

for in the bill. The Governor could grant special permission to bury a dead body in any burial place that had been closed under this Act.

Motion agreed to.

Bill read a second time.

ABORIGINES ESTIMATES, 1889.

The House in committee approved of the Estimates of the Aborigines Protection Board, without discussion or amendment.

IMMIGRATION ESTIMATES, 1889.

These Estimates were passed, without discussion.

The House adjourned at twenty minutes past four o'clock, p.m.

LEGISLATIVE COUNCIL,

Wednesday, 28th November, 1888.

Alleged improper language used by Mr. Leake, Q.C., Police Magistrate—Telegraph line, Wyndham to Goldfields (Construction materials)—Cemetery Closure Bill: in committee—Supplementary Loan Bill: in committee—Protection of Kimberley Settlers from the Natives—Stock Route between Ashburton and Northampton—Re-indexing the Statutes—Leave of Absence to Mr. A. Forrest—Ecclesiastical Grant (Perth and Fremantle)—Queen's Plate Vote, Perth and Roebourne—Church of England Assisted School, Duke and Charles Streets, Perth—Sand Drift Bill: first reading—Petition of Alexander Cumming—Adjournment.

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

PRAYERS.

ALLEGED IMPROPER LANGUAGE USED BY MR. LEAKE, Q.C., POLICE MAGISTRATE.

MR. HORGAN, in accordance with notice, asked the Colonial Secretary: "What action had the Government taken or intended to take, respecting the improper language uttered by Mr. Leake, Police Magistrate, in the hearing of the

audience when presiding in the Police Court, Perth, on the 21st June last, as deposed to in the statutable declarations made by Mr. George Albert Hargreaves, Secretary of the Perth Board of Health, and Mr. James Thompson, Secretary of the Perth Working Men's Institute, which declarations were delivered to the Governor on the 17th October last?" The hon. member said he noticed that the question was not on the paper as he had handed it in. The word "improper" had been substituted for the word "filthy."

THE SPEAKER: It was done with my authority, and I have a right to do it.

MR. HORGAN: I was not aware it was the practice of the officials of the House to alter the wording of questions as put by members. What I wrote was "filthy," and if the declarations are referred to it will be seen that "filthy" is the proper word.

THE SPEAKER: The hon. member will put his question, please, in the way it appears on the paper.

MR. HORGAN: Then I understand that any question that I put in future is subject to alteration?

THE SPEAKER: Certainly.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): My reply to the hon. member's question is this. The declarations referred to, together with the letter from the hon. member who forwarded them, were sent to the Police Magistrate for his remarks, and the statements made were contradicted by that officer, and also by gentlemen who were present in Court on the day named. The hon. member was then informed that after due inquiry the receipt of his letter had been directed to be acknowledged. No further action was, or is intended to be, taken.

CONSTRUCTION MATERIALS FOR WYNDHAM-GOLDFIELDS TELEGRAPH LINE.

MR. HORGAN, in accordance with notice, asked the Director of Public Works—

1. Whether the Government entered into a contract, and when it was to be commenced, for the erection of a Telegraph line between Wyndham and the Kimberley Goldfield, in which the Government undertook to provide the construction material?

2. Whether the material had been ordered upwards of 18 months ago?

3. Whether the contractor had been unable, and how long, to commence his contract for want of such material; and when it was likely the material would be supplied?

4. And whether the contractor had made a claim against the Government for compensation for non-delivery of such material at the rate of £1,000 per month?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) replied:—

1. A contract was signed on the 4th of May last for the construction of a Telegraph line between Wyndham and the Goldfields, the Government to provide the necessary materials.

2. An indent for these materials was sent to the Crown Agents on the 9th September, 1886.

3. The contractor's men went up to Wyndham by the s.s. "Otway," to await the arrival of the s.s. "Australind." They were delayed from the 2nd to the 14th August, during which time, by arrangement between the Government and the contractor, they were employed in preparing a jetty to receive the material and in other useful work.

4. No such claim against the Government has been made, nor do I anticipate anything of the sort.

CEMETERY CLOSURE BILL.

This bill passed through committee, without discussion.

SUPPLEMENTARY LOAN BILL.

In committee.

Clauses 1 to 6:

Agreed to, *sub silentio*.

Clause 7.—"The second section of the "Act 50 Vict., No. 23, and the first "section of the Act 51 Vict., No. 20, "shall not apply to the moneys to be "raised under this Act:"

MR. MARMION asked the Attorney General what the effect of this clause would be?

THE ATTORNEY GENERAL (Hon. C. N. Warton) said the hon. member must be aware that under the Re-appropriation Acts passed since 1884, when

the last loan was raised, certain portions of the sum of £100,000 originally appropriated to the construction of harbor works at Fremantle had been diverted, and applied to other purposes. Under the 50th Vict., No. 23, a sum of £79,500 was so diverted, partly for the Kimberley telegraph line and partly for other works; and under the 51st Vict., No. 20, a further sum of £16,000 was diverted for the purpose of extending the Fremantle jetty and other works. It was provided in both those Acts that the amounts so diverted from the Harbor Works Loan money should be repaid and appropriated to those works out of the next loan raised. When the expression "the next loan" was used it was obviously the intention of the House, at the time, that the loan referred to was the next substantial loan—a loan for say half-a-million. The loan now proposed to be raised was considered in the light of a supplementary loan, merely to complete (so to speak) the loan of 1884; and this clause was inserted in the bill to preserve all the rights, as it were, of the Fremantle harbor works, so that when the next loan—that was to say a loan in the proper sense of the word, a loan for a substantial amount—came to be raised, the rights of these harbor works to the diverted sums should be revived.

MR. MARMION: My object in calling attention to the clause was to get an expression of opinion from the Government, that the fact of this clause appearing in the bill will not in any way affect the question of harbor works at Fremantle, as provided for in the Re-appropriation Acts; and I understand the Attorney General to say, as the legal adviser of the Government in this House, that the clause will in no way prejudice the position in which these harbor works now stand, and that when the next loan is raised—the next independent loan, this being a supplementary loan—the rights of Fremantle and the rights of the harbor works to have the money diverted recouped out of that loan, will in no way be affected, in point of law. Is that so?

THE ATTORNEY GENERAL (Hon. C. N. Warton): That is the intention.

Clause put and passed.

Preamble and title:

Agreed to.

Bill reported.

PROTECTION OF KIMBERLEY SETTLERS FROM THE NATIVES.

ADJOURNED DEBATE.

