

the Judges are only necessary to try capital offences. We know they very seldom occur, and I believe that at Roebourne a barrister of the court tries these cases. So far as the Courts of Quarter Sessions are concerned, we do not hear any complaint as to the mode in which they carry out their duties. I believe they give general satisfaction; and it is only in cases of capital offences that it would be advisable for Judges to travel, in lieu of issuing commissions, as at present. That is a matter which no doubt the Government will consider. If any important case should arise in a country district which they think they would not be warranted in letting be tried by an ordinary commissioner (a barrister of the Supreme Court) no doubt they would commission a Judge to try it.

Motion—put and passed.

#### ADJOURNMENT.

The House adjourned at 20 minutes past 3 o'clock, p.m.

## Legislative Assembly,

Wednesday, 6th January, 1892.

Petition—Transcontinental Railway—Classification and Regulation of Civil Service—Closure of Perth Cemetery—Certificate upon Timber Exported—Leases North of Geraldton—Forest Conservation—Settled Land Bill: third reading—First Offenders Bill: third reading—Public Officers Bill: in committee—Municipal Institutions Act Amendment Bill: in committee—Third Judge Bill: first reading—Reorganisation of Colonial Hospital—Representation of Western Australia at Chicago Exhibition—Raising of Loan—Electoral Roll Returns—Improvements to Murray bar—Goldfields Act Amendment Bill: first reading—Harbor Improvements at Fremantle—Adjournment.

THE SPEAKER took the chair at 7:30 p.m.

#### PRAYERS.

#### PETITION.

MR. PARKER presented a petition from William Wilkinson respecting the refusal of the York Roads Board to close certain minor roads running through his property.

Petition received and read.

#### TRANSCONTINENTAL RAILWAY.

MR. PARKER, in accordance with notice, asked the Premier, Whether the Government had entered into any agreement with any person or persons relative to the construction of a line of railway to the South Australian border; and, if so, the effect of the agreement.

THE PREMIER (Hon. Sir J. Forrest): The Government have not entered into any agreement.

#### CLASSIFICATION AND REGULATION OF CIVIL SERVICE.

MR. CANNING, in accordance with notice, asked the Premier, Whether the Government had it in contemplation to introduce, during the present session, a measure for the classification and regulation of the Civil Service.

THE PREMIER (Hon. Sir J. Forrest) replied: The Government does not propose to deal with this important subject during the present session.

#### CLOSURE OF PERTH CEMETERY.

MR. CANNING, in accordance with notice, asked the Premier, Whether, in view of the rapid increase of population in all parts of the City, more especially in the Eastern portion, the Government would, so soon as practicable and convenient to do so, close the present cemetery, and form and proclaim a new cemetery in a suitable locality, at a reasonable distance from the City.

THE PREMIER (Hon. Sir J. Forrest) replied: The Government will consider the matter. There is a site for a new cemetery near Claremont, but at present it is an inconvenient and distant one.

#### CERTIFICATES UPON TIMBER EXPORTED.

MR. PATERSON, in accordance with notice, asked the Premier, What steps the Government had taken to carry out the resolution passed by this House last session to the effect, "That it is desirable, in the interests of the timber trade of this colony, that some means should be devised by which all timber (the growth of this colony and exported therefrom) should be accompanied by an official statement certifying to the proper name of such timber."

THE PREMIER (Hon. Sir J. Forrest) replied as follows: The Government has not yet taken any steps, as it has been found to be very difficult, if not impracticable, to do so. When once timber leaves the colony, there is no obligation on the owner to comply with any regulations made here.

#### RETURNS OF LEASES NORTH OF GERALDTON.

MR. A. FORREST, in accordance with notice, asked the Commissioner of Crown Lands, whether he would lay upon the table returns of all leases in existence to 31st December, 1891, North of a line drawn due East from Geraldton.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): I would ask the hon. member if there is any actual necessity for this return, which will take some time to prepare, especially when it is remembered that the officers of this department are busily engaged in preparing the list of leases and licenses for publication in the *Gazette*. If the hon. member thinks it is necessary, I will order it to be prepared.

