “public-house loafer.” Wages in the other colonies were higher than here, and there were other considerations which rendered those colonies more attractive to the laboring classes than any inducements we could offer.

MR. SHENTON would like to see the full amount placed on the Estimates applied to immigration purposes, but regard being had to the financial state of the Colony he thought the House would be justified in supporting the proposition made by the hon. member for the Swan. Since the commencement of the present Session, he had received several communications from his constituents pointing out the great dearth of labour which existed in the country districts.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the Government would support the amendment to reduce the vote from £4,000 to £3,000. The former amount, he might say, was merely placed on the Estimates in order to invite discussion.

MR. BROWN would be glad to hear some decided answer from the Colonial Secretary, on the part of the Government, with reference to the suggestion made that a special effort should be made to introduce a respectable class of female domestic servants.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said it would be competent for any hon. member, or any other settler, desirous of obtaining that description of labor from England, to nominate that class of immigrants in exactly the same manner as any other class; but he thought it would never do to trust to the emigration agent to send us out what was required. For that reason he hardly saw his way clear to suggest what course should be adopted, beyond having recourse to the nomination system.

MR. BROWN thought it quite impossible to apply that system successfully with regard to female domestic servants, and he hoped the Government would consider itself free to adopt such course as it deemed best to secure for the Colony a respectable class of female immigrants.

MR. RANDELL considered it would be highly injudicious, and almost an insult to the sister colonies, to offer a bonus for the introduction of immigrants hence from those colonies. The same objection did not apply, with equal force at any rate, to the system of nomination, under which very possibly we might obtain a very desirable class of immigrants. But the people who would be likely to avail themselves of the bonus would be the very class we are desirous of keeping out, namely the idle and dissolute loafer.

MR. MARMION said that before the nominated system came into operation it was the custom to send out batches of single girls, most of whom had proved themselves most useful and respectable colonists, and he failed to see why the same system should not be continued. It had answered very successfully in the past, and he saw no reason why the same results should not follow the introduction of the same class of immigrants now. There might be some little trouble in selecting them, but he hoped, though there might be some difficulties in the way, the Government would take such steps as might seem to them best for carrying

out the wishes of the House. In this expectation, he would, with the leave of the Committee, withdraw his amendment.

Leave given and amendment withdrawn.

MR. RANDELL said there was one very illiberal regulation in existence with regard to the system of immigration now in operation, and his attention had been called to it during his late visit to the mother country. It was this—that, while the Immigration Agents were prepared to receive recommendations from the clergy of the Church of England and the Church of Rome as regards intending immigrants, the recommendations of ministers of other Denominations were not accepted.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): That is wrong.

MR. RANDELL: It is not wrong.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): The hon. member cannot have seen the amended regulations.

MR. RANDELL said he had not seen them, but, from what had come under his own observation at home, he was justified in making the statement which he had made.

MR. SHENTON said that under the new regulations recommendations would be accepted from the clergy or ministers of any denomination, or from any other well-known citizen.

The question that the vote be reduced by £1,000 was then put and passed.

Ecclesiastical Grant, Item £3,543:

MR. CROWTHER thought the time had arrived when an effort should be made to reduce this grant. It was not his intention at this late period of the Session to bring forward a definite motion on the subject, but he hoped to do so next year. Meantime he would content himself by moving a reduction of ten per cent. in the amount of the grant, or, for the sake of the round number, he would make it £3,200. The hon. member moved an amendment to that effect.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said that when this grant was placed on the Estimates some years ago, it was not placed there without due consideration, and after considerable discussion in the Legislature of that day. The hon. member now sought to introduce the thin end of the wedge for

abolishing the grant, by proposing that it be reduced ten per cent., with the ulterior object, apparently, of striking out the vote *in toto*.

MR. CROWTHER: That's exactly what I would like to see.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the hon. member was candid enough to express his real intention with reference to the vote. The subject was one that admitted of a great deal of discussion, which he would be sorry to initiate at present, for he believed the feeling of the House would be entirely opposed to the hon. member's amendment.

MR. RANDELL presumed that the simple object of the hon. member was to draw the attention of the House and of the country to this question of State-aid to religion, with a view to its ultimate extinction; and he thought the hon. member was quite right in the object he had in view. He was aware that no reduction in the vote was likely to be carried now; at the same time he considered that at no distant date the feeling of the House and of the country would be in favor of the withdrawal of this aid altogether. He did not think it could be shown that the Government was under any legal obligation to continue it (beyond as regards those few chaplains who might be said to have a vested interest in the grant), either as regards the Church of England or any other denomination. It appeared to him that the letter addressed to the Governor on the subject by Bishop Parry had been written under an entire misapprehension of the obligations of the Government and of the Legislature in the matter. He thought such a grant could not be justified on any ground, and certainly not in a comparatively populous and thriving community like Perth. He had made a rough calculation of the aggregate income of the congregation of St. George's Cathedral alone, and he estimated that it could not be less than £50,000 a year, one tenth of which would yield a revenue to the Church of £5000 per annum, which would not only provide for the expenditure in connection with the Cathedral, but also enable the congregation to extend assistance to other and less wealthy branches of the Church in distant parts of the Colony,

thus showing that, in reality, there was not the slightest necessity, and he might say the slightest justification, to go to the State for aid to enable them to keep up their religious ministrations. The withdrawal of that aid had been anticipated by Governor Weld ten years ago, for in a despatch sent by His Excellency to Lord Kimberley on the subject of this ecclesiastical grant, His Excellency said: "It will not be surprising to me if a stimulus be given to the feeling which already exists in some quarters in favor of the Voluntary System, and, under any circumstances, I have very little doubt but that it will ultimately prevail in this, as in other Australian Colonies." He believed ours was the only Colony among the group that gave any State-aid to religious bodies, and the system of State-aid had, he believed, been retained here simply on account of the peculiar circumstances of the Colony as regards its mixed population. This fact had not been lost sight of by Lord Kimberley, who, in his despatch of the 10th July, 1869, addressed to the Officer then administering the Government, desired to be informed, "whether the division of the population into free and bond, whose religious establishments were chargeable against the Colonial and Imperial Governments respectively, created any difficulty in applying to Western Australia that principle of religious equality which had long been recognised in the other Australian Colonies." Whatever difficulty might at one time have existed upon that score had now, to a great extent, disappeared, and he thought the time was not far distant when this Colony would follow in the steps of its sisters, not only as regards the principle of religious equality, but also of religious independence and self support. It was clear from the tone of the correspondence which had passed on the subject in Governor Weld's time, between His Excellency and the Secretary of State, that the present arrangement was only regarded as a temporary expedient. Governor Weld, in his despatch dated March 1st, 1871, said: "The Legislature having decided to 'level up'—in my opinion the wisest course, under the circumstances, though one that (as your Lordship is aware) I could not with confidence anticipate—not even a 'small

"and temporary advantage" remains; "and the steps for gradual equalisation proposed by your Lordship, in the event of a refusal to increase the Ecclesiastical Grant, become unnecessary." That clearly showed that the increase or reduction of the grant depended upon the vote of the Legislature.

SIR L. S. LEAKE said if no other hon. member would speak up for the old Church he would. He was conscious of being a very poor advocate, and he could only regret that some more powerful champion than himself had not come forward on the present occasion. He would be sorry to support this grant, so far as the Church of England was concerned, if by doing so they were inflicting any hardship or injustice upon other sects; but, seeing that the amount of the grant was proportionately distributed among the several religious denominations—with the exception, he believed, of the Congregationalists, who refused to accept it—he would be sorry to see it withdrawn. Although the Congregational body declined to participate in the grant, they did not hesitate to go round begging for assistance from people belonging to other denominations. And, so far as the principle of the thing was concerned, he failed to see what difference there was in that and in receiving assistance direct from the public funds. The proposal to reduce this grant was a proposal to stamp out of the land everything good that was in it. If they did away with this aid which the State extended to the various religious sects in our midst, and which was distributed fairly among all that wished to participate in it, they would be simply taking a step to stamp out all religious feeling in the community. Without that system of morality, taught by our common religion, it would be impossible for the Colony to exist as a Christian community; and he was glad to think that there was not the slightest probability of a majority in that House lending themselves to the proposal to strike out the grant, or indeed to cut it down as was now suggested. He himself most strongly protested against it; and so long as he held a seat in that House his voice would be raised in opposition to any proposal that would withhold from the Church of England that aid which, with other

denominations, it received out of the public funds.