On the order of the day for the resumption of the debate upon Mr. A. FORRESTER's motion (*vide* p. 314 *ante*), to which an amendment had been moved by Mr. RICHARDSON (*vide* p. 317 *ante*),

MR. PARKER said: May I ask the Colonial Secretary if he will kindly tell us whether the Government propose to take any steps to carry out the suggestions contained in the report of the Commissioner of Police on this subject? A few days ago the Government placed before us—since this debate was commenced—some papers respecting the necessity of increased police protection for the settlers in this Kimberley district, and among them was a report by the Commissioner of Police, who recommends a certain increase in the police force in that district, which he considers would enable him to provide the protection asked for. Is it the intention of the Government to carry out the suggestions of the Commissioner of Police? I ask the question because it may assist us in coming to a conclusion upon the matter now before the House.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): So far as I am aware, it is the intention of the Government to carry out the suggestions of the Commissioner of Police. The Commissioner's wish is to give all that protection to the settlers of this Northern district as the force at his disposal will allow; and hon. members will see how carefully the whole matter has been gone into by the Government, and the fullest information laid before the House. They will also see that the force at present in the district is by no means a small one, consisting as it does of a very large proportion of the whole force. The whole question is one that is having the earnest attention of the Government; and the Commissioner of Police will take the earliest opportunity of seeing to what extent the force up there can be increased without seriously affecting the interests of the Southern districts of the colony. Of course, as we have only a limited sum at our disposal it is not practicable to increase the force—that is to say, to increase the total strength of the force. The only arrangement of a satisfactory

nature that can be entered into is to consider how far removals may be effected, and the force increased in that particular district, at any rate for a time. Every attention, I can assure the hon. member, will be given to this very important question.

MR. SHOLL: The Commissioner of Police asks for a further vote, to enable him to send an additional force to Kimberley; I don't think this was provided for in the Estimates?

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): I thought I had made it plain, that the funds at our disposal are limited, and that therefore it is not practicable to increase the number and strength of the police force generally, but that the Commissioner is very desirous of seeing how far this increased protection can be afforded to this particular district, by a rearrangement of the force, without doing injustice to the Southern districts, and I believe, myself, we shall find that the requirements of the North can be met by this rearrangement to a degree that will meet the exigencies of the case.

MR. MARMION: Sir, as it was I who moved the adjournment of this debate the other evening, I presume I have the ear of the House. I do not think, myself, that any very great amount of good could result if I were to speak at any length on the subject; I believe hon. members on this side of the House understand the question perfectly well, and I feel sure that the Government understand it perfectly well. At the same time I wish the Government would show a little more sympathy with the settlers of this district, who have to undergo great hardships and to contend with great difficulties in their efforts to settle and develop the country. If they were to do so—if they were not only to show it, but if they felt it in their hearts, and were to make it known to the public, and more especially to the police, I believe that very much of the present heartburning would cease. Rightly or wrongly there is a general feeling throughout the length and breadth of the land, and more especially among the members of the police force, that the sympathy of the Government is altogether with the natives and not with the settlers. [The COLONIAL SECRETARY: No, no.] The hon. gentleman says "No, no." I say Yes, yes. I know as

much about the feeling of the settlers as the Government do, and perhaps more, having had more opportunities of knowing it, being intimately associated with the district—not as a settler, who has borne the heat and burden of the day, but as one who has had close commercial and financial relations with the district, for years; and I may tell the hon. gentleman that I have felt sorry that I ever had anything to do with this district, when I have found what little sympathy the Government had with the pioneer settlers, who were enduring such hardships, and struggling against the most disheartening difficulties. I could read folios upon folios of letters showing the feeling of the settlers on this subject, letters coming from intelligent, moderate, highly-respected settlers, who knew well what they were writing about; and the impression created upon the minds of these settlers is that the sympathies of the Government are not with them, but with the natives. [“No, no,” from the Government bench.] Hon. gentlemen may say “no, no,”—I can tell them I know as much about it as they do. These settlers, many of them, have staked all they are possessed of in endeavoring to settle this remote district. They are known to be steady, brave, pushing men, capable of enduring the severest hardship. The treachery, the annoyance, the losses, the dangers which these settlers have to put up with in their efforts to open up the district would break the hearts of most men. They have suffered in pocket, in discomfort, and in health, and it is most disheartening that they should feel that the sympathies of the Government are with the native population rather than with them. These early pioneers were encouraged by the Government to take up lands in this district, and they were assisted by others to enable them to do so; the Government received their rents, and the dangers of pioneering were bravely encountered in the expectation that the Government, in return, would come to their assistance and protect them in their troubles. But they have been bitterly disappointed, most bitterly disappointed; and, in many cases, they have been so disheartened that they had felt inclined to desert the place altogether, and leave it to the aboriginal possessors of the soil. We know very well that in other parts of

the world the British Government does not show much squeamishness in dealing with aboriginal races in countries which they have subjugated. They do not allow any “Exeter Hall” or false sentiment to influence them when British enterprise and British pluck are brought to bear in the settlement of other territories. If a murder is committed or if property is injured, they are not long in sending a military force to bring the offenders to justice, and to teach them the supremacy of the British arms and the British law. But, in this colony, the property and the lives of our pioneer settlers have been left completely at the mercy of the aboriginal native, who is protected in every way by special legislation and by laws that, so far as the settlers are concerned, are foolishly severe, impracticable, and utterly unworkable. It is notorious that the settlers of this colony have shown no disposition to treat the natives harshly, or unkindly, or oppressively in any way. They recognise the position exactly. They know that it is to their own interests to treat these natives well, and they have done all in their power to do so—too much so perhaps. All they want is that the Government should hold the scales fairly between them and the natives. Let them show that while on the one hand they will protect the interests of the natives, they will also on the other hand protect the interests of the settlers. Up to the present this protection has been all on one side. The natives know it, and the police know it, and this is what the settlers complain of. They want the Government not only to profess a sympathy with them, but to let it be seen that they sympathise with them. Let them inspire their magistrates and their police with the idea that the white is to be protected as well as the black. Let them do this, and the difficulties of the present position will be in a great measure done away with. It rests altogether with the Government of the country; and whatever Exeter Hall sentiments they may be inspired with, it is their duty to the country and their duty to the settlers whom they have encouraged to go into these outlying districts,—it is their duty to show them that they are prepared to protect them. It is their duty to show these brave men, who have gone out into this unknown terri-