MR. PARKER: Is this question in order?

THE SPEAKER: As I stated last session, I think this is a form of question which should have been the subject of a motion, so that if the Government wishes to refuse to comply with it they will have an opportunity of doing so.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): I do not wish to refuse. I only ask the hon. member whether it is necessary?

MR. A. FORREST: I wish to have the return, because I intend to move for a reduction in the rents.

#### FOREST CONSERVATION.

MR. TRAYLEN, in accordance with notice, asked the Commissioner of Crown Lands, Whether the Government would use efficient measures for conserving the forest trees of the colony, especially young timber trees growing on areas that had been denuded of mature timber.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): The hon. gentleman has opened up a wide subject, one perfectly impossible for me to reply to, in the way he desires, at short

notice. The question will have the attention of the Government, and if the hon. member desires to repeat the question at a later date, I will be prepared to give him every information.

#### SETTLED LAND BILL.

Read a third time and passed, and ordered to be transmitted to the Legislative Council for their concurrence therein.

#### FIRST OFFENDERS BILL.

Read a third time and passed, and ordered to be transmitted to the Legislative Council for their concurrence therein.

#### PUBLIC OFFICIALS TITLES BILL.

This bill (with some verbal amendments moved by the Attorney General) was agreed to in committee without comment.

The Bill was then reported.

#### MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.

##### IN COMMITTEE.

Clauses 1 and 2 agreed to.

Clause 3—"It shall not be lawful to levy any rate whatever on any property or premises—

- (a.) Belonging to the Crown, and not used or occupied for purposes other than public purposes;
- (b.) Belonging to any public body and not used or occupied for purposes other than the purposes of such public body;
- (c.) Belonging to any religious body and not used or occupied for purposes other than the purposes of such religious body;
- (d.) Belonging to any religious body and not used or occupied otherwise than as a place of residence of a minister of religion not engaged in any other calling or occupation;
- (e.) Belonging to any religious body and not used or occupied otherwise than as a convent, nunnery, or monastery, or by a religious brotherhood or sisterhood;
- (f.) Used exclusively as a hospital, benevolent asylum, orphanage, public school, public library, public museum, or mechanics' institute;

- (g.) Used exclusively as a place of public worship or Sunday school or used or occupied exclusively for charitable purposes ;

"(2.) Nor on any property or premises hereinbefore mentioned not used or occupied otherwise than for one or more of the aforesaid purposes":

THE ATTORNEY GENERAL (Hon. S. Burt) moved, in sub-section 1, line 2, to strike out the words "property or premises," and to insert the words "lands or buildings" in lieu thereof.

Question—put and passed.

THE ATTORNEY GENERAL (Hon. S. Burt) moved, after the words "public purposes," in sub-clause (a), to strike out the remainder of the clause, and to insert in lieu thereof—

- "(b.) Belonging to any public body created by statute, and not used or occupied for purposes other than the purposes of such public body ;

- (c.) Belonging to any religious body and used or occupied as a place of residence of a minister of religion ;

- (d.) Belonging to any religious body and used or occupied as a convent, nunnery, or monastery, or by a religious brotherhood or sisterhood ;

- (e.) Belonging to any religious body and used exclusively as a place of public worship or Sunday school ;

- (f.) Used exclusively as a hospital, benevolent asylum, orphanage, public school, private school, public library, public museum, or mechanics' institute ;

- (g.) Used or occupied exclusively for charitable purposes.

"(2.) Nor on any lands permanently appropriated and used for purposes of public recreation or military training.

"(3.) Nor on any lands or buildings hereinbefore mentioned, not used or occupied otherwise than for one or more of the aforesaid purposes."

MR. CANNING: Is it that any buildings belonging to any religious body, or lands belonging to any religious body and not used exclusively by such body, shall pay ordinary rates and taxes? Is that the object of the amendment?