MR. GRANT said no one had a greater respect or consideration for the opinion of the hon. gentleman who had just spoken than himself; yet when he came to consider how, in the remote settlement where he resided, at the North-West, they received no State-aid whatever, but supported their church on the voluntary principle, he failed to see why other and more populous districts could not do the same. In his opinion, every man ought to be prepared to support, so far as his means would allow him, the church whose teachings he believed in; and, so far from sharing the apprehensions of his hon. friend Sir Luke Leake, that, if this grant were abolished, religion would be stamped out of the Colony, he believed that the general adoption of the voluntary principle would have quite a contrary effect.

MR. RANDELL said it was evident their honored and honorable friend the Speaker had very little acquaintance with ecclesiastical history, or he would never have expressed the belief that, without State-aid, religion could not flourish. He need only refer the hon. member to what had been done, and what was being done, in England, in America, and in the neighboring Colonies, under the voluntary system, in refutation of any such belief. When Responsible Government was introduced in the other Australian Colonies, State-aid to religion ceased to exist, and he had yet to learn that the cause of religion had suffered thereby, or that all that was good and all that was pure had been stamped out of those Colonies. The hon. member (Sir Luke Leake) said the continuation of the grant involved no hardship as regards any other religious denomination, all being placed upon an equality. The hardship was not much certainly, but still it was a hardship that he and those who believed with him should be forced to pay towards the maintenance of any Church with whose doctrines they did not agree. The amount was small certainly, and, of itself, scarcely worth talking about, but the principle which underlied it was as mischievous as if the amount of the grant was very much larger than it was. At present it did not amount to more than about 8s. per

head of the members of the various denominations which participated in the grant, and was the withdrawal of that paltry contribution going to result in religion being stamped out of the country. Heaven forbid!

MR. STONE said, with reference to the despatches alluded to by the hon. member Mr. Randell, a perusal of them could not fail to satisfy anyone that the intention of the Imperial Government was that the just claims of such clergymen as were interested should be secured. The district chaplains of the Church of England were held to have the same rights and vested interests as any other servants of the Crown; and, though it was a fact that, when Representative Government was granted to the Colony, the names of the clergy who up to that time had appeared on the Fixed Establishment were placed on the Estimates under the head of "Services exclusive of Establishments," still it was never the intention of the Legislature that they should be treated other than as any other public servants on the permanent staff. Some misapprehension having arisen on this point, Mr. Steere, during the Session of 1870, moved a resolution to the following effect: "That whereas grave doubts have arisen as to the consequences that might ensue from the grant for ecclesiastical purposes having been voted under the head of 'Services exclusive of Establishments,' this Council wishes to record its opinion that it had thereby no intention of altering the status or the claims of the District Chaplains of the Colony." That resolution was carried unanimously, and he presumed it was not the intention of the present Council to do otherwise than adhere to the terms of that resolution. He did not suppose that the hon. member for Greenough was altogether in earnest in proposing a reduction in this grant at the present time, but he understood it was the hon. member's intention to take up the matter seriously at a future Session. That being the case, he (Mr. Stone) would content himself for the present in merely recording his vote against the proposition to reduce the vote.

MR. SHENTON said a great deal of uncertainty existed as to the obligations of the Government in respect of the

Ecclesiastical Grant, and he thought it would be well if this uncertainty were removed, and that the public should know exactly what the nature of the existing arrangement was. He had the honour of occupying a seat in the House when the despatches referred to by the hon. member Mr. Randell were under consideration. It was not considered expedient at that time to reduce the Church of England grant, so as to bring it on an equality with the aid given to other denominations, and consequently the Legislature adopted the "levelling up" principle referred to by Governor Weld. But it was distinctly understood that it was only those clergy who had at that time come out here on the faith of certain specific inducements, and on the promise of a fixed income, who were entitled to any legal claim upon the consideration of the Legislature in respect of this grant.

MR. CROWTHER said the motion which he had submitted on the present occasion was admittedly introduced merely with a view to a reduction of the grant, but at the very next Session of Council, if alive and well, he should come forward prepared with a very definite resolution on this subject. He was aware that in a small place like this, people who undertook to reform abuses or to expose grievances were very liable to be charged with being actuated by personal or selfish motives. He could honestly say that he was in no way actuated by such a motive in this instance, but he had very strong convictions indeed on the question of State-aid to religion. Governor Hampton wrote Home some very sweeping accusations about the clergy not doing anything for their money, and the Secretary of State wrote to Governor Bruce, who succeeded Mr. Hampton, for his opinion on the subject. This was just before Governor Weld assumed the administration of the Government, and consequently the Secretary of State's despatch to Colonel Bruce was held over until the arrival of the new Governor. Mr. Weld carefully considered the whole subject, and came to the conclusion that the time was not then opportune for introducing the Voluntary System; still he had no doubt that it would ultimately prevail in this as in the other Australian Colonies, and His

Excellency pointed out that it was a matter for serious consideration whether the interests of the Colony, moral and economical, would not be best served by an arrangement under which provision might be made for the gradual reduction of the ecclesiastical grants by limiting them to the then holders of office. He (Mr. Crowther) would not be altogether opposed to making the distribution of the vote dependent on the amount of voluntary contributions raised by the different denominations, in proportion to the numerical strength of their members, but he certainly and conscientiously objected to the existing arrangement. He thought the hon. member Mr. Randell was in error when he estimated the value of the grant at about 8s. per head of the members of each communion. He did not think it amounted to more than about 2s. per head; and if the value of the moral and religious benefits conferred was to be estimated by the extent of the pecuniary aid rendered, it could not be said that it would be any great loss if the grant were abolished altogether. They had no State-aid at Roebourne, nor at the Greenough, nor, he fancied, at Champion Bay; and he was convinced in his own mind that they could get on quite as well without it, and better, in those districts which were now depending upon it. The question had taken a much wider range than he had expected when submitting his motion to reduce the grant, and he was free to confess that he was not then in a position to grapple with it on its merits.

MR. CAREY said, probably if the hon. member for Perth (Sir Luke Leake) found the city treated as Bunbury was treated, he would have been inclined to have taken a different view of this question to what the hon. member now took. At Bunbury, they formerly had as district chaplain a gentleman appointed to that office by the Imperial Government, but he had recently been removed, and when he went away his salary went with him. No doubt it was quite right and proper that good faith should be kept with the clergy; but good faith ought to be kept also with the community. In order to enable this gentleman still to draw his salary, the district to which he was removed (the Williams) was made part of the Bunbury district;

and although he resided a long distance from the latter district he had taken away with him the State-aid which he had been receiving as chaplain of that district.

Mr. VENN said the district now received £100 in aid from Colonial funds.

Mr. CAREY was not aware of that; he thought the aid came from some society at Home.

Mr. MARMION expressed a hope that whenever the hon. member for the Greenough brought forward his resolution in favor of abolishing this grant, he (Mr. Marmion) would have the pleasure of occupying a seat in the House, in order that he might have an opportunity of recording his vote and raising his voice against it. They were told that, in the sister colonies, when Responsible Government was introduced, State-aid to religion was abolished. Possibly this was one of the many good results which the advocates of that form of Government claimed for that system; if so, he thought the consideration of this question might advantageously be deferred until this Colony also came to adopt the same system of Government.

Question—That the vote £3,543 be reduced by £343—put.

Committee divided, with the following result:

Ayes	...	...	7
Noes	...	...	12
Majority against ...			5

AYES.
Mr. Carey
Mr. Grant
Mr. Higham
Mr. Randell
Mr. Shenton
Mr. Venn
Mr. Crowther (Teller.)

NOES.
The Hon. R. T. Goldsworthy
The Hon. G. W. Leake
Mr. Brown
Mr. Burges
Mr. Burt
Mr. Hamersley
Sir L. S. Leake
Mr. Marmion
Mr. S. S. Parker
Mr. Steere
Mr. Stone
Mr. S. H. Parker (Teller.)