tory, to develop its resources, to cover it with flocks and herds, and to make it a valuable addition to our territorial dominions, that their sympathies are with them; and I hope they will let them see that it is so. I think the proposal put forward the other day by the Commissioner of Crown Lands was a very good one—that the police, instead of being stationed at Derby should be camped on the spot, in the localities where these depredations are committed. That is no doubt a capital idea. It is an idea put forward now for the first time in this House, and it is put forward by a member of the Executive Government. Why was this suggestion not carried out by the Government before now? It is no new thing the present position of the Kimberley settlers. Native depredations are nothing new. It has been going on for years. Why have not the Government acted upon this suggestion, instead of allowing things to go from bad to worse, until they have become intolerable? The settlers want nothing but fair play. They are not crying out for reprisals, they are not hungering for the blood of these natives; they do not want to be allowed to go out armed, and exterminate them. All they ask for is that the Government of the colony will give them the same protection as they give to the native population,—that the Government will recognise the fact that the settlers have rights and privileges as well as the aboriginal native. Let them show the settlers that they honestly intend to put an end to the present state of things, and that these native depredations must be put down, with a strong hand, if necessary. Let them satisfy the settlers that they have some feeling of real sympathy with them in their troubles and their losses, and their sympathies are not entirely with those who are robbing their flocks, and committing all those depredations which make the lives of the Kimberley settlers almost unbearable. Let them but do this, and the present difficulties would soon be overcome. A similar state of things existed on the Gascoyne some few years ago, but the Government then took the bull by the horns, with the result that a very different order of things was very soon brought about, and it only requires similar steps to be taken in the Kimberley district. If it is,

I feel sure that the settlers, before long, will have no cause for complaint. All they want is that the Government will act with equal justice in the case of the white as of the black, and afford equal protection to all. They have no desire at all that the natives should be hunted down, or dispersed, or that any undue violence should be shown towards them. But they want the sympathy of the Government and they want the protection of the Government; and they want it to be known that they *have* the sympathy of the Government, and that they *will* get this protection.

THE ATTORNEY GENERAL (Hon. C. N. Warton): Mr. Speaker, sir—I am quite sure no one in this House can complain for a moment of the warmth of tone with which my hon. friend the member for Fremantle has addressed the House. If my hon. friend really does think that the Government have no sympathy with the white settlers, that all their sympathies are reserved for the blacks, whether inspired by Exeter Hall or prompted by their own feelings of compassion, all I can say is the hon. member never was more mistaken in his life. I am afraid that this absurd idea, if it exists at all, must exist because people will depend upon what they see in the newspapers, where we know statements are very often made without any foundation in fact, and charges made which really have no substratum of truth. Of course if people *will* depend upon such statements, if they *will* believe that the Government of the colony have closed their hearts to men of their own race and blood, and reserved their sympathies for the blacks, no amount of contradiction will convince them to the contrary. Speaking for myself—and I am sure I may in this speak also for my hon. friends sitting on this bench—our sympathies are with those of our own blood and race, and not with the aboriginal natives of this or any other country. I do hope the hon. member will believe that. I do hope the hon. member will disabuse his mind of that monstrous idea. I ask hon. members to look at us—does my hon. friend on the left, or do my two hon. friends on the right—do we really present the truculent appearance of men who have no bowels of compassion left for those of our own race, and that our

entire sympathies are with the black? I do hope he will give us credit for having the instincts and the sympathies of our race. We have been told in the course of this debate of some absurd instructions having been given by the Government to the settlers, that, if they are attacked by natives, they are to run into their homes, put up the shutters, and remain there—or something of that sort; that Government magistrates have so laid down the law, that a man has no right to defend himself or his property, until he finds himself actually speared—or some nonsense like that. If newspapers or any other authority, rightly or wrongly, will circulate such ridiculous remarks about the Government, how can the Government expect fair play? I speak now not as a member of the Government, but as a lawyer, and I say it is utter nonsense that a man must wait until he is speared or attacked before he attempts to defend himself or his property, or the lives of those who are near and dear to him. Self-protection is the first law of nature, and why should we wish to prevent men of our own race and blood, brave men who have gone forth to subdue the wilderness and to develop the resources of the colony,—why should it be thought that we have no sympathy with them and that we should instruct our officers to tell them such nonsense as that? At the same time, we must do justice to all, and I hope we endeavor to do so. Now what is the position of affairs up in this Kimberley district? I have read these papers very carefully, and I see in the journal of one of the police constables who recently visited the district some light thrown on the state of affairs on the settlers' stations. Sergeant Sherry, in his journal, writing of these stations says:—"The natives have been troublesome at this station, during the month of August, having on several occasions stolen rations and other articles. On the occasion of these robberies, the house was left entirely unguarded, and is without windows or doors. The natives being aware of this, embraced the opportunities, which is a great temptation to them. The owners of this station have taken no precaution to prevent these occurrences, and have repeatedly placed the contents of their house at the mercy of the natives, by leaving it unguarded." Nor is this an

isolated instance. The sergeant speaks of other stations that are left entirely unprotected. Nor is this the only evidence of lax supervision. It may be that white shepherds and white servants are difficult to procure in this outlying district, but it is clear from this journal that many of these depredations are attributable to the want of proper supervision over the flocks. Sherry says: "With the exception of Grant, Anderson and Edgar's station, the other stations on the Lennard and Robinson rivers are all worked short-handed. The stock are not properly looked after, especially sheep, scores of which are killed by the wild dogs, through not having sufficient men and horses employed for boundary riding purposes, and trusting too much to half-civilised native shepherds. When the sheep are counted and the losses ascertained by the manager, he attributes all losses to the natives." Again, writing of another station which he visited, he says:—"Saw a flock of sheep in charge of a native named Jacob. At this camp there were 12 other natives, including men, women, and children, all of whom were hangers-on to the native shepherd in charge of the sheep. It is quite apparent that these natives must kill a sheep occasionally to keep themselves from starving. They had no flour for over a week previous to my visit. The allowance of flour is only issued for one man (10lbs.), and nothing else, which is always consumed in one day. The native, his woman and children, have to starve until next ration day or kill sheep, which they must undoubtedly do. They are too idle to hunt, if they can get some flour at intervals. Passed the Meda River Coy's homestead in the afternoon; no person was in charge." That is the report furnished to us by the police sergeant. [Mr. SHOLL: The hon. gentleman should read the other report.] I have no objection; I wish to be perfectly fair. It will be seen what temptations are placed in the way of these natives, who we cannot suppose have the same notions of *meum* and *tuum* as we have. Sherry it will be observed attributes the settlers' losses mainly to two causes—the unguarded way in which their stations are left to the mercy of the blacks, and the employment of native

