

the quorum to three members, who could exercise these extended powers; but on going into the matter a little more carefully, he found, as the hon. member for Albany had stated, that these powers did not rest absolutely with the Board; and this, to his mind, very considerably removed the objection he felt to the bill at first. In the circumstances, and as such strong representations had been made on the subject, he should not, as he had intended, oppose the second reading of the bill.

MR. BURT said he had a perfect recollection of a discursive debate, he believed on this very subject, last session; he did not know whether he took any part in the debate himself. It was a great pity certainly that important legislation passed only last session should have to be amended in this; and, unless members had changed their minds since then, they would probably be inclined to adhere to their former decision on this point. As to the northern Boards, he had a communication the other day from the Gascoyne,—more as a legal person than as a member of the House; but he knew that the Gascoyne Board had found this same difficulty as to a quorum, and they considered it too high. He should like to hear the views of country members on the subject; at the present moment he really felt rather doubtful which side to vote for.

MR. PEARSE thought it very desirable that the quorum should be reduced. Even at Fremantle, where they had not these long distances to travel to attend the meetings, they often found it very difficult to find a quorum. He knew, himself, of two occasions when a meeting could not be held for the want of a quorum. He could quite understand how much more difficult it must be in country places, where the members of the Boards generally resided a long distance from the place of meeting. He knew it was the wish of the Fremantle Board that the number of the quorum should be reduced; he should, therefore, support the bill.

Motion put and passed.

Bill read a second time.

DEFENCE OF FREMANTLE.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) moved that the adjourned

debate on the defence of Fremantle be deferred until the next sitting of the House. The Government had received a telegram from Sir William Jervois, from Adelaide, as follows:—"I should have been very glad to have visited Fremantle, but impossible for me now to alter plans." It was therefore out of the question for that distinguished officer to give them his advice.

Debate adjourned.

ELECTORAL BILL.

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

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) moved that the order be discharged, as the Government did not intend to proceed with the bill.

Order discharged.

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

LEGISLATIVE COUNCIL,

Friday, 5th April, 1889.

Constitution Bill: third reading—Aborigines Bill: third reading—Roads Act Amendment Bill: in committee—Defence of Fremantle: Message (No. 3)—Message (No. 10): Water Supply for Perth—Message (No. 11): Return of moneys paid to Sir John Coode—Enlargement of Legislative Council Chamber—Adjournment.

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

PRAYERS.

CONSTITUTION BILL.

Read a third time and passed.

ABORIGINES BILL.

Read a third time and passed.

ROADS ACT AMENDMENT BILL.

This bill passed through committee without discussion.

DEFENCE OF FREMANTLE (MESSAGE No. 3.)

ADJOURNED DEBATE.

MR. SCOTT: I take it that the motion before us is that of the Colonial Secretary: "That it is desirable the defence of Fremantle, as typified in His Excellency's Message No. 3, should be proceeded with." I have an amendment to move, and I move it on behalf of the hon. member for the North (Mr. Burt), who, having already spoken, cannot move it; but I thoroughly endorse the amendment, and I therefore move: "That an humble address be presented to His Excellency the Governor, in reply to his Message No. 3, informing His Excellency that, while fully appreciating the offer made by the Imperial Government to supply guns, ammunition, and equipment for the defence of Fremantle, this House is nevertheless of opinion that, before arriving at a decision on the matter, competent advice should be taken as to a scheme of defence and the character of the requisite works." That amendment, as I said, thoroughly endorses my own opinion on this subject. This is a matter that must entail a considerable amount of immediate expense and of annual expense, I think; and we should pause before committing ourselves certainly to any fixed annual expenditure. It would be rather a breach of faith with the Imperial authorities if we accepted their offer, and afterwards receded from it. It was hoped that Sir William Jervois would have been able to have visited Fremantle on his way to England, but the telegram received from him yesterday of course puts that visit out of the question; and I think we ought to wait until we are able to obtain the advice of some expert before we undertake any system of defence.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): As the hon. member has just stated, the Government endeavored to get a very distinguished officer to visit the colony to report on these defence works, but I regret to say we were unsuccessful. The hon. member says the House should pause before doing anything; but I must remind the House that Her Majesty's Government has been pressing this Government for a response to their offer. As His Excellency says in his Message, "the immediate cause of