THE ATTORNEY GENERAL (Hon. S. Burt): That is the object. Under this bill, if religious bodies build houses or shops and let them, they will be liable to be rated.

MR. LOTON: These amendments are somewhat lengthy, and I assume they are important, and hence I do not see why they should be rushed through the House. I think it would be more convenient if we now reported progress, so that we may have an opportunity of seeing these amendments on the Notice Paper.

THE ATTORNEY GENERAL (Hon. S. Burt): If hon. members will allow the amendments to pass formally now, they can be dealt with on the report stage, by which time the alterations will have been made in the bill.

MR. A. FORREST: I should like to know whether vacant land belonging to religious denominations will have to pay taxes. We know that some of the churches hold large grants of land all over the city, and are these to be exempt from taxation?

THE ATTORNEY GENERAL (Hon. S. Burt): They will be exempt under this amendment.

MR. A. FORREST: I think we should make them pay.

MR. CANNING: The question asked by the hon. member is a very pertinent one, but we must not lose sight of the general principle with regard to all these vacant lands. The circumstances and conditions of the colony have hitherto been against using these lands, and it is not, therefore, right to take the holders of them to task at the present time; although in the future we shall probably have no hesitation in dealing with them as the hon. member suggests.

MR. RICHARDSON: I cannot help thinking that it would be more satisfactory if we had these amendments printed.

MR. LOTON: It seems to me to be an extraordinary course of procedure to ask the Committee to pass amendments in this way. It may be more convenient to the Government, but I fancy if such amendments were tabled from this side of the House in this way very considerable objection would be taken to them.

THE ATTORNEY GENERAL (Hon. S. Burt): The Government have no ob-

jection to postpone the question, and I will now move that progress be reported.

Progress was then reported.

### THIRD JUDGE BILL.

Read a first time.

#### REORGANISATION OF COLONIAL HOSPITAL.

MR. QUINLAN, in accordance with notice, moved, "That the Government at once take such steps as are necessary to reorganise the present system of conducting the Colonial Hospital, and to adopt the system in vogue in other parts of the world; the existing building being out of all proportion to present requirements." He said that this was a question which in the past had been before the House over and over again, at the instance of the late hon. member for Perth, Dr. Scott. As that gentleman was not here, he would follow in his footsteps and draw attention to a matter which everyone must admit was one of urgent necessity. In other parts of the world the method of conducting such an institution as was in force here was unheard of. It might have been suitable to the colony 25 or 30 years ago, but it would not do now. It had been noticed in the Press from time to time how out of all proportion to ordinary requirements was the present building, and it was generally admitted that the present control should be changed for a board of management such as prevailed elsewhere. In other places there were certain wards occupied as paying wards, and, having none of them here, two gentlemen had already established a hospital of their own. In some cases it was probable that the charges made at that institution were more than people could afford, and this might be met by the establishment of a paying ward at the Colonial Hospital. He had spoken to the Premier on the subject, and he believed that the Government as well as all other hon. members would not object to the motion. He would not, therefore, say anything further, except to express the hope that the motion would receive the unanimous support of the House.

MR. H. W. SHOLL seconded the motion.

THE ATTORNEY GENERAL (Hon. S. Burt) said he hoped he would be excused for rising to reply, because the Minister under whose control this Department was sat in a higher place. The motion asked that that system might be adopted which prevailed in other parts of the world. The Government would only be too glad if it could be so. Elsewhere such institutions as these were supported by voluntary contributions; but this was a part of the subject generally avoided by hon. members who brought the subject before the legislature here. He took it, therefore, that they only wished to adopt part of the system prevailing elsewhere, and allow private practitioners to be admitted without any contribution. If they had a State Hospital surely they must expect that the Government would ask to have the management of it. At the same time he might inform hon. members that the Government were considering the matter, and it was quite possible that a bill on the subject might be placed before the House this session, which would allow of some element of popular control. With regard to the enlargement of the hospital, that was a matter the Government would have to consider and decide upon. He knew that plans had been prepared and the Government hoped to be able to place something like £25,000 on the Estimates to carry out the alterations at once. It would thus be seen that the matter had not been lost sight of, and, therefore, under these circumstances perhaps the hon. member would not think it out of place to withdraw the motion.