shepherds. The hon. member for the North says I ought to quote from Ritchie's journal. What does that constable say? "No doubt," he says "the natives kill sheep, but they are not accountable for all the losses." Many of them it appears die from want, and others are killed and eaten by wild dogs. Ritchie says: "After the rainy season has come, and abundance of feed and water, the squatters will muster their flocks, and the result will probably be a deficiency. In due course, the managers' reports follow, that the blacks are killing their sheep, but very little mention is made of the vast numbers perished through want." Ritchie, it will be seen, indirectly supports the other constable. There can be no doubt, however, that these natives are a source of serious trouble, and that it is a difficult matter to deal with them. But what are the recommendations made by the Commissioner of Police, who, of course, is obliged to be guided by the reports of his subordinate? He says, in his report to the Governor:—"If the natives continue to give trouble—and of this there can be little doubt—an example will have to be made of some of them; and the sooner this is done the better." That is the policy of the Commissioner of Police; that is the policy of the Government. I can say most honestly we are not answerable to the charge brought against us, of showing nothing but sympathy for the blacks. With regard to what has been called "Exeter Hall sentiment," we know very well what Exeter Hall is; having spent many years of my life in London I know perfectly well what Exeter Hall is, and how little it is esteemed by most practical men. We know very well that it consists of a collection of fanatics, who oppress those of their own race all over the world. [Mr. RANDALL: No, no.] To a great extent. As a rule they are a set of fanatics. But Exeter Hall does not represent the sentiment of the British people. Nor does it represent the sentiment of this Government, as the hon. member for Fremantle suggests. A great colonising country like England, which has spread itself over such a large portion of the world, and which has subdued so many races, is not guided by Exeter Hall sentiment. England, in her policy of colonisation,

has always acted on the old Roman maxim, of putting down those who oppose you, and sparing those who submit to you. The hon. member need not fear that our sympathies are not with our own settlers. We feel their's is a dangerous position, and that they have many hardships and difficulties to contend with, and anything that can be done for their protection, by a re-organisation of the police force, will be done.

MR. SCOTT: Although, sir, I have never been up to this Northern district of ours, I have heard a great deal about these natives and about the position of the settlers; and ever since I have been in the colony I have been struck with the humane treatment which the natives seem to receive at the hands of the settlers. I would not maintain for an instant that there have not been some few instances of ill-treatment, and, when we come to consider the surrounding circumstances, it is not at all astonishing that lawlessness should now and then be met with. But, as a rule, the settlers, I honestly believe, treat the natives kindly. It is not long ago since we had a very searching investigation made in the Supreme Court of the colony into this question, and it was then proved beyond doubt that as a rule the natives of this colony are treated remarkably well by the settlers. Nor is there any desire on the part of anyone in this House that they should be treated otherwise. I was therefore surprised and pained the other evening to hear the speech made by my hon. friend the Commissioner of Crown Lands. Words falling from a gentleman occupying the position of the Commissioner of Crown Lands, whose name is well known in other parts of the world besides here, go forth with a great deal of significance attached to them; and, for my part, I felt a certain amount of indignation with my hon. friend when he said that the members of this House only wanted to view this native question from their own point of view. [THE COMMISSIONER OF CROWN LANDS: Those who had spoken, I said.] I beg the hon. gentleman's pardon; he did not say those who had spoken. There are members in this House who are able to take a thoroughly impartial view of this question—more so perhaps than those who are interested in the question

one way or the other. I have heard all sorts of personal insinuations made against some of those who even occupy seats in this House with regard to their treatment of the natives, and I am sure the Commissioner of Crown Lands knows as well as I do that those insinuations were groundless. Statements of this kind do harm. It is such statements as these that make it appear to the outside world that we are a people who require exceptional legislation to keep us from oppressing the natives—which, I say, is a scandal upon the settlers of the colony, and an insult to the members of this Legislature. I was therefore pained to hear the remarks made by the Commissioner of Crown Lands the other evening. Neither the members of this House nor the settlers of the colony have any desire to see these natives otherwise than humanely treated. There is no desire on the part of these outlying settlers to come into personal conflict with the natives. But what do these police reports show? Do they not show that the natives are so troublesome to the settlers, and commit such depredations among their flocks that it is a very serious matter with many of them whether they will not abandon the district. Have we not heard in the course of this debate of a party of Government surveyors, who are now engaged in that district, being ordered back to their camp by the natives, in broad daylight? Does not that show the position of affairs in the district? Emboldened by these acts of aggression, we may expect these natives next turning round and murdering those who dare to resist them. It must be plain to the Government that this is a condition of things that is a disgrace to any country, and that it cannot be tolerated, if we are to retain possession of this fine district at all. What is required is that these natives shall be made to realise that they are not the superior race, and that they shall be taught that the law of the white man must be respected. That is all we want. That is all that members on this side wish to see done by the Government, and there is not one amongst us who can fairly be charged with what the Commissioner of Crown Lands charged us with when he told us that we could only look at the question from a one-sided

point of view—our own point of view.

The amendment was then put, and, a division being called for, the numbers were—

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

Ayes.
 Mr. H. Brockman
 Mr. E. R. Brockman
 Captain Fawcett
 Mr. Harper
 Mr. Keane
 Mr. Marmion
 Mr. Morrison
 Mr. Parker
 Mr. Scott
 Mr. Sholl
 Mr. Venn
 Mr. Richardson (Teller.)

Noes.
 Hon. J. Forrest
 Mr. Horgan
 Mr. Randell
 Mr. Shenton
 Hon. C. N. Warton
 Hon. J. A. Wright
 Hon. Sir M. Fraser, B.C.M.G.
 (Teller.)

Question—That this humble address be presented—put and passed.

STOCK ROUTE BETWEEN ASHBURTON AND NORTHAMPTON.