this communication is that the Governor has been requested by the Secretary of State to advise his Lordship, by telegraph, when the vote for the construction of the battery, and for the improved gun mountings, if required, has been passed." It is therefore necessary that this House should really come to some decision as to whether what has been offered to us by the Imperial Government, as set forth in His Excellency's Message, should be accepted. If we had been successful in obtaining the services of the distinguished engineer officer now on his way to England, we should have been in a different position, but, taking this amendment as it stands, although I agree it would be desirable to obtain competent advice if we could have done so, it appears to me that nothing whatever can be done, unless a few words are added pledging the House to provide the necessary funds. There must be some expenditure incurred if it is proposed to obtain competent advice and a report on the character of the requisite works, and I presume the House is prepared to provide the necessary funds. I presume it will be necessary to consult the Finance Committee but I think the House should place some limit on the proposed expenditure. In the meantime it is necessary that some definite reply should be sent to the Imperial authorities. The question is really whether we deem it politic, in the interests of the colony, that these protective works should be undertaken, for the defence of the port of Fremantle. The expense, as is shown here, will be considerable, and it is for the House to take that into consideration. But it is useless to pass a resolution like this, unless the Government are placed in a position to expend the necessary amount. The question is this: are we prepared to meet an expenditure of £4,000 or £5,000 spread over two years, in the construction of these works, and £500 a year for maintenance; and are we prepared to pay for the services of this competent military officer to advise us as to the character of the proposed works? If not, I cannot see the utility of passing a resolution like this. I cannot see how the Government is to obtain the services and advice of a military expert, unless it is understood that the House is prepared to sanction the

neccessary expenditure. If this resolution is passed it must be taken for granted that the House approves of the proposition made to it, and will be prepared when the time comes to vote the money for the carrying out of these works, and for their maintenance. I have heard that there is an engineer officer of the Imperial service going to visit the other colonies in connection with their military forces, and the question is whether we should invite him to come and report upon the best position for these guns. It must be thoroughly understood that the colony will be prepared to provide the necessary funds in the event of an officer of engineers coming here to advise us as to the best means of utilising these works.

MR. BURT: If I understood the Colonial Secretary rightly I think what he advises the House to do is, now that we have this offer from the Imperial authorities, to accept these guns and ammunition, or, in other words, take what we can get while it is offered to us. But that offer, it seems to me, is to be accepted, if accepted at all, with a distinct condition attached to it. If we agree to do certain things the Imperial Government will do something else. Lord Derby, in his despatch, says, Her Majesty's Government are willing to give their assistance by presenting us with a sufficient armament, and delivering it free of cost, "on the understanding"—those are his words—that an efficient force of artillery is maintained, and that all expenses connected with the construction and maintenance of the necessary works of defence are borne by the colony. I would certainly advise the acceptance of the guns, if we can get them without being clogged with these conditions; but I understand the sense of the House to be that before guaranteeing a vote, we should like to know how far the expenditure indicated here would go towards a permanent plan of defence for Fremantle. We might find, if we accepted these guns and carried out this particular scheme, that we were working on wrong lines altogether. I see nothing for it, myself, but to ask the Home Government as nicely as we can, to leave the offer open until we get competent advice as to a proper plan of defence.

SIR T. COCKBURN-CAMPBELL: If I understood the Colonial Secretary

rightly he told us that in the event of the House carrying this amendment of the hon. member for Perth, the House would be bound to carry out such works as this engineer officer, whoever he might be, might recommend; but certainly I should not be inclined to vote for the amendment if that were the meaning attached to it. But my idea of what the hon. member putting forward the amendment wishes is, that before we accept these guns and go to the expenditure of having them erected, we should ascertain whether they are likely to be of any practical use to us. It is curious to notice the different feeling with which this question of defence is regarded in time of peace and in time of war scare. If there were rumors of war floating about we should probably be only too anxious to jump at this offer of the Imperial authorities, but as everything is quiet and there is no rumor of hostilities, there seems to be no necessity for seriously dealing with the question. It has been said that our undefended position is really our best defence. I cannot agree with that at all. In modern warfare the defencelessness of a position is no guarantee against attack. In the Franco-German war the smallest towns and villages were not allowed to escape if the demands of the enemy were not complied with: and, no doubt, we should find it would be the same with Fremantle. We should have to give up what the enemy demanded or have the place shelled. But the question is whether these guns which Her Majesty's Government propose to give us would be sufficient to protect us, in the event of such a misfortune occurring. I have asked the only authorities we can consult here, and they think they would be sufficient. They say it would be impossible for large ironclads to come to Fremantle with a hostile intention, that it is too far from a coaling station, but that no doubt fast cruisers might come, and it is said that against such vessels the armament which the Home Government propose to give us would be quite sufficient. But I assume it is the wish of the House, before entering into any agreement or expressing a readiness to vote large sums of money for placing these guns in position and for maintaining these defence works,—it is the wish of the House to ascertain whether the

guns and the works now suggested would really answer the object in view.