The amendment was therefore negatived.

Question—That "Ecclesiastical Grant, "item £3,543," stand part of the Estimates—put and passed.

Volunteer Grant, Item £2,100:

Mr. STONE said the House had, from time to time, voted large sums of money in support of the Volunteer movement, and he thought it was only due to the

Colony that the Imperial Government should render us some little assistance as regards our defences. He understood that at present the Colony possessed only two small Armstrong guns, for the defence of the place, and he thought the least our Government might do would be to ask the Imperial authorities for some additional means of resistance.

Mr. MARMION thought so, too. The matter was one well worthy of the consideration of the Government, and more especially in view of the approaching disbandment of the Enrolled Force, when the defence of the Colony would entirely depend upon its own citizen soldiers. He did not suppose there would be any objection on the part of the Imperial Government to supply us with a few guns and a little ammunition.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): I shall, of course, feel it my duty to call the attention of His Excellency the Governor to the matter mentioned by the hon. member, but I think it would carry more weight if the House were to adopt a resolution on the subject.

Mr. CAREY said, whatever the hon. member for Fremantle might think of the value of our citizen soldiers, as a means of defence, he (Mr. Carey) thought the general feeling of the country was that it would not be much loss if the Volunteer Grant were to be wiped out altogether.

The vote was then agreed to.

Literary, Scientific, and Agricultural Grant, Item £860:

Mr. S. H. PARKER said that for years past the House had been voting £100 a year for acclimatisation purposes, but he had never yet heard how the money was being expended, or whether it was ever spent at all.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the hon. member would observe that only £50 was asked for this year. He believed the amounts voted in past years had more than covered the expenses incurred, and hence the present reduction. The money was expended mainly in the introduction of plants, etc., from the other colonies, and the Government had also succeeded in introducing a brace or two of pheasants; but he was afraid our efforts in this direction at present were not likely to

be attended with any great success. At the same time, he thought it would be very unwise to strike out the vote for acclimatisation altogether.

MR. CAREY said, in the face of the admission that the Government did not anticipate that their efforts in this direction would prove very successful, he failed to see the use of voting away the public funds for a useless purpose. He would therefore move that the item "Acclimatisation, £50," be struck out.

MR. GRANT would be very sorry indeed to see the vote struck out, for he looked upon acclimatisation as calculated to confer many benefits on the Colony, in the introduction of new plants, grasses, and other productions, which might prove most useful to our farmers and graziers, as well as to other sections of the community.

The motion to strike out the vote was negatived on the voices.

MR. BURT asked how much of the annual grant (£50) voted for the Perth Museum was expended on that institution?

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the whole of the grant was paid over by the Government to the committee of management, and he believed they spent it.

MR. BURT said he never noticed any additions made to the Museum, and he believed it was a notorious fact that the money was not spent upon it at all.

MR. RANDELL thought it was the duty of the Government to see that the money voted out of public funds for the support of such public institutions as this was appropriated to the objects for which it was voted by the Legislature.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said that, as a rule, the Government received the reports of the directors of such institutions every year.

The vote was then agreed to, and the whole item passed.

Pensions, Item £2,032 18s. 6d. :

MR. CAREY asked the Colonial Secretary if the Government had any objection to increasing the pension of Mr. Joseph S. Harris—late Resident Magistrate at the Vasse—from £219 to £220? The difference it was true was only one pound, but still he thought the latter amount

would look better than the odd figures, both on the Estimates as well as in Mr. Harris' pocket.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) : I allow my intimate friends to crack a joke with me occasionally, but I do not extend the same indulgence to those with whom I have no personal intercourse.

MR. CAREY : I accept the hon. gentleman's remark for what it is worth.

MR. BURT thought it would be better if, instead of bandying personalities, the hon. gentleman informed the Committee how this item came to be on the Estimates at all. There was a general feeling outside, that Mr. Harris had been compelled to retire from the Public Service in order to make room for another appointment. At any rate, this was the first time the item had appeared on the Estimates, and surely the House was entitled to some explanation on the subject.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said that those who had the pleasure of a personal acquaintance with Mr. Harris need not be informed that he was no longer a young man, or fitted physically or otherwise to carry out his public duties; and it was considered in the interests of the service that it would be advisable he should accept a pension.

MR. STEERE : With reference to his being physically incapable, I can only say that I have seen three certificates, from three different medical officers—gentlemen whose professional opinion this House would respect—stating that Mr. Harris, at the time he was forced to retire from the Public Service, was as capable of performing his duties as he had been for many years past. I therefore fail to see how the hon. gentleman can say that Mr. Harris was physically unfit to—

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) : I said physically and otherwise unfitted.

MR. STEERE : I don't know what he may be "otherwise" but certainly not physically, and I think it is a very hard thing indeed for the Colony to be called upon to pay a pension to an officer who is quite as capable of performing his duties now as he has been for the last twenty years.

MR. BURT : Is it not a fact that he was pensioned off to make room for an-

other officer to come on in another department?

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): I should have wished in Mr. Harris' own interest that his case had not been made the subject of so much pertinacious inquiry. I have no desire to go too deeply into the question, but if I am asked to express a personal opinion in the matter I can only say that Mr. Harris was totally unfit for his post.

MR. CAREY: That is not the reason given to Mr. Harris himself for asking him to retire, nor was it the reason upon which action was taken in the matter.

The vote was agreed to, and the House adjourned until 7 o'clock.

The House resumed at 7 p.m.

ESTIMATES.

The Estimates were further considered in Committee.

Miscellaneous, Item £2,032 18s. 6d.:

MR. CAREY drew attention to the item "Travelling Expenses of Officials, £700," and asked whether officers in receipt of forage allowance were allowed to charge for horse hire when travelling on duty?

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): said he could scarcely answer the question off hand, but his impression was that they were; but he believed the regulation quantity of forage was deducted from what the officers were charged at any hotel they put up at?

MR. CAREY said he would not press the matter further at present, but would take an opportunity of doing so hereafter.

MR. BURT pointed out how the item of "Stationery for Public Offices" was increasing year by year. £1000 seemed to him a very large amount to spend in stationery, and he would like to know from the Colonial Secretary whether he really thought such a sum as that would be required for next year?

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): I am rather surprised at the hon. member asking such a question. The amount would not have been placed on the Estimates, had I thought it would not have been wanted.

MR. S. H. PARKER: Perhaps I may be permitted to reply to the hon. member for the Murray. During last year a sum

of £1,154 was expended for stationery; therefore I take it that the amount now placed on the Estimates will be required for the ensuing year.

MR. STEERE—referring to the item "Subsidy for Coastal Steamer, £5,000"—asked the Colonial Secretary whether the Government was prepared to make any proposal with reference to the employment of the *Rob Roy* and *Otway* steamers? He believed the existing contract would expire within the next month or two, and he supposed the Government had by this time made some other arrangement for the future. He thought it would be convenient if the hon. gentleman would make a statement to the House on the subject, before the Committee passed this vote.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said, in view of the approaching termination of the said contract, and the proposal to include the North-West settlement in any future service, he had to move, "That the sum of £6,500 be substituted for £5,000." The hon. gentleman said he did so, in order to elicit discussion on the subject.

MR. STEERE said he had merely asked what the intention of the Government was.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said His Excellency had sent down to the House the correspondence that had passed between the contractors (Messrs. Lilly & Co.) and the Government, with a view to obtain the views of the House on the subject. He was not prepared to say at all what the views of the Government were. He would rather invite an expression of opinion on the part of hon. members, as to what should be done in the matter. He admitted that £6,500 was rather a large amount, but it must be acknowledged that the extension of the service to the North-West was a great desideratum. He thought it would be well if the Committee passed a resolution on the subject, for the guidance of the Government.

MR. STEERE imagined that the Government must have had some idea as to what they were going to do, otherwise they would not have asked the House to increase the present subsidy by £1500. Surely they must have some notion what they intend doing?

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): We can only cut our coat according to the extent of cloth furnished to us by the House. If the Committee is not prepared to increase the subsidy, we must be content with the present service. If we extend it to the North-West, it will cost us this extra £1500. That's all.

MR. STEERE: But cannot the Government tell us what they intend doing in the matter, or give the House some information with regard to what is proposed to be done for this £1500?