MR. RICHARDSON, in accordance with notice, moved: "That an humble address be presented to His Excellency the Governor, praying that he will be pleased to expend out of the proposed £100,000 Loan, a sum of money, not exceeding £2,000, towards opening up a practicable stock route between the Ashburton River and Northampton; for which object a resolution of this House, approving such expenditure, was carried in August, 1887." This subject, the hon. member said, had been before the House on more than one occasion, and the House had approved of the expenditure of the money, and adopted an address to have it placed on the Estimates. But that was not done, the excuse being the want of funds. In the following year again very much the same plea was put forward; but it was thought they might reasonably expect to find the amount figuring in the schedule of the very next Loan Bill, as the House had approved of the proposal. But no provision was made on the schedule attached to the Supplementary Loan Bill, now before the House, for this very necessary work, and this was why he had brought forward this resolution. It was recognised on all hands that the opening up of a stock route from the Northern districts to the metropolitan market was most desirable, and a very important matter in the interests of both stockowners at the

North and meat consumers at the South. It might be said that stock from the North had been driven to market this last season; but it must be borne in mind that last season was an exceptional season, water being abundant, and such a season might not occur again for years. What had been the effect of that exceptional season? What had been the advantages of it to stock dealers? It had been this: whereas the price of meat, prior to a road being opened for stock to come down from the North, was something fabulous, we now got splendid fat mutton at 2½d. per lb.—he did not mean to say that was the price to the consumer; but that was a question to be settled between the consumer and the seller. The price of mutton had been reduced 50 per cent., and the price of beef still more so; and all that was required in order to ensure a continuance of these low prices was a like expenditure in the conservation of water, so that stock might travel from the North in all seasons. Before the Northern district began to send down fat stock, the local market used to be flooded with imported stock—so much so that a prohibitive duty was imposed. Unfortunately, a prohibitive duty did not lower the price to the consumer, and what was wanted was to afford our own producers improved facilities for supplying the local demand. He believed if a good stock route were opened from the North, with an ample supply of water in all seasons, instead of importing stock from Adelaide we would be in a better position to export our own stock to that colony. It must therefore be admitted that on all grounds this was a most desirable undertaking. He thought there were items on the schedule to the present Loan Bill which might well give way to this—such items as £2,000 for re-building a tumble-down barracks at Perth. Surely no one would contend that that was a work of such urgent necessity as the opening up of this stock route. There were other items which might well wait, until works of more pressing necessity were carried out; and he hoped a majority of the House would support him in this resolution.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) suggested that the hon. member should adjourn the debate until the Loan Estimates were before the

House, when it might be seen whether any items would be struck out from the present schedule, otherwise no provision could be made for this work.

Debate adjourned.

RE-INDEXING THE STATUTES.

MR. HORGAN, in accordance with notice, moved that an humble address be presented to His Excellency, informing him that in the opinion of the House it was desirable to issue a proper index to the Statutes of the colony, in lieu of the present worthless index. Everybody who had anything to do with these volumes knew that the present index was of no use; it was simply a disgrace. This index should be very comprehensive, and full of cross references, so that anyone seeking information upon any point of law should be able to put his finger upon it at once. A law book above all books should have a good index, and he thought this could be done for a small fee, say £10 10s. [Mr. PARKER: We paid £200 for this one.] Then it was a disgrace to the compiler of it.

MR. PARKER agreed with the hon. and learned member that the present index was about the worse possible index one could make. It was simply a "job." A former Governor—he forgot who it was—[The COMMISSIONER OF CROWN LANDS: It was Chief Justice Wrenfordsley]—had some young friend, an Irishman he believed, named Mr. Gavan Duffy, a young barrister in Victoria, to whom the job was given, and £200 was paid for it, though really the way it was done was not worth more than 10s. It was a scandal to the colony, not only that the public money should have been so wasted, but also that the work should have been sent out of the colony, when there were gentlemen in the colony who could have done the work, and done it properly. The question now was whether we should have a new and proper index made. No doubt it would be of the greatest convenience to the Courts, to the practitioners, to magistrates, and all who had anything to do with the law, to have an index that would be of some use to them, instead of the present one, which was utterly useless for all purposes of reference. But, as for getting it done for £10 10s., that was

absurd; he thought it could not be done properly for less than ten times that sum. Even if it did, he should vote in support of the motion himself.

Motion put and passed.

LEAVE OF ABSENCE TO MR.
A. FORREST.

On the motion of the Hon. JOHN FORREST, leave of absence for fourteen days was given to Mr. Alexander Forrest, the member for Kimberley.

ECCLESIASTICAL GRANT: PERTH AND
FREMANTLE.

MR. SHENTON, in accordance with notice, moved "That an humble address be presented to His Excellency the Governor, informing him that in the opinion of this House no portion of the Ecclesiastical Grant should be expended in the towns of Perth and Fremantle." This subject (the hon. member said) was so fully discussed when the Estimates were under consideration that it will be unnecessary for me to go at any length into it now. I said at the time that I would bring forward a resolution to this effect, and I now redeem that promise. Personally, as hon. members are aware, I am opposed on principle to this grant at all; but looking at the peculiar circumstances of this colony, its enormous extent, and the paucity of the population, and the slender means of our churches, I think an exception may fairly be made, and that it would be unwise perhaps to abolish the grant altogether. But I do think the whole of it should be devoted to providing religious ministrations for the outlying portions of the colony, and that no portion of it should be expended in the two principal towns. I think the time has arrived when these two towns, Perth, the capital of the colony, and Fremantle its principal seaport, should be in a position to maintain their own clergymen and ministers of various denominations. It seems to me that those who are anxious to have this grant retained on the Estimates would do well to fall in with this proposition, for many reasons. There is evidently a growing feeling in favor of its abolition, as the results of the divisions in this House testify; and, I think it will be found on reference to the past histories of the other Australian colonies, that one of the first grants struck out, upon the

adoption of Responsible Government, was this Ecclesiastical Grant. I feel sure that unless some such compromise as this be adopted here, we shall find that the result will be the same when this colony goes in for Responsible Government, for this is not at all a popular grant, and it is therefore sure to go.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest): I do not think, sir, it would be advisable at all that the House should adopt this proposition. I think so for this reason: it seems to me it is only right that the various churches in this colony, who have this small assistance granted them out of public funds should be allowed to manage their own affairs, as they think best in the interests of their own denomination. I think we may safely allow that the managing bodies of these churches have the interests of their flocks at heart, both in the country and in the towns—quite as much so as the hon. members of this House; and I think this House would be taking upon itself a responsibility which it has no right to take when it proposes to dictate to these ecclesiastical bodies how their annual grant shall be allotted. I know of one church, and that is the Presbyterian church, which, if this resolution is passed, will be deprived of any grant at all, because, at present, its ministrations are confined to these two towns. It is a young church here, and has not been able yet to extend its operations beyond Perth and Fremantle, and the result of this resolution being adopted, would be that it would receive nothing out of this grant. [Mr. SHENTON: Let them go into the country.] For how many years were the other churches established before they went into the country? How many of them have places of worship in many parts of the country even now. I believe this Presbyterian church is assisted from home, and I think it ought in all fairness to have a chance of developing itself, like other churches. Hon. members are anxious to have self-government in political affairs, why should we not allow the privilege of local self-government in religious affairs? Why should this House interfere with the action of the various churches? If we give them this grant at all, let it be given to them unfettered with any conditions like this.