MR. MARMION: As one of the representatives of the town most deeply concerned in this question, I am inclined to favor the amendment of the hon. member for Perth. Although, as a representative of the town I would naturally like to see the expenditure of this money in the town; at the same time, I would not give way to any other member in a desire to sink local considerations for the sake of the public good. I have never yet advocated expenditure at Fremantle for the mere sake of the expenditure, or which I did not think would be in the interests of the community; and, in this case, I certainly think it necessary, before we expend some thousands of pounds and commit ourselves to a large annual expenditure, that we should have some competent advice. This was the line I took in connection with the question of harbor works; I thought we ought to have competent scientific opinion before we did anything; though after all, in that case, I am sorry to say, members came to the conclusion not to do anything. But I would remind the House that it is still pledged to give Fremantle a proper harbor, and that pledge stands recorded among the records of the House. Some members perhaps may think that this defence question is only a local question; but I would remind those members that this is not only a question of the defence of Fremantle, but also of Perth and of the whole of this part of the colony. Some members' views, I am afraid, are narrow, so narrow that they cannot go beyond Perth; they never have been able to go beyond Perth, and they never will so long as they live. But this is not a local question, at all; it is not a Fremantle question; it is a question of defending the city as well as the port. [Mr. BURT: No, no]. The hon. member will find that it is so, when he finds his bank balance appropriated by the enemy. So far as Fremantle is concerned, my colleague and I, and all of us, have only to go beyond Monument Hill to be safe from the enemy. [The COLONIAL SECRETARY: They would shell you out if you didn't "shell out."] I certainly think we ought to have some scientific opinion upon this subject before committing ourselves to

any expenditure of public funds upon any scheme of defence works of our own. The question of harbor works and defence works are so closely associated that you cannot very well separate them; and we do not know yet where these defence works ought to be placed, in view of the site of the harbor works remaining in abeyance. We do not know whether the proper place for this battery would be on the Gaol Hill or at the end of Sir John Coode's harbor works, which are yet to be constructed, and which will be constructed when we have more sensible members in this House. I do not see anything in this amendment, myself, that commits us to any expenditure. It simply says that we are of opinion that, before arriving at a decision on the subject, competent advice should be taken, just the same as we did with the question of harbor works, so that we may not incur needless and useless expenditure. I am not, myself, prepared to support any expenditure until we know whether it is advisable to do this work in this particular way, and in this particular locality, and whether the armament so liberally offered to us by the Howe Government would answer the object in view. When we obtain this opinion no one will be readier than myself to agree to the necessary expenditure for placing the principal port of the colony in a state of defence.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): I should like to say a few words before this question is put to the vote. I am only expressing my own individual opinion, and not as a member of the Government. I think the amendment is simply shelving the question, putting it off until a more convenient season. We see the other colonies spending large sums in defence works, and there can be no question also but that we require to be defended. The people of the other colonies are intelligent people, and not likely to incur expenditure on defence works if they did not consider such works necessary in the interests of the country; and to my mind it is absolutely necessary that our principal ports should be placed in a state of defence, and not be at the mercy of any small cruiser or be a prey to every little gunboat that may come in to levy contribution. I remember well the little war scare we had, when there was a rumor

of a possible Russian invasion, some years ago, and what a relief it was to us all when H.M.S. *Opal* arrived, knowing as we did our own defenceless position. We were ready to spend any amount while that scare lasted, in defence works; but now, there being no immediate apprehension of an invasion and no actual sign of war breaking out, we are inclined to take matters very coolly, and to put off putting our house in order. I think that is not a wise policy. I think that in times of peace it is our duty to prepare for war, and that to be prepared to resist an attack is our best safeguard against being attacked. We have here a very liberal offer from the Imperial Government; these guns, I am sure, must have cost a very considerable amount, or what would be a very considerable amount to us; and I think we would do well to accept them on the terms they are offered. After all, waiting until we get this opinion that members talk about is really only another way of shelving the question, or postponing it. We have in the colony now an artillery officer—the Commandant of the Volunteers—who understands all about these guns, and where they should be placed. We have also a naval officer in the colony, and we have a Director of Public Works. I think these three officers should be able to decide where the proper position for this battery is. Anyone of us could do that, I should think. I believe I could do that myself.