MR. DE HAMEL hoped that the Government would not only reform the Colonial Hospital, but would also endeavor to apply some system of popular control to all other similar institutions.

MR. QUINLAN said he would, with leave, withdraw the motion.

Motion, by leave, withdrawn.

#### REPRESENTATION OF WESTERN AUSTRALIA AT CHICAGO EXHIBITION.

MR. SIMPSON, in accordance with notice, moved, "That with a view to the development of the main industries of the colony and to promote immigration, the colony of Western Australia should be represented at the Chicago Exhibition." He said that in placing this proposition

before the House, he had no intention of suggesting or countenancing the appointment of one of those ridiculous and expensive commissions which were generally established in Australia in connection with large exhibitions. Commission-mongering was becoming almost a profession as regards exhibitions, but he did not wish for anything of the sort in connection with his motion. The exhibition at Chicago was likely to be attended by a very large number of people from all parts of the world, who were seeking investments, and who were on the look out to establish new industries, and, therefore, it might prove very useful to this colony if a small representation of some of our raw products were made. We had excellent timber and splendid wool, in addition to which were minerals, especially coal and gold, which would all tend to make up a worthy exhibit. This was a matter that did not call for much elaboration, although it was one which would, he hoped, commend itself to the House. As well as the exhibits it might be a good thing to disseminate books and pamphlets regarding the different industries of the colony. The cost would not be much and the result might be very great.

MR. RICHARDSON seconded the motion.

THE PREMIER (Hon. Sir J. Forrest) said that this was a matter that had been under the consideration of the Government for some time past, and they had been in communication with the other colonies on the subject. As far as he was aware, neither Victoria nor South Australia had yet decided whether they would be represented or not, although, he believed, New South Wales had undertaken to be represented. Some time ago the Government of South Australia made a proposition that the colonies should be jointly represented; but when he last telegraphed to Mr. Playford on the subject he replied that he was waiting to know the decision of the other colonies. Failing some scheme of this kind being adopted he was afraid Western Australia was not likely to be represented at the exhibition. He very much questioned whether if they were represented in a small way it would do much good. If they wished to be represented, he thought they must be prepared to spend money

in having their court properly fitted up and properly filled, and he did not think hon. members would consent to any very great expenditure in this way. Besides this the legislation of the United States at the present time was prohibitive against trade with the colonies. We could not now send our products there, although they could send theirs here, and hence there was no likelihood of any large trade being opened up. The hon. member suggested that some kind of representation might be the means of attracting people here. That might or might not happen, but he thought the better plan would be for them not to arrive at any decision now, and to wait until he had had an opportunity of again telegraphing to the Prime Ministers of the other colonies, and so find out what they intend to do. If South Australia and Victoria decided not to have a court, his advice was that we should not; but if we could arrange to have a joint representation it might be desirable. The hon. the Attorney General, when in London, went to the Crystal Palace Exhibition, but only to find our exhibits crowded together in some out-of-the-way place. We certainly could send some books and pamphlets, but things of that kind are so numerous at these exhibitions that they were very rarely read. He would suggest that the matter be allowed to stand over for a short time, and then, before the end of the session, he might be able to inform hon. members which course the Government think the better one to pursue.

MR. RICHARDSON said that perhaps it would be better if the other colonies were not represented, inasmuch as exhibits from this colony would not then be so likely to be overshadowed by those of our neighbors.

MR. CANNING said that the Americans could tell us quite as much as we ourselves knew about our wool, and they did not want our timber. The Americans had directed their attention quite as much to the Australian wool market as to the English, and therefore nothing was to be gained by exhibiting wool.