MR. PARKER: I think we are all agreed on this: that it is desirable for the various churches to do all they can to disseminate the doctrines of Christianity in outlying country districts as far as practicable, and I am sure we are also all agreed that it is desirable that the members of the various churches in our towns and larger centres of population should contribute as much as within their power towards the support of their respective churches, so that as much as possible of this grant may be available for the more scattered populations in the country. That, I take it, is the principle underlying this resolution. But I think with the Commissioner of Crown Lands that so long as we give this grant to the various religious bodies we ought to leave it to the heads of those bodies to deal with their share of it as they think best. I have no doubt they do all in their power to make the best of it. We know the Church of England has its Synod, which regulates the mode in which the Church funds are distributed. That Synod has representatives from all the country districts, including the clergy of those districts, and we may feel sure that in that Synod the expenditure of this grant is regulated in the manner that is most satisfactory to the members of that communion. We know also that the Wesleyan body has its Conference, or some controlling authority, regulating the financial affairs of that Church. I cannot speak of the other religious bodies that participate in this grant, but I feel sure they all do everything in their power to spend this money to the best advantage, with the view of the greatest good to the greatest number. Such being the case, I am not prepared to go with the hon. member in this resolution; I am not prepared to hamper the movements of these religious bodies, or to dictate to them the way in which they shall spend this money. I cannot but think, also, that if what the Colonial Secretary said the other evening is correct—and I do not doubt it—that at the time this grant was first made a kind of agreement was entered into with the various churches, that, in lieu of the Government providing for the stipends of certain chaplains then on the Estimates, a certain lump sum should be annually voted to the churches—if that was the spirit of the agreement entered into, or

understood, I cannot help thinking we should be departing from the principle of that agreement, if we now said "We will give you this lump sum, but you must invest it in a certain way, and not in the way you think proper yourselves." Moreover, it appears that the hon. member who moved this resolution is a little inconsistent. He says he objects to the grant on principle; if so, his logical course would have been to move that the vote be struck off, and to hammer at it until he succeeded in getting it struck off. I think, myself, that so long as the grant remains on the Estimates we should leave the expenditure of it to the churches concerned.

MR. HORGAN pointed out that it would be unfair to take away this assistance from the clergy in the two principal towns, as they often had to visit country places, such as Jarrahdale, where there were no clergy stationed.

SIR T. COCKBURN-CAMPBELL: I look, sir, upon this Ecclesiastical Grant in the light of a sort of ecclesiastical civil list, after what the Colonial Secretary said the other evening. It appears that the stipends of certain chaplains used to be provided for on the Estimates, years ago, and that by an arrangement with the ecclesiastical authorities, certain commutations were agreed upon; and no conditions, I understand, were imposed upon the church authorities when this commutation was arranged. That being so, I fail to see how we can impose conditions now that may be distasteful to these church authorities; and if we did, I fail to see in what way they could be carried out. It strikes me it would be somewhat of an indignity upon the heads of these churches to call upon them to produce their accounts, and let this House see how they had carried out the terms of this resolution. I think the hon. member must have overlooked the fact that if the resolution were adopted it would still remain inoperative—at any rate this House would have no check upon it. I understand, with regard to the Anglican Church, and I believe the Roman Catholic Church, that certain stipends have hitherto been paid out of this grant which were formerly paid by the State, before the commutation took place; and, if this resolution were passed and the churches were unable to spend

this grant as they had been in the habit of doing, the result would be this: that the funds which were now devoted to outlying districts would be drawn upon for the stipends of these gentlemen. It would simply be a question of readjusting accounts. It would subject the churches to a great deal of trouble in thus having to readjust their accounts, but really and truly it would have no other effect. As to what took place in the other colonies when they adopted Responsible Government, it is perfectly true that very soon afterwards the Ecclesiastical Grant was done away with, but it was done away with in a fair and equitable manner, and in the manner in which I hope it will be done away in this colony—not suddenly withdrawn. It was acknowledged that the churches had incurred certain obligations on the faith of these grants-in-aid, and that therefore due notice should be given to them before the grant was withdrawn; and special Acts were brought in regulating the time when the vote should cease, thus giving the churches fair warning, so that they might prepare themselves for the emergency. I think those who wish to do away with this grant in this colony—if they desire to deal fairly with the churches—should take some such course as that here.

MR. MARMION: Sir, it seems to be that to those who wish to do away with this vote there is a proper method of doing it, and an improper method. There is a statesmanlike and there is an unstatesmanlike way of doing things. There is a way of doing things hastily, and there is a way of doing things after due and careful consideration. Too often, when things are done hastily, there is afterwards a feeling of regret, and sometimes even a feeling of shame. It appears to me that this is one of those hasty methods of doing things which may lead to a feeling of regret hereafter if carried into effect, and I believe the hon. member for Toodyay himself would be the first to entertain that feeling of regret. What does it matter to him, or what does it matter to us, whether this small fund is expended at Perth and Fremantle, or in other parts of the colony? Does he not believe—the hon. member must believe as regards his own church, as I do with regard to mine, and as other members must—that

the church authorities spend this money to the best advantage, as they think. So far as my humble opinion goes, so far from its being desirable that the churches should relax their efforts in these two towns, it is desirable rather that they should increase their efforts. I do not think anyone can congratulate himself upon the high moral tone of either Perth or Fremantle at present, nor do I think it would be wise that the efforts of religious bodies should be withdrawn from these places, and directed entirely to other parts of the colony. I do not think that we have reached that high standard of morality. No doubt it is very desirable that the churches should extend their ministrations to the outlying portions of the colony, and I believe they are doing all they can in this direction, with the slender means at their command, and the large field open for their praiseworthy enterprise in a colony like this. Why should we attempt to interfere with their efforts? Why should we dictate to them, and say: "Here is so much for you, but you mustn't spend any of it in Perth, and you mustn't spend any of it in Fremantle." If hon. members really wish to abolish this grant, let them adopt a statesmanlike course, and one that would be likely to meet with more general support. Let them take a lesson from what we have been told was done by the Legislatures of the other colonies, and prepare the churches for the withdrawal of the grant within a given time, lessening it gradually, say for the next ten years, until it disappears altogether. Let them do that, if they really wish to see the grant abolished. This is an entirely mistaken policy, it appears to me, to interfere with the system adopted by the various churches in distributing the grant. It cannot but lead to difficulties, and I fail to see how it can lead to any good. The heads of these churches surely must know best how to administer the funds placed at their disposal for the benefit of their own communities.

MR. RICHARDSON said that so far as his objection to the grant went it was entirely one of principle. He thought the grant could not be defended upon any logical ground, and the present resolution did not meet his objections in any way. So far as he was concerned, so long as the money was voted, he would let them

do what they liked with it; and, if this resolution were passed, he should remain neutral in the matter.