MR. MARMION: The hon. gentleman probably would not object to take command of the Channel Fleet.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): It is simply an attempt to shelve the whole question until a more convenient season. Millions of money have been expended by Victoria and New South Wales in their defence works.

MR. BURT: After good advice.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): No doubt. But we have the guns now offered to us, and I think we ought to be prepared to spend the necessary money in having them put in position.

MR. SCOTT: I should like to say,—

THE SPEAKER: The mover of an amendment has no right of reply. He may explain anything; but he has not the right of replying.

MR. SCOTT: I merely wish to say that the Commissioner of Crown Lands is entirely wrong in thinking that my desire is to shelve this question. It is nothing of the kind. I simply desire that we should have some reliable advice before we do anything that may commit us to a very large expenditure, and possibly useless expenditure; and if any member can amend the motion so as to show the Imperial Government that we fully appreciate their kindness, and that we only desire to wait until we may ascertain the best method of utilising their offer, I shall be very happy to accept his amendment.

MR. RASON: I think it would be advisable in speaking to this amendment to try and pacify the hon. member for Fremantle; therefore, I venture to say that I think the future of Fremantle will be of such importance that it is absolutely necessary that any scheme of defence that we now initiate shall be but a part of some harmonious whole, part of some well-defined scheme of fortification. It seems to me that to accept an offer of guns, and to place them at random upon any point that may suggest itself to any board appointed by the Government, would be a very haphazard way of going to work in fortifying our ports, and would probably result in doing more mischief than good. It is true that in the other colonies they have spent large sums upon fortifications, but I take it that in no single instance was this done, without first having some well-defined scheme of fortification before them; and they have proceeded with that scheme step by step as they could afford it. They have taken no step without knowing fully what the next step would be. Everything they have spent in this way has been done upon some well-defined plan.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): Not at all.

MR. RASON: The hon. gentleman is very ready to answer "not at all;" I hope he will be as ready with his proofs in support of his contradiction. I should like to refer to a remark made by the hon. member for Fremantle, as to the great advantage which this House would derive in having sensible members,—

MR. MARMION: More sensible, I said.

MR. RASON: More sensible mem-

bers than there are in it at present. That suggests the question of where the hon. member himself will be when the House is filled with more sensible members than it has at present. When the hon. member talks of the question of harbor works at Fremantle being decided upon by a more sensible lot of members than the present House, the hon. member left himself open to the retort that the hon. member himself would not be among them.

MR. A. FORREST: I should like to know what it is likely to cost to get this scientific opinion that members are anxious to get—some idea, at any rate. It might be something like Sir John Coode charged, about £5,000, I believe. I don't think this House is prepared to sanction such an expenditure as that for advice about the defence of a small place like Fremantle. If that is the idea, and the object of the amendment is to shelve the question, as the Commissioner of Crown Lands says, then I shall vote for it.

MR. KEANE: I think, myself, that the Government would have done well if they had laid on the table of the House the reports they have had from their own officers on this subject. I conclude that this estimate referred to in His Excellency's Message as fixing the probable cost of these works at £4,066 has been arrived at by some process of calculation; and I think the House would have liked to have seen that estimate, and received a little more information. Members might then be satisfied that it was unnecessary to go outside the colony for advice, if we had this report. I have no desire to shelve the thing at all, myself; quite the other way. I move that the debate be adjourned so that we may have this information.

THE ATTORNEY GENERAL (Hon. C. N. Warton) said the Government would be very glad indeed to consent to an adjournment, and by the time they met again obtain this information.

Debate adjourned.

MESSAGE (No. 10): WATER SUPPLY FOR PERTH.

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

"The Governor will instruct the Honorable the Director of Public Works, in accordance with the Address of the Honorable the Legislative Council No. 5, of the 1st instant, relative to a Water Supply for Perth.

"Government House, 5th April, 1889."

MESSAGE (No. 11): MONEYS PAID TO SIR JOHN COODE.