MR. SIMPSON said that after the assurance of the hon. the Premier he thought the wisest course for him to pursue was to ask permission to withdraw the motion. At the same time it became a question whether they should

continue to follow the trail of the other colonies any longer. His idea was that we should profit by their mistakes and go our own way, and he thought that in this instance, whatever the other colonies did, this colony was in a position to make up such an exhibit as would commend itself to investors. South Australia would not, he considered, exhibit, and Victoria was not in a position to, and this was our chance. The Premier said that pamphlets and books were not read, but there was always the chance of some of them falling into the right hands.

Motion, by leave, withdrawn.

#### RETURNS RE RAISING OF LOAN.

MR. PARKER, in accordance with notice, moved, "That the following papers be laid upon the table of the House:—1. Copy of the Agreement between the Government and the London and Westminster Bank, relative to the issue of £250,000, part of the authorised loan of £1,336,000. 2. Statement showing—(a.) The commission per cent. charged by the Bank for offering the loan in London by public tender. (b.) The charge made for inscribing the stock. (c.) The rate of interest allowed by the Bank for proceeds of Loan moneys held on fixed deposit or current account. 3. Statement showing the banking transactions and dealings of the Government with the London and Westminster Bank, and the rate of interest charged by the Bank for any money advanced to the Colony, and the balance now owing by or to the Bank."

MR. CANNING seconded.

Question—put and passed.

#### ELECTORAL ROLL RETURNS.

MR. PARKER, in accordance with notice, moved, "That a return be laid upon the table of the House showing the respective numbers of registered voters in the electoral districts of the colony, as made up at the last revision of the electoral rolls."

MR. CANNING seconded.

THE ATTORNEY GENERAL (Hon. S. Burt): The returns will be laid on the table to-morrow.

Question—put and passed.

#### IMPROVEMENTS TO MURRAY BAR.

MR. PATERSON, in accordance with notice, moved, "That in the opinion of this House, in view of the present condition of the bar to the River Murray at Mandurah, and the consequent serious difficulty in sending forward produce and procuring supplies by the residents at Mandurah and the surrounding districts, the Government should instruct the Engineer-in-Chief to report upon the same as early as practicable." He said that at one time there was a sum of money set apart for this work, but nothing had been done. The people in the district were of opinion that something could be done to make this bar navigable. It might be said that the railway which was being constructed would serve this district, but it would not altogether. He thought a very small sum might do all that was required. His motion only asked that the Engineer-in-Chief might make a report, and he hoped the Government would not object to this being done.

MR. PEARSE seconded.

THE ATTORNEY GENERAL (Hon. S. Burt) said he had had the honor of representing Mandurah and had made several representations to the House in the direction now sought by the hon. member, and he could only hope that the present member would be more successful than he had been. During his time they had obtained a number of reports, and they were all unfavorable, and as one engineer after another visited the spot the difficulty seemed to have increased. They had now a new Engineer-in-Chief and a new Government, and therefore if there was anything to be done now was the time to do it. He could promise that as soon as the services of Mr. O'Connor could be spared the Government would ask him to make a report with a view to seeing what could be done. For his own part he had very little hope that much could be done, judging from the reports which had been made in the past. At the same time, the new Engineer-in-Chief was a very competent man, and might be able to suggest something.

MR. A. FORREST said he thought the hon. member should be asked to withdraw the motion. A railway was to be built within twelve miles of this

bar, and that ought to be sufficient. He did not think they would be justified in spending any money at all on this bar under the circumstances. They should try to make the railway pay, and not encourage people to send their produce coastwise.

Question—put and passed.

#### GOLDFIELDS ACT AMENDMENT BILL.

Read a first time.