MR. RANDELL: I think the practical difficulties in the way are so great that I feel inclined to advise the hon. member to withdraw his resolution. As the House well knows by this time, I am entirely opposed to State aid to religion; but I think it would be impracticable for us to control the expenditure of this money so long as it is granted. Some hon. members have spoken of a contract; I cannot myself think that any contract exists. Another hon. member says he looks upon the grant in the light of a civil list. That, too, appears to me an untenable position. A civil list is not dependent upon the whim or the generosity of the Legislature in voting the amounts; the charges incidental to a civil list, I believe, are provided for by statute. Nor can this be looked upon as a matter of contract, otherwise we should not be at liberty to reduce this amount, as has been proposed on several occasions, and as I believe we have a right to do, or to strike it out altogether. The House is asked to vote the amount year by year, as it votes other supplies. Therefore I hope hon. members will disabuse their minds of the idea that this is to be regarded in the light of a binding contract, or in the light of a civil list. Though opposed myself to the grant altogether, I think the fairest way of dealing with it would be to reduce it by degrees, giving the Churches who accept the grant a fair warning that within a given time the grant would cease altogether. I hardly think it would be the correct thing to take it away at once; still, so strongly am I opposed to the grant, upon principle, and so hurtful do I think it is, that I shall always be prepared to vote for its total abolition, though I believe the most equitable way that presents itself for doing so is to reduce it by gradual degrees, until it is entirely extinguished.

MR. SHENTON: I may say that the reason why I brought the resolution forward was because of the expressions of opinion to which several hon. members gave utterance the other evening, as to the time having arrived when our principal towns should be able to support their churches without any aid from the

State, and that if the grant was continued at all, it ought to be given to the country districts. But I can see there are difficulties in the way, and perhaps it would be better I should not press the motion. But, before withdrawing it, I should like to correct the statement that has been made with regard to the origin of this vote. I was in the House when the grant first came before it, some 16 or 17 years ago. It was in consequence of a despatch from the then Secretary of State to Governor Weld, saying he considered the time had arrived—this colony being the only colony where a State Church was recognised—when we should cease to be different in that respect from the other colonies, and suggesting that the Church of England should be disestablished, and placed on the same footing as regards the State as other churches. It was also recommended that the grant to the various churches should be regulated according to the census returns, showing the number of members belonging to each denomination. Governor Weld suggested that the Government should capitalise or commute the grant by seven years' purchase; but, after some discussion, it was decided that the vote should continue to appear on the Estimates, year by year; but, as it would be unfair to the Church of England, which had been receiving this grant for some years, to compel it to give it up for distribution among the other churches, *pro rata*, it was decided that the salaries of the chaplains should remain for the time, and that the grant should be increased so as to give the other denominations some assistance, and that when the next census was taken the grant should be distributed to each denomination in proportion to the number belonging to it. The Secretary of State's despatch, I think, stipulated that all chaplains who had been receiving their stipends from the State previous to 1870 should upon their retirement be entitled to a pension from the State funds; but it did not specify whether these pensions should be chargeable to this vote or to the general revenue.

Motion, by leave, withdrawn.

QUEEN'S PLATES: PERTH AND ROEBOURNE.

MR. VENN, in accordance with notice, moved: "That in the opinion of this

House the vote for Queen's Plates, for Perth and Roebourne, should no longer appear on the Estimates of this colony." The hon. member said he had very little to say in addition to what he had said on former occasions, when he had voted against this item on the Estimates. The excuse generally raised against striking it out was that the clubs had made their arrangements for the coming year, and that they would not be able to carry them out if the vote were omitted from that year's Estimates. He therefore now proposed to give the clubs due warning, so that after this year they should not be taken by surprise. He was aware it was not competent for the present Council to commit the next Council to any particular line of action; at the same time he thought it would do no harm to indicate the feeling of the present House in this matter, and, as he considered there was no real ground to justify them in continuing these votes he had brought forward this resolution. He was opposed to the grant upon principle. He did not mean to say that there was any analogy between State aid to religion and State aid to racing, but he was opposed to both, on principle. If we gave a Queen's Plate to these two clubs, why not to every other racing club? He thought our racing clubs were now able to offer sufficiently attractive programmes to the public without this State aid,—certainly the premier club of the colony was; and the Roebourne club was amongst the most rising and enterprising clubs in the colony. It had been suggested that he should withdraw his motion, but he had no intention of doing so. He had considered the matter seriously, and had intended moving this resolution last year, but it slipped his memory. It was his intention to divide the House upon it, and, if defeated, it was his intention—if he had a seat in the House—to bring it forward annually, until such time as he got a majority. As to the argument that the vote tended to improve our breed of horses, that was altogether nonsense. He had been connected with horse-breeding all his days, and it was ridiculous to talk about a paltry £100 a year conducing to the improvement of a country's breed of horses. If we paid the money for a champion sire or two, to travel through the country,

some really practical advantage might be derived from it; but to talk about racing improving the breed of horses suitable to the requirements of this colony was sheer nonsense.

THE COMMISSIONER OF RAILWAYS (Hon. J. A. Wright) said they were told there was only one step from the sublime to the ridiculous, and he thought they were taking that step when they classed State aid to Religion with State aid to Racing. [The ATTORNEY GENERAL: The two R's.] The hon. member who moved the resolution said he did so because he thought the racing clubs of this colony were now in a position to do without this aid. Surely the hon. member must know that on the programmes of many of the most flourishing race clubs in the old country, the Queen's Plate still figured, and was considered a good incentive to horse-breeding.

MR. MARMION intended to oppose the motion. The present Council had nothing to do with those who might come hereafter. As a countryman of his once said: "What have I got to do with posterity? Posterity never did anything for me." If the next Council, or any future Council, chose to strike out this vote, let them do so; but he did not see why the present Council should commit them to it. It was his intention, if in the House, to oppose it, if the hon. member did bring it forward again. It was not the intrinsic value of the thing, but the *kudos* attached to winning the Queen's money that made the race interesting. There was a certain amount of prestige always attached to winning Her Majesty's Plate, and he hoped the vote would continue to appear on the Estimates.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said he had for many years been connected with racing in this colony, and for about twenty years a steward of the W.A. Turf Club, and the conclusion he had come to was that racing, as carried on in this colony, was a sport that deserved encouragement, and that it was quite proper that this small sum out of public funds should be devoted to that purpose. He had heard of no opposition to the vote from the outside public, and why should that House go out of its way to pledge future Councils not to vote this item?