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

"In reply to Address No. 6, of the 2nd instant, the Governor has the honor to transmit, herewith, a Return of all moneys paid to Sir John Coode in connection with his Reports upon Harbor Works in this Colony.

"The further information asked for in the Address is contained in the annexed correspondence. *

"Government House, 5th April, 1889."

* (1.) Secretary of State to Governor, dated 4th August, 1888; with enclosures. (2.) Governor to Secretary of State, dated 1st October, 1888; with enclosure. (3.) Secretary of State to Governor, dated 20th December, 1888; with enclosure.

ENLARGEMENT OF COUNCIL CHAMBER.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) moved that a select committee be appointed to consider the necessary enlargement of the Legislative Chamber, in view of a change of the Constitution. The object was simply to recommend what alterations might be considered desirable, so that the Public Works Department might be in a position to prepare the necessary plans by the time the House met again.

MR. MARMION: Are the Government prepared with the necessary funds for carrying out these alterations? I suppose they will cost £5,000 or £6,000; and I think it should not come out of revenue.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): We have a small balance of the last loan.

Motion agreed to.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) moved that the committee consist of Sir T. C. Campbell, Sir James

G. Lee Steere, the Director of Public Works, and the Mover.

Agreed to.

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

LEGISLATIVE COUNCIL,

Wednesday, 10th April, 1889.

Message (No. 12): Transmitting telegraphic correspondence with Secretary of State, as to amendments in the Constitution Bill—Message (No. 13): Suggesting amendments in Constitution Bill—Message (No. 14): Copy of correspondence with Secretary of State as to the Petition of Messrs. Harper and Hackett—Message (No. 15): W. A. Timber Co.'s concessions; proposed fresh agreement—M. Violette's proposal for a Railway to Eucla—Fremantle Water Works: Return of expenditure—Adjournment.

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

PRAYERS.

MESSAGE (No. 12): TELEGRAMS RE AMENDMENTS IN THE CONSTITUTION BILL.

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

"The Governor has the honor to transmit, herewith, copy of telegraphic correspondence with the Right Honorable the Secretary of State respecting the Constitution Bill.

"Government House, 10th April, 1889."

TELEGRAMS.

Governor to Secretary of State.

"To Secretary of State for the Colonies, London.

"Perth, 4th April, 1889.

* "Following by favor Sir John Pender:—
"Have the honor to inform you that Legislature of Western Australia, dealing with whole question in most fair and loyal manner, have agreed without material alteration to Bill approved by Her Majesty's Government for introduction of Responsible Government into this Colony. Approval of

"Parliament only now needed. Only amendments worth noticing in your bills are (one)—Legislative Assembly—duration four years, lodger franchise added. (two)—Act not to come into force until lands south of tropic vested in Legislature. Local Act may be wrong place for this provision, but principle has been virtually approved. (three)—Governors, judges, salaries left as at present. (four)—Attorney General pension Three hundred. (five)—Land reserves for natives to be made by Governor in Council. Submitted to consideration that Bill may be accepted, without further negotiations or correspondence. Would urge that Act of Parliament be at once drafted for introduction immediately on arrival of Bill in England. Time all important to Colony. If necessary I am ready to bring home Bill and render every assistance as it passes through Parliament. Desirable that Your Lordship's telegram in reply to this should be communicated to Legislative Council, now waiting for prorogation and anxious to know.

"(Sd.) GOVERNOR, WESTERN AUSTRALIA.

* NOTE.—This Message was passed free of cable charges.

Secretary of State to Governor.

"To Governor, Western Australia.

"London, 6th April, 1889.

"Referring to your telegram of 4th April. (one)—Amendment accepted. (two to five)—Do not agree to amendments—consider it necessary to adhere to previous decision. Present holders not to have increase of salary on full salary."

MESSAGE (No. 13): AMENDMENTS IN THE CONSTITUTION BILL.

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

"With reference to the telegram from the Right Honorable the Secretary of State transmitted by Message No. 12 of this date, the Governor has the honor to return, herewith, the Bill intituled:—
"An Act to confer a Constitution on Western Australia, and to grant a Civil List to Her Majesty, for the consideration of the following amendments therein:

"(1.) Preamble, lines 2 and 3 on page 2:—The word 'now' to be inserted after the word 'should.'

"The words 'by a Legislative Council and a Legislative Assembly' to be omitted.

"The word 'such' to be omitted, and the word 'a' inserted in lieu thereof.