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) referred the hon. member to the correspondence which had been laid on the Table on Friday.

MR. MARMION said it appeared from that correspondence that the contractors proposed to make two trips a year—one in April or May, and the other in September or October—to the North-West for this £1500; being at the rate of £750 a trip. Nor would that cover the cost of this service, for it was proposed that, when the steamer was absent on the North-West trip, the Government would have to provide otherwise for the conveyance of the mails. Such a service was not one that, he thought, would commend itself to that House.

MR. BROWN said, as the Government did not appear prepared with any definite scheme, he supposed the House would have to take the initiative in the matter. He considered that in the interest of our trade, it was highly desirable that we should continue the intercolonial service. Before this service was inaugurated the great bulk of the export and import trade of the Colony was with the Mother country, but latterly he believed our trade with the Eastern Colonies was quite as extensive as the trade with England, and he considered that the development of this intercolonial trade was mainly attributable to this subsidised steam service. As had been pointed out very fully last Session by the hon. member for Plantagenet, the P. & O. steamers offered little or no facilities for freight, and, so far as trade was concerned, were hardly of any value at all to this Colony. So that it might be said we were dependent upon the subsidised service for those commercial facilities which had done so

much to develop the intercolonial trade. Had it not been for that trade—had it not been for the service carried out by the *Otway* in conjunction with the *Rob Roy*—he believed the present subsidy would not have warranted the contractors in continuing the service; and this was a matter which the House should bear in mind. If the service did not extend beyond Albany it would not pay the contractors to keep it up, and we should either have to increase the subsidy, or lose the advantages now accruing from this service. He thought the present subsidy might fairly be continued for the present service; but then came the question of extending it to the North-West. No one could doubt that it would be a great advantage to have regular communication—even although it were half-yearly—with that important settlement; and if they made provision for such a service they would confer a great benefit upon the Colony. He thought that, in the present state of our finances, it would be wiser to attempt too little and succeed, than attempt too much and involve ourselves in difficulties. Once the service with the North-West were established, it would be a guide to us in the future, as to whether it would not be worth our while to have more frequent communication. It appeared that £1500 would be required for the half-yearly service,—that at any rate was the estimate submitted by the contractors, who it must be admitted were not without some experience in the matter of steam communication. And he was prepared to vote for it, because under present circumstances we could not afford the service which we wanted. He assumed, of course, that the Government would invite public competition, before entering into any fresh contract.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said that, in view of the possible extension of settlement in the direction of our Northern and North-Western territory, he thought the Committee would do well to sanction this vote. It was not at all improbable that gold and precious gems would yet be found in that part of the country, and he need hardly point out that it would then be an imperative necessity that we should have direct steam communication

between the seat of Government and that distant territory. Viewed even as a question of emergency, he thought the House would be justified in voting this sum for the establishment of the proposed service.

MR. SHENTON said he could see nothing about the case of emergency contemplated by the Attorney General in the correspondence before the House. All the contractors proposed was to make two trips a year to the North-West, for £1,500, and he for one would not join in supporting any such extravagant proposal. He considered such a sum as that exorbitant—out of all reason. Some few years ago when a local company was projected to establish direct steam communication with the North-West settlement, the highest sum which the promoters contemplated receiving as a subsidy for a service that would have secured nine trips a year was £1,500 or £1,800; and this was the result of a very careful calculation, by shrewd and practical business men, who knew what they were about. If any reasonable proposal were submitted for establishing steam communication with the North-West, he would gladly support it; but he could not join in asking the Government to pay anything so exorbitant as £750 a trip to any company.

MR. S. H. PARKER pointed out that if this vote was merely asked for in order to enable the Government to act in case of emergency, as stated by the Attorney General, there was in reality no necessity to place the amount on the Estimates at all, for the Audit Bill empowered the Governor to authorise any expenditure for purposes not provided for by the Legislature in cases of emergency.

MR. STEERE thought the Attorney General had simply been telling the House a very pretty "Arabian Nights" tale, in which the hon. gentleman, in the exuberance of his fancy, conjured up glorious visions of gold and diamonds and other precious gems. If those visions were ever realised there would be no necessity for that House to subsidise a steamer; they would precious soon have other means of communication with that part of our territory, without the aid of subsidies. He thought himself it would be advisable, in the interests of the Colony, that there should be an entire re-arrange-

ment of the present service. When it was first established, it was simply in order to afford greater facilities for freight and passengers, unhampered by any mail arrangements. But now they had entirely reversed that order of things, and the goods and passenger traffic was regarded as altogether subsidiary to the conveyance of mails. The Postmaster General (Mr. Helmich) in his very able and very interesting report upon his department, stated clearly that the mail facilities afforded by these steamers were of very little importance, but admitted that the public might derive great advantage from the passenger accommodation and the facilities for trade which they provided. Under these circumstances, he thought the Government would do well to endeavor to make some arrangement, either with the present contractors or with somebody else, to establish a more regular coastal service, extending it to Nickol Bay, in the interest of trade and of the passenger traffic rather than with any regard to mail facilities. So far as the Southern ports (Bunbury and Vasse) were concerned, they might as well be without the present service altogether, as have it conducted under the existing arrangements. He could not help thinking it would have been better if the Government had come forward with some defined scheme, instead of coming to the House, as they had done, fishing for a policy.

MR. MARMION said it was a great pity the correspondence between the Government and the contractors had not been laid on the Table of the House a month ago, instead of on Friday last, so as to have enabled members to carefully consider it. It would be observed, on reference to it, that the contractors did not view the present subsidy as a subsidy towards the *Otway* service at all. They would not be prepared to perform the present coastal service alone (independent of the *Otway*) for less than £5000; so that the intercolonial service might be thrown out of consideration altogether when discussing this subject. The question therefore arose,—what would be a fair and proper subsidy to offer for a service between Albany at one end and Nickol Bay at the other? His own opinion was that such a service could not be performed satisfactorily with one steamer; but the present con-

tractors said they could not place two steamers on the coast for a less subsidy than £8500 a year, which of course was out of the question. He thought £5000 would be quite sufficient to pay for a single steamer service between King George's Sound and the North-West settlement, especially bearing in mind that the intercolonial service between Albany and Melbourne and Adelaide was already sufficiently remunerative to enable the contractors to carry it on without any subsidy. He believed the present contractors, if the Council were to show a firm determination not to go beyond a certain amount, would be prepared to reconsider the whole question, and make such arrangements as would include the North-West in the coastal service, and be acceptable to the House. It was evident that, if they extended the service that far, the intercolonial trade (which, it appeared, was already sufficiently remunerative to justify them in continuing it without any subsidy at all, so far as the *Otway* is concerned,) would receive a further impetus, if a regular trade were opened up between these parts and the North-West. He considered, under these circumstances, that £6500 was altogether too much to pay for the mere addition of two trips a year to Nickol Bay, at £750 a trip. That would be £9000 a year for a monthly service. It would be better to pay £8500 for two steamers than to accept such a proposal as that. He thought the House should very carefully consider the question before agreeing to this vote. What he would wish to see would be a subsidy given for a fortnightly service between Albany and Champion Bay, and another sum for a service between Fremantle or the Southern ports and Nickol Bay. If the present contractors were not prepared to modify their proposals, the whole matter ought to be thrown open to public competition.

MR. VENN said the Committee was working altogether in the dark, and the Government did not seem inclined to throw any light upon the subject. They were simply asked to substitute £6,500 for £5,000, and inform the Government what they should do with it afterwards. He admitted that the principle of subsidising a steam service was desirable and justifiable, with a view to create and

develop a fresh trade; but when the trade became a remunerative one, he thought the subsidy ought to be dropped. A great deal was said about the duty of the colonists to help themselves, about the time having arrived for adopting a bold and vigorous policy, and the necessity for Railway Extension and Telegraph Extension, and what not. But it did appear somewhat anomalous that in the same breath we were asked to subsidise steamers to ply on our coast. No doubt the advantages resulting from regular steam communication with the Eastern Colonies were very great, and he admitted that, in that respect, the game was worth the candle. But so far as the coastal service was concerned, the Southern ports of the Colony derived hardly any benefit whatever from it. For all practical purposes, they might as well have no steamer on the coast at all, and the sooner the present arrangement was altered the better. As to the proposal to pay £1,500 for two trips to Nickol Bay, he did not think—and hon. members would agree with him when he stated that no one was more interested in the welfare of the North-West settlement than he was; but he did not think we could afford to pay so much for so little,—not even with the prospect of the realisation of the Attorney General's vision of the discovery of gold and precious gems.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) again pointed out that in facilitating regular communication—although at distant intervals—with the settled portion of the North-West coast, by having the terminus of the service at Nickol Bay, we would be facilitating the extension of the service, in case of emergency, in the direction of what they believed to be the magnificent territory discovered by Mr. Forrest farther North.