MR. SCOTT was very glad to hear the occupants of the Government bench supporting this vote. The W. A. Turf Club was not in such a flourishing financial position that this vote was a matter of no consequence to it. That club had spent a great deal of money of late years in improvements. With regard to the Queen's Plate race, although not so valuable as the Perth Cup, it was a weight for age race, and not a handicap race; and for that reason the race was priced, all horses meeting on equal terms in it. He should be sorry indeed to see the vote wiped out.

The motion was then put, and, a division being called for, the numbers were—

| | | | |
|------|-----|-----|----|
| Ayes | ... | ... | 10 |
| Noes | ... | ... | 9 |

Majority for ... 1

AYES.
Mr. E. B. Brockman
Mr. Harper
Mr. Horgan
Mr. Keane
Mr. Morrison
Mr. Parker
Mr. Randall
Mr. Richardson
Mr. Shenton
Mr. Venn (Teller.)

NOES.
Mr. H. Brockman
Captain Fawcett
Hon. J. Forrest
Mr. Marmion
Mr. Scott
Mr. Sholl
Hon. C. N. Warton
Hon. J. A. Wright
Hon. Sir M. Fraser, &c. &c. (Teller.)

MR. VENN moved that the resolution be presented to His Excellency by an humble address.

Question put, and another division called for—

AYES—10.
Mr. E. B. Brockman
Mr. Harper
Mr. Horgan
Mr. Keane
Mr. Morrison
Mr. Parker
Mr. Randall
Mr. Richardson
Mr. Shenton
Mr. Venn (Teller.)

NOES—10.
Mr. H. Brockman
Sir T. C. Campbell, Bart.
Captain Fawcett
Hon. J. Forrest
Mr. Marmion
Mr. Scott
Mr. Sholl
Hon. C. N. Warton
Hon. J. A. Wright
Hon. Sir M. Fraser, &c. &c. (Teller.)

There being an equal number of votes, the SPEAKER gave his casting vote with the Noes.

CHURCH OF ENGLAND SCHOOL, DUKE STREET, PERTH.

MR. SCOTT, in accordance with notice, moved the following resolution:—"That this House is of opinion that, where sufficient grounds can be shown for the establishment thereof, Assisted Schools are to be encouraged; and that this House is of opinion that good grounds have been shown for the establishment of such School at corner of

Duke and Charles streets." The hon. member said he asked a question the other day with reference to this school, and the answer he then received was not very encouraging; but the goodness of the cause must be his excuse for bringing the matter before the House again. The school was a great convenience to a considerable number of little children in the neighborhood, who were almost too young to travel the longer distance to the Government School; and, as the present educational system recognised the principle of aiding Assisted Schools, he thought the principle might be extended to this school. He did not wish the principle to be extended indiscriminately, but only where sufficient grounds could be shown for the establishment of such schools.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) referred to the question which had been asked by the hon. member on this subject on the 12th of November, and his reply to it. He pointed out that both the Central Board and the District Board were unanimous in their decision in the matter, and had expressed themselves averse to granting the application for the establishment of an Assisted School in the locality named, for many reasons. Having stated the substance of his former reply, he said he thought hon. members would agree with him that the Central Board had been correct in the opinion they had formed as to the inadvisability of granting this assistance. The hon. member, he was afraid, had been egged on to bring this matter forward again; he was sure the hon. member himself must have been satisfied with the answer he received to his question the other day.

Motion, by leave, withdrawn.

SAND DRIFT BILL.

Read a first time.

PETITION OF ALEXANDER CUMMING AND THE PERTH POLICE MAGISTRATE.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser), in accordance with notice, moved the following resolution:—"That in the opinion of this House the allegations contained in the petition of Alexander Cumming, received, read, and

ordered to be printed on the 31st of October last, have been satisfactorily disproved by the Officer whose conduct in the administration of justice was impugned by the said petition; and that all orders and entries connected therewith be discharged and struck out of the minutes and records of proceedings of this House." The hon. gentleman said he did not think it was necessary that he should either enter into the details of the petition, nor traverse the reply which had been communicated to the House. Hon. members had the papers in print before them, and he was sure it was not their wish that he should detain the House with any comments upon them.

MR. HORGAN: Sir, I find that the prayer of this petition asked for an official inquiry, or the appointment of a Commission. There has been neither the one nor the other. I do not think the answers given by the Police Magistrate are at all satisfactory, as regards some of the allegations contained in the petition. Paragraphs 2, 5, and 7 of the petition are not answered at all, and I find that the Magistrate whose conduct was impugned carefully omits giving his notes of the evidence of the firewood case, in the Local Court. He gives his notes of the police court case, but carefully abstains from giving them in the other case. If he had given them they would have spoken for themselves, and possibly have given a different complexion to the case. For this reason, I say that his answer to the charges brought against him are unsatisfactory, and that the House ought to refuse to pass this motion. An official inquiry, I take it, means an inquiry where there is an opportunity given to the party praying for redress to establish his case, and to be examined. That was not done here, and I don't call this an official inquiry at all.

THE SPEAKER: The hon. member seems to forget that a motion was made by the hon. and learned member for the North (Mr. Burt) that this petition should be referred to the Police Magistrate for his observations, and that motion was adopted. The House decided to deal with the petition in that way. The Magistrate has made his observations, and they were communicated to the House by a message from the Governor.

MR. HORGAN: Very well. If he gets off by a side-wind in that way, I cannot help it.

THE SPEAKER: The hon. member is not entitled to make such an observation as that.

Motion put and passed.

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

LEGISLATIVE COUNCIL,

Thursday, 29th November, 1888.

Soundings at entrance of Princess Royal Harbor—Appropriation Bill, 1889: first reading—Newspaper Libel and Registration Bill: first reading—Telegraph line from Gingin to Victoria Plains—Roads Bill: re-committed—Cemetery Closure Bill: third reading—Supplementary Loan Bill: third reading—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

SOUNDINGS AT ENTRANCE OF PRINCESS ROYAL HARBOR.

SIR T. COCKBURN-CAMPBELL: I wish, sir, to ask the Director of Public Works whether he can inform the House to what extent the soundings recently taken at the entrance to Princess Royal Harbor indicate a shoaling of the water in that locality; what steps he considers it necessary to take for making the harbor accessible to all vessels in any state of the tide, and what intention the Government has in regard to proceeding in the matter?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) replied: The soundings lately taken seem to give indications of shoaling at the entrance, more especially the North side. To open a deep channel, 300 ft. wide, would require dredging to the extent of about 89,000 cubic yards, which is estimated to cost £15,000, exclusive of the original