MR. GRANT said the correspondence on the subject had only been placed before hon. members a few hours previously, and he thought it very desirable that the debate should be adjourned until Wednesday.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the Government was not in a position to offer the House any more information on the subject than was contained in that correspon-

dence, and it must be obvious from a perusal of it that if they wanted to extend steam communication to the North-West, they must be prepared to pay an extra price for it.

MR. MARMION said that did not necessarily follow.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the hon. member might be prepared with some more economical scheme; but, judging from the contractor's statement, it could not be done for less than the sum now asked for. It was for the Committee to say whether it was prepared to pay that sum or not; the Government would be guided in the matter by the decision of the House.

MR. CROWTHER said some hon. members were very apt to blame the contractors for their sins of omission, but it should be borne in mind that the contractors were merely endeavoring to carry out the wishes of that House. When the service was initiated it was intended for the purpose of affording increased facilities for the conveyance of cargo and passengers, but it had soon developed into a mail service, monthly at first, and latterly a fortnightly service. The fact of the matter was, what with the steamer's mails and the "red and yellow" mails, we were pretty well mailed to death (as he had said the other day), and people had neither peace of mind or body. If the Government or the House would be guided by his opinion in this matter, he would say—keep on the *Otway* service as at present: don't allow yourselves open to be again victimised by the extortionate charges of the P. & O. steamers: secure this service, at any rate; then let the *Rob Roy* make a monthly trip to Albany and a trip every three months to Nickol Bay; and whilst the *Rob* is absent on her North-West trips, let the *Otway* come right through from Melbourne to Fremantle. He thought if they did that, they would get a reasonable service at a reasonable price, and one that would answer all present requirements.

MR. BURT failed to see what was to be gained by adjourning the debate. The Government told them they could give them no further information than was embodied in the correspondence now on the Table, which amounted to this:

the contractors state they will continue the present service for the present subsidy, and will make two trips a year to the North-West for an additional £1,500. That was the whole sum and substance of the correspondence. It was now for the House to say whether they would give them that amount or not. He, for one, would certainly say, No. The House had waited in vain for some definite scheme to be put forward by the Government, but they had one now from the hon. member for Greenough, and one which he (Mr. Burt) was quite prepared to support.

MR. GRANT thought the whole service ought to be reorganised. He failed to see the necessity for continuing the *Otway* intercolonial service at all. He looked upon it as a great waste of money to continue this service in the face of the P. & O. Co.'s steamers, whose rates for freight and passengers were now very low.

MR. CAREY said the hon. member overlooked the fact that it was simply owing to the competition caused by the *Otway* that those rates were reduced, and the probability was, if the *Otway* were withdrawn, the P. & O. Co.'s rates would very soon be increased.

MR. HIGHAM said no one was more desirous than he was to see regular and frequent steam communication established between these parts of the Colony and the North-West; but it appeared to him that the price we were asked to pay for a couple of trips a year was out of all reason. He thought the service ought to be submitted to public competition, and he would like to know whether the Government intended doing so. The Colonial Secretary said the Government had to cut their coat according to the extent of cloth which that House supplied them with; but it appeared to him that, under the existing agreement, the Government had to cut their coat very much according to the pattern which suited Messrs. Lilly & Co.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): The Government have placed themselves, first of all, in communication with the present contractors, and the correspondence which has passed between them has been placed before the House. A certain proposal is submitted by the contractors, and it is

for the Council to say whether it is prepared to accept it. The Government are twitted with not coming forward with any cut and dried scheme, and charged with other sins of omission. But what are we to do? We can do no more than offer for the information of the House such proposals as have been made to us, and ask the House either to approve or reject them. The hon. member for Greenough has told the Committee what he would do. That's all very well, no doubt; and possibly other members might be able to do the same. But it must be borne in mind that there are two parties to every agreement. The hon. member seems to have lost sight of that. What the Government are desirous of doing is to obtain the most extended facilities of communication they can, at the lowest possible rate.

Mr. CROWTHER said he was quite aware it required two parties to conclude an agreement, and all he could say was—if he had been one of the parties entrusted to make this arrangement with the present contractors, it would have been in a much more advanced state than it appeared to be in at present.

Mr. MARMION did not think the contractors could make four trips a year as suggested by the hon. member for Greenough unless they had a third steamer, which would involve a much larger subsidy than the Colony would be justified in providing.

Mr. STEERE said it appeared to him that the negotiations pending between the Government and Messrs. Lilly and Co. were to the effect that the contractors should undertake the North-West service and still continue to do the same work on this part of the coast; but he thought the feeling of the House was that the contractors should be relieved of the mails, and that the Government should enter into a fresh arrangement with them on that basis, under which he had no doubt they might be induced to make four trips a year to Nickol Bay. Possibly if the debate were adjourned, the Government might be prepared to inform the House whether they would act upon this suggestion, or otherwise to submit some definite scheme of their own, which they ought to have done before.

Mr. STONE asked how it was possible for the Government to have come pre-

pared with any definite scheme until they had first ascertained the views of the House on the subject. It appeared to him that if the House was not prepared to approve of the arrangement sketched out in the correspondence placed on the Table, they should submit a resolution to that effect.

Mr. BROWN said he would be prepared to vote the money conditionally only upon the Government throwing the whole service open to public competition, and not confine it to the present contractors.

Mr. SHENTON moved that Progress be reported, and leave given to sit again on September 1st.

Agreed to.

DISTRICT ROADS ACT, 1871—AMENDMENT BILL.

Read a third time and passed.

JURY ACT, 1871—AMENDMENT BILL.

This Bill was re-committed, and some verbal alterations introduced. [*Vide* "Votes and Proceedings," page 111.]

DESTRUCTIVE INSECTS AND SUBSTANCES BILL.

Read a third time and passed.

SUPREME COURT BILL.

The Order of the Day for the third reading of this Bill being read,

Mr. STONE moved that it be re-committed.

Agreed to.

IN COMMITTEE.

Mr. STONE, without comment, moved that the following new clause be added to the Bill as clause 19:—"If at any time there shall be only two Judges of the said Court, and a difference of opinion shall arise between them respecting the judgment or decision to be given in any case, the judgment or decision of the Chief Justice, or of the Senior Judge, as the case may be, shall prevail."

Agreed to, *sub silentio*.

Bill reported.

AUDIT BILL.

Read a third time and passed.

RECOGNITION OF SERVICES OF MR. ALEXANDER FORREST AND PARTY—ADJOURNED DEBATE.

IN COMMITTEE.

The original resolution, submitted by Mr. Venn on the 24th August, being negatived on the voices, the amendment submitted by Mr. Brown—"That an Humble Address be presented to His Excellency the Governor, praying that he may be pleased to communicate to Her Majesty's Secretary of State the desire of this Council, that a grant in fee of land, situated not less than twenty miles from the sea coast, in the Kimberley District, may be made to Mr. Alexander Forrest, in recognition of his valuable services in the cause of exploration in various portions of Western Australia, and particularly in connection with his recent exploration of the territory lying between Beagle Bay and Port Darwin; such land to be selected by Mr. Forrest within twelve months of the date of notification to Mr. Forrest of the Secretary of State's sanction to the grant being made to him,"—was put.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) thought it would be far better if the House were to leave it to the Secretary of State himself to decide what extent of land should be given to Mr. Forrest.

MR. MARMION said he had every desire that the leader of the expedition should receive such full recognition as his valuable services deserved; but at the same time he thought that the members of his party, who, though they had not earned the same laurels as their leader, had borne the same privations and hardships, should also have their services recognised, or, at any rate, be recommended to the Secretary of State for such recognition as he might consider they merited. He thought the suggestion put forward by the Colonial Secretary was a very proper one, and that the extent of land to be granted should be left to the decision of the Secretary of State himself. He would therefore move, as an amendment upon the amendment of the hon. member for Geraldton, "That an Humble Address be presented to His Excellency the Governor praying that he may be pleased to communicate to Her

"Majesty's Secretary of State the desire of this Council that a grant in fee of land, situated not less than twenty miles from the sea coast, in the Kimberley District, may be made to Mr. Alexander Forrest, in recognition of his valuable services in the cause of exploration in various portions of Western Australia, and particularly in connection with his recent exploration of the territory lying between Beagle Bay and Port Darwin, and a further grant of land to each European member of his party, such land to be selected by Mr. Forrest and the said members of his party within twelve months of the date of notification to them of the Secretary of State's sanction to the grants being made to them."

MR. CAREY said he had not intended saying anything at all upon the question before the Committee, one of his sons having been a member of the party; but as he was not personally affected either directly or indirectly as to whether any grant was made to them, he thought he was justified in offering a few remarks, and in pointing out to hon. members that a promise was made to the members of the party—inducements were held out to them—that their services would be recognised in some way or other. He should also like to state, with reference to what had been said in the course of the previous debate—that no provision had been made for the return of the party to Beagle Bay—that Mr. Wynne, the Lacepede Islands Commissioner informed him that he had arranged signals with the leader of the party in the event of their returning that way. There was one other matter which he wished to refer to. The hon. the Attorney General, in speaking of the expedition the other evening, commented on the fact that no botanical collections had been made—

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake): No botanical report, I said.

MR. CAREY said that a conversation which he had had on the subject with the Surveyor General enabled him to state that a collection of botanical specimens was made, and that Baron Mueller, to whom they had been sent, spoke in very high terms of the manner in which the specimens were preserved, and that among them there were some new plants

altogether unknown to him previously. He (Mr. Carey) thought that, in fairness to the collector, some mention might have been made of this botanical collection in Mr. Forrest's official report.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake): Will the hon. member be good enough to say who the collector was?

MR. CAREY: My own son.

MR. RANDELL quite agreed with the proposition that the services of all the members of the party should be recognised, as well as the leader, and he believed the general sense of the House and of the country would be found to be in favor of the proposal.

MR. GRANT was of the same opinion. The whole party had suffered the same privations, endured the same hardships, and faced the same dangers, and he believed the men were only receiving their ordinary wages, as if they were engaged on a home station. Surely the members of an expedition like this were deserving of some further recognition than that, for such services as this party had rendered to the Colony. However good a leader Mr. Forrest may have been—and a good leader he undoubtedly was—still the fact remained that he could not have accomplished what he did without the aid of the other members of his party. They had heard of soldiers and sailors participating in the spoils and rewards of military and naval victories, with their commanders; and why should these men not share with their leader in the rewards which a grateful country was ready to grant them?

Mr. Marmion's amendment was then put, and negatived on a division, there being

Ayes	...	...	6
Noes	...	...	13

Majority against	...	7
------------------	-----	---

AYES.

Mr. Carey
Mr. Grant
Mr. Higham
Mr. Randell
Mr. Venn
Mr. Marmion (Teller.)

NOES.

The Hon. R. T. Goldsworthy
The Hon. G. W. Leake
Mr. Burgess
Mr. Burt
Mr. Crowther
Mr. Hamersley
Sir L. S. Leake
Mr. S. H. Parker
Mr. S. S. Parker
Mr. Shenton
Mr. Steere
Mr. Stone
Mr. Brown (Teller.)

Mr. Brown's amendment on the original resolution was then put and passed.

PEARL SHELL FISHERY COMMISSION'S REPORT.

The Order of the Day for the consideration of this report (*Vide* "Votes and Proceedings, Printed Paper A 2") being read,

MR. STEERE moved, "That an Humble Address be presented to His Excellency the Governor, requesting that he will take such steps as he may deem desirable to carry out the recommendations of the Commission." Those recommendations referred mainly to the desirability and expediency of temporarily closing certain banks and foreshores, for the better conservation and protection of pearl shells, and were based upon suggestions offered by those well acquainted with the localities in question. Soon after the report of the Commission was presented to the Governor, he believed, a report was received from the Resident Magistrate of the district, which he understood supported the recommendations of the Commission in every respect but that he differed as to the localities that ought to be closed. [In support of the views taken of the subject by the Commission, the hon. member read a letter he had received from a gentleman "well qualified to pronounce an opinion on the question."] It would be observed that the Commission was indisposed to recommend any immediate departure from the system of working the pearl banks than was then in force, but that some efficient steps should be taken to prevent the wholesale and indiscriminate destruction of immature shells. He thought hon. members would be in accord with that recommendation. With regard to the Pearl Fisheries of Sharks Bay, it would be observed that the Commission was forced to the conclusion that they were being seriously injured, consequent upon the reckless and exhausting system of dredging, which destroyed the immature shells. He need hardly point out that the result of this indiscriminate slaughter must be that, in course of time, the beds would become altogether unproductive. As a remedy for this, the Commission recommended that the pearling grounds in this locality should be temporarily closed; but, in order that the industry should not be paralysed by the closure of all the banks at one and the same time, it was proposed

to leave certain banks open while others were closed.

MR. BROWN seconded the motion for the adoption of the Address, on the distinct understanding that the recommendations of the Commission had no reference whatever to the question of the terms and conditions on which the lands explored by Mr. Alexander Forrest should be granted to intending settlers—which was one of the questions referred to the Commission.

MR. STEERE said that subject had been dealt with by the Commission in a separate report.

MR. MARMION failed to see any novelty in the recommendations of the Commission beyond the proposition to close certain banks and foreshores. He found that the report of the Resident Magistrate at Roebourne (Mr. Sholl)—whose opinion must necessarily have had great weight with the members of the Commission—had not been received when the Commission brought its labours to a close. Had it been otherwise, probably some of the recommendations embodied in their report would have been modified. He noticed in Mr. Sholl's report (which had subsequently been received), that that gentleman considered that the system of closing particular places for spawning grounds or nurseries—even if at any time desirable—was not so at present. "The movement," he said, "is premature. The fisheries are extensive. From Exmouth Gulf to King's Sound pearlshells have worked with success, and fresh ground is opened every year. With this extent of available ground at their disposal, pearlshells are not likely to waste their time on the ground which will necessarily produce few and inferior shells. I was at Flying Foam Fishery in 1872, when there was a great take of shells. It was not worked again, except perhaps occasionally by a stray boat, for a period of five years. The shells were then of full size and in plenty. Independently of these considerations, I am of opinion that the difficulty and cost of keeping the places (some of these places of refuge in hurricane weather) closed would be so great as to amount practically to failure. I do not, for reasons stated above, approve of the distribution of the fishing grounds so that they could only be

"fished every five years. For the present I should be inclined to leave the fisheries alone. There is no fear of the grounds being worked out, and the interference would, as I stated above, be difficult and costly, and cause, without appreciable necessity, much annoyance." He (Mr. Marmion) looked upon this evidence as of great weight, and he submitted it should receive the earnest attention of the members of that House in dealing with this question. He was hardly in a position to offer an opinion himself on the subject, which he thought was surrounded with many difficulties, not the least of which would be the difficulty of maintaining any efficient system of surveillance over the closed banks. He understood from the report of the Commission that it was proposed not only to close the banks, but that certain foreshores should also be similarly protected, in order to prevent beach-combing. He failed to see how they were going to prevent the residents in the vicinity of these foreshores from carrying on beach-combing operations. While prepared to pay all due regard to the recommendations of the Commission, he thought such difficulties as these should not be overlooked—difficulties which, to his mind, appeared to be insurmountable.

MR. GRANT said one of the difficulties pointed out by the hon. member might be surmounted easily, and in a very simple manner. The hon. member said he failed to see what check or surveillance would be available in order to see that the closed banks were not worked. This might easily be done by the police, who were continually passing backwards and forwards. As to the necessity for adopting some steps for preserving these banks, no one who had had any experience in pearl shell fishing could doubt such necessity. Formerly, at Condon, an average of about 1,600 shells went to the ton; now it took 3,000 or 4,000 to make up the same weight. The reason for this was obvious: the shells in the early days of the fishery had matured, whereas now, under the present exhausting system of dredging continuously, the shells had no chance of arriving at maturity. He considered it was a downright waste, and a direct loss to the whole Colony, that this system should be continued, destroying as it did

shells and spat of all ages. The result would be, if the evil remained unchecked, there would be no shells at all worth having, and an important and valuable industry would be destroyed. Although the result of carrying out the recommendations of the Commission would entail a considerable pecuniary loss to himself personally—possibly he would be among the heaviest losers—he was quite prepared to put up with this sacrifice, and the recommendations embodied in the report had his hearty support.

MR. STEERE said the Commission had taken a great deal of evidence on the subject, from persons who had been engaged in the industry, and who were thoroughly competent to form an opinion on the question, and the report was the embodiment of those opinions. The hon. member for Fremantle seemed to lay great stress on the views expressed by the Resident Magistrate, but he (Mr. Steere) thought the opinions of a gentleman like the hon. member for the District (Mr. Grant), a thoroughly practical man, were entitled to quite as much weight as was Mr. Sholl's evidence.

The motion was then agreed to, *nem. con.*

MUNICIPAL INSTITUTIONS ACT, AMENDMENT BILL.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) moved the second reading of a Bill to amend "The Municipal Institutions Act, 1876." The Bill had been drafted in pursuance of instructions communicated to the Government on the subject by the City Council. It provided that if any ratepayer considered himself aggrieved by the valuation put upon his property, he may appeal against the same in the Local Court. The Bill also empowered municipal councils to license nightmen and scavengers, and to issue hawking licenses, and further provided that any municipality may impose a tax of 10s. upon all carts within the limits of such municipality (in addition to the tax payable to the District Roads Board). As regards Perth, the Bill proposed to change the style and title of the corporation to that of "Mayor and Councillors," and it was contemplated that the present Chair-

man of the City Council shall be the first Mayor of the City, assuming that title from and after the passing of the Bill, and continuing in office up to the 30th November next. Provision was also made empowering the Council to cause the streets of the city to be lighted with gas or oil, and to levy a lighting rate.

The Bill was read a second time without discussion.

IN COMMITTEE.

Clause 1—"Short Title"—agreed to.

Clause 2—"How rates may be recovered: Appeal against rate:"

MR. S. H. PARKER asked whether the City Council or any of the municipal bodies concerned had had an opportunity of perusing the Bill?

MR. STONE said he did not know.

MR. SHENTON said there had been no meeting of the City Council since the Bill had been printed.

MR. S. H. PARKER could not help thinking it was strange that in a measure of this importance, so greatly affecting the powers and privileges of the municipalities, the Council of the City of Perth at any rate had not been consulted in the matter, and had an opportunity of discussing the provisions of the Bill.

MR. STONE thought that the City Council would, in all probability, be quite satisfied with the Bill, seeing that two of their members had seats in the House,—Mr. Shenton and himself.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said he had received his instructions for preparing the Bill from the Acting Chairman of the City Council (Councillor B. Smith).

MR. S. H. PARKER was under the impression that it was the intention of the Municipal Council that there should be aldermen as well as a mayor; but he noticed on reference to the Bill that it was not proposed to alter the designation of the councillors.

MR. BURT said the second section of the Bill did not, to his mind, appear very clear as to how rates were to be recovered. The section provided that all rates under the Act shall be recoverable either by action at law, or by summary proceedings before any two Justices in the same way as any other fine or penalty was now recoverable. This, he apprehended, con-

templated the imprisonment of a defaulting ratepayer in the event of a distress not proving sufficient to meet his liabilities. He scarcely thought it was ever intended to have resort to imprisonment in the case of a ratepayer failing to pay up his rates.

MR. STONE said no doubt the clause gave the Magistrates that power. The wording of the clause in this respect was the same as in the existing Act, and the present section merely extended the provisions of that Act so far as giving an aggrieved ratepayer the right of appeal, if dissatisfied with the valuation put upon his property.

MR. S. H. PARKER pointed out that the clause merely provided that "it shall be lawful for such person to appeal in the Local Court;" it did not define what Local Court. Surely it could not be the intention that a ratepayer at Fremantle aggrieved by the valuation put by the local municipal body upon his property might appeal against the valuation in the Local Court at Perth. Yet there was nothing in the wording of the clause to the contrary. He thought it would be better to define to what Local Court the appeal should be made; he would therefore move, to insert between the words "Court" and "by," in the sixth and seventh lines, the words "of the district within which the property is situate."

Agreed to, and clause as amended put and passed.

Clause 3.—"The Council of any Municipality shall have power to license nightmen and scavengers for the removal of the contents of any drain, watercloset, earthcloset, privy, cesspool, ashpit, or other place, or of any noxious or offensive matter; and also to make, publish, alter, modify, amend, or repeal any By-laws and Regulations as well with reference to the time and mode of such removal whether by such nightmen or scavengers as by others, as also to the vehicles by which such removal shall be effected, and the license fees in respect of such vehicles."

MR. BURT asked who was to bear the expenses of this scavenging?

There being no reply,

MR. STEERE asked who was supposed to be in charge of the Bill? Was it left to the tender mercies of the House?

MR. STONE: I take it that the section empowers the Council of any Municipality to impose and collect license fees from the nightmen and scavengers, and the revenue so derived might be devoted towards meeting the expenditure of carrying out the provisions of the clause.

Clause agreed to.

Clause 4.—"The Council of any Municipality is hereby authorised to grant licenses under 'The Cart and Carriage Licensing Act, 1876,' to any cart as thereby defined, used within the limits of such Municipality. And in addition to any other license fee now required by law for such cart, to charge a license fee for such cart at a rate not exceeding ten shillings for any one whole year. And the several provisions contained in 'The Cart and Carriage Licensing Act, 1876,' with respect to carriages shall be deemed to be applicable to carts licensed under this Act; but no person shall be required to take out from any Municipality, under this Act, a license for a cart if such cart be used solely as a means of conveyance through, or be drawn through the limits of a Municipality from and to places beyond such limits, or into the limits of a Municipality from a place at least three miles from its nearest limit, except for repair or sale; nor for a cart used in the construction of any work to be paid for out of the Public Revenue or out of the funds of a Municipality:

MR. STONE said it would be observed that the object of this clause was to enable the Municipalities to supplement their income by levying a license fee on all carts within the limits of a municipality. At present fees in respect of carts went to the District Roads Boards, though these carts, as a rule, did more to cut up the streets of a town than spring vehicles did. It would also be observed that the clause, as now worded, provided that no person shall be required to take out a municipal license in respect of any cart used solely as a means of conveyance through the limits of a municipality from and to places beyond such limits; but he thought the wording of the clause with regard to this privilege might be with advantage amended. He would therefore move that all the words after "person," in the

fifteenth line be struck out, and the following be inserted in lieu thereof—
 “residing at least three miles from
 “the nearest limits of a Municipality
 “shall be required to take out from any
 “Municipality a license for a cart, if such
 “cart be used solely as a means of conveyance into or through the limits of a
 “Municipality from and to places beyond such limits.” It was also proposed to expunge that part of the section which exempted carts used in the construction of any work to be paid for out of the public revenue or out of the funds of a Municipality paying a license fee. This of course would be done by striking out the words which he had moved to strike out.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) thought that would be extremely hard upon the Government, which already contributed its fair share towards the maintenance of the main streets, both at Fremantle and Perth.

MR. S. H. PARKER said it appeared to him very hard that the owners of carts should be obliged to pay a license fee to two different bodies—the District Road Board and the Municipal Council. He thought the fairer course would be to make the owners of all carts used within municipal boundaries to pay a license fee to the Municipality, and that such carts as were used within the limits of the Roads Board's jurisdiction should pay for their licenses to the Board. As to the Attorney General's objection to carts used upon public works paid for out of the general revenue paying a license fee, the same provision was already in operation. The clause would be absolutely unworkable unless that part of it which exempted such carts were expunged, for a cart might be so employed only for a week or a month, and it would be absurd to exempt such carts from paying any license fee for the whole year.

MR. RANDELL said, as to the hardship of having to pay for two licenses, the amount of the fee formerly payable in respect of a cart was £1; but under the Roads Board Act the fee was reduced to 10s., and, as the present clause limited the fee chargeable by any Municipality in respect of a cart to 10s., he failed to see that the clause would operate

harshly, for the amount of the two fees combined would not be more than what was formerly charged for a cart license.

MR. HIGHAM thought it would be better to revert to the old system, and to empower the Roads Boards to license the carts used within the limits of their respective districts only, leaving it to the Municipalities to do the same with regard to carts used within their own boundaries. If licenses in respect of the same cart had to be taken out from two different bodies, he was afraid it would lead to no end of complication. Moreover, if the present section passed, it appeared to him it would be necessary also to amend the Cart and Carriage Licensing Act (40th Victoria, No. 5), the form of license issuable under which rendered the owner of a licensed cart free to use it on any road of the Colony.

MR. BURT said if that was the case, the Act ought certainly to be amended, for no District Road Board or Municipality had a right to issue a license empowering the owner of a cart to use it beyond the limits of the District or Municipality granting the license.

MR. S. H. PARKER said the hon. member for Fremantle (Mr. Higham) was quite right. According to the form of license provided in the second schedule annexed to the Act in question (40th Vict. No. 5), the licensing body was authorised to issue a license empowering the owner of the cart or carriage licensed to use it on any road of the Colony.

MR. BURT: Then the schedule ought to be amended.

The amendment proposed by Mr. Stone in Clause 4 was then agreed to, and the clause as amended put and passed.

Clause 5.—“From and after the passing of this Act the name, style, and title of the corporation of the City of Perth constituted under and by virtue of ‘The Municipal Institutions Act, 1871,’ shall be ‘Mayor, Councillors, and Citizens of the City of Perth,’ and under such name, style, and title they shall have all and the like rights, privileges, and immunities, as have been heretofore possessed by them under the style and title of the ‘Council and Burgesses of the City of Perth. The present Chairman of the City Council shall be the first Mayor

"of the said city, and shall continue in office up to the thirtieth November next."

MR. BURT: Would it not be as well to make the Council, under its new name, subject to the same liabilities—and not only the same rights, privileges, and immunities, as they have been heretofore subject to?

MR. STEERE very much doubted whether the Council of the City of Perth would have been so anxious to have the name and title of the corporation altered, had they seen how this clause was worded, for, he understood, they expected that the councillors as well as the chairman should have some increased rank conferred on them. He thought the intention had been to style the corporation "Mayor and Aldermen." Be that as it may, it appeared to him that the latter part of this clause struck at the very root of representative institutions, for it proposed by legislative enactment to usurp the right which the citizens undoubtedly possessed to elect their first Mayor. According to this clause, the first Mayor would be appointed by that House, and not by the ratepayers. He thought, whoever had the honour of being nominated to that position would value it all the more if placed there by the votes of his fellow citizens rather than by an Act of Parliament. He would therefore move that the provisions of this clause shall not come into operation until the 1st day of December next, instead of "from and after the passing of this Act." That would enable the citizens to exercise what he contended was their undoubted right and privilege—the right and privilege of electing their first Mayor.

MR. S. H. PARKER thought it would be as well that the City Council should have an opportunity of seeing the clause, and of noticing that it was not proposed to alter the style, rank, or status of the Councillors themselves, but merely of their Chairman.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said he had heard for the first time that evening that the Bill had not been submitted to the Town Council, or, at any rate, that its provisions had not been thoroughly settled and agreed upon by that body. Under

the circumstances—as it appeared such had not been the case—he must disclaim any responsibility with reference to the Bill.

MR. STONE said, as he had had a great deal to do, as a member of the City Council, in causing the Bill to be introduced, he might be permitted to make a few observations. The proposition he had brought forward for the consideration of the Municipal Council was that the style of the corporation should be altered to that of Mayor and Aldermen, but the prevailing feeling among the councillors appeared to be that, although it was deemed desirable that the Chairman should receive the designation of Mayor, there was no particular inclination manifested in favor of altering the name and style of the councillors; and, upon further consideration and reference, he found that this was a title commonly given to many municipal bodies in the neighboring colonies—Mayor and Councillors, except in the larger cities and towns, where Aldermen were associated with the Mayor and Town Council. As to any expectation of increased privileges or greater powers being conferred upon the City Council by reason of the change of name, it was never contemplated that the alteration would confer any further rights or privileges upon the Mayor or the Council, the sole object being to assimilate the title of their chief civic officer with the title bestowed upon persons holding the same position in other parts of the world. The idea that the Chairman elect should be first Mayor was not an original one; the same provision was made in the other colonies when the change of title was first introduced. If the change also contemplated any alteration in the qualification of voters entitled to take part in the election of the Mayor, it would have been a different thing; but as no alteration whatever was proposed to be made in the franchise, and no additional privileges or power were to be conferred upon the holder of the office, it was simply proposed that the present holder of the office should retain the position until the expiration of the municipal year.

MR. S. H. PARKER, in order to afford the City Councillors an opportunity of perusing the Bill, moved, That Progress

be reported, and leave given to sit again on Friday.

Agreed to.

Progress reported.

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

LEGISLATIVE COUNCIL,

Tuesday, 31st August, 1880.

Scab Act, 1879, Amendment Bill—Message No. 10 (Mr. Greenacre's claim): Consideration of—Message No. 7 (Delay in Furnishing Returns): Consideration of—Adjournment.

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

PRAYERS.

SCAB ACT, 1879—AMENDMENT BILL.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) moved the first reading of a Bill to amend the Scab Act, empowering the Governor to prescribe the amount of the contribution payable in respect of sheep, under the Act. The Bill, he said, had been brought in, pursuant to the expressed wish of the House.

Motion agreed to, and Bill read a first time.

MESSAGE (No. 10): MR. GREENACRE'S CLAIM.

The Order of the Day for the consideration of Message No. 10 (*Vide* p. 167, *ante*) being read,

MR. STEERE, in accordance with notice, moved, That the following Address be presented to His Excellency the Governor, in reply:—"That the Council "having had under its consideration "Message No. 10 from Your Excellency, "begs to reply as follows:—The Council "having perused the correspondence which "passed between the Government and "Mr. Greenacre with reference to the "compensation which the latter was to "receive in consequence of the loss of "frontage to his property by the intended

"closing of an adjoining street at Pinjarrah, regrets that the Commissioner "of Crown Lands should have departed "from the very proper and cautious letter "of the 14th February, 1880, in which he "gave Mr. Greenacre to understand that "the issuing of the title deeds to the "four town allotments which were to "have been given to him as compensation "was to be contingent upon the Legislature sanctioning the closing of the "street in Pinjarrah. The letter of the "Commissioner of Crown Lands, of the "8th of March, contained no such reservation; and the Council considers that "the title deeds to these allotments cannot now be equitably withheld from Mr. "Greenacre." The hon. member said it might be in the recollection of the House that His Excellency in his Message invited the Council to consider the subject of Mr. Greenacre's claims; and, had it not been for that invitation, he (Mr. Steere) should not have troubled himself about the Message. But the House having been asked to express an opinion, he thought it would be only an act of courtesy towards His Excellency that they should reply to his Message.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) thought the hon. member must have lost sight altogether of what his resolution really embodied. It was neither more nor less than a vote of censure upon the Commissioner of Crown Lands—a vote of censure upon an absent officer, which he thought was a most unfair proceeding.

SIR T. COCKBURN-CAMPBELL did not think that the action of the hon. member for Swan, or the wording of the resolution, was susceptible of any such meaning. His Excellency had sent down, with his Message, the correspondence which had passed on the subject, in order that the House might be in a position to express an opinion upon the matter on its merits; and he (Sir Thomas) thought that was all that was required of them, and that there was no necessity that the House should go any further, and express its regret or satisfaction at the tone or tenor of the correspondence. He would therefore move an amendment upon the resolution of the hon. member for Swan, which he trusted the hon. member would accept, for he was sure the hon. member did not