#### HARBOR IMPROVEMENTS AT FREMANTLE.

**THE PREMIER** (Hon. Sir J. Forrest) : I rise now, sir, to move, "That this House approves of the scheme of harbor improvements for the port of Fremantle as proposed by the Government, which includes opening a passage through the Success Bank into Owen Anchorage, the construction of a wharf at or near Catherine Point, and a connection by railway from such wharf to the Customs House and Goods Sheds at Fremantle, in accordance with the plans and sections on the table of the House." This subject of harbor improvements at Fremantle has, I believe, been more discussed in this House than any other single question. For years—at least for the last twenty years—almost every session there has been a discussion on the question of improved harbor accommodation at Fremantle, and everyone in the colony who takes any interest in public matters must be fairly acquainted with the subject. It has been reported on again and again by experienced persons. We have had the opinions of Mr. Doyne and Mr. Wardell, and the report of Sir John Coode in 1877. Not satisfied with these the Government, at considerable expense, induced Sir John Coode to come to the colony in 1886 and to report again on the matter from personal observation. We all know that he gave us his opinion as to the best means of providing a harbor, and I believe that the scheme he propounded was the very best that could be devised in that locality. It would have made an excellent harbor, suitable in every way for the shipping that now comes to the port; but it had one or two defects. The great difficulty in the eyes of the people of the colony was that it would cost too much, and another great objection—and one which

I entertain myself—to it is that even when complete it would not afford a sufficient depth of water to admit, in all weathers, the large ocean steamers. I am not certain that means might not have been devised for deepening that proposed harbor; but it was unmistakable last session to the Government that the scheme was considered by the Legislature as altogether too expensive to warrant us in undertaking it at the present time. The Government placed on the Loan Bill a sum of £150,000 for the purpose of providing harbor accommodation at Fremantle, and in introducing that measure we stated that we proposed to carry out Sir John Coode's smaller scheme, which was estimated to cost over half-a-million of money. In considering the question since, the Government felt that to bring forward that scheme would only end in defeat, and we also felt that if we did carry it in this House we should not be able to pass it through the other House; and besides this I must say that I lost a good deal of faith in it, inasmuch as the depth of water it would provide would not be sufficient to admit the ocean steamers in all weathers. The Government had, therefore, to carefully consider their position, and while it was admitted by most of those who sought the suffrages of the people to be one of the great works that should be undertaken, we felt we could not enter upon carrying out this plan, although we were in accord with most people in the colony that something must be done to make the port of Fremantle more suitable as the port of the metropolis of the colony. We felt sure that no scheme would meet with the requirements of the colony unless it provided facilities for the ocean steamers to make it one of their ports of call. The Government consider that the time has arrived when the chief port which serves the metropolis should no longer remain in an isolated position. The time has arrived, we consider, that we should be no longer round a corner, but on the main road. For over thirty years, I believe it is, the P. & O., and latterly the Orient steamers, carrying weekly mails, have passed by us, and we who live in this part have had to be satisfied not to be on the main road, but off the track. No one can deny that we have been in an isolated position, and I ask whether this is

to continue? It is the opinion of the Government, and it is my opinion individually, that it must not continue. We have no desire that the steamers should not call at Albany; in fact they always will call there. The natural advantages at Albany are so great that it always must be a port for our shipping, and for all other shipping between Europe and Australia. At the present time people who come to Perth or the central parts of the colony come on purpose. They deliberately come here; but it is not so in other parts. People who go to South Australia or Victoria do not always go deliberately; they are forced to go *en route* to their destination. For instance, everyone going to Sydney is bound to go to Melbourne; but not so with us. They pass us by, and unless they come to us deliberately we do not see them at all. The desire of the present Government is to change this. We want to be on the high road between Europe and the other Australian Colonies, and we want to ensure that those persons who travel shall, without any desire on their part, see this part of the colony; but the question is, how is it best to carry out our ideas? We have £150,000 voted by the Legislature for the improvement of the harbor at Fremantle, and we have given the matter our careful consideration. I may say, in the first place, that the desire and wish of the Government was that any harbor improvements we proposed should be undertaken at or close to Fremantle. We did not wish to go away to Owen Anchorage, although it is only  $1\frac{1}{2}$  miles away—we wished the works to be constructed as near to Fremantle as possible. The Government have carefully considered Sir John Coode's scheme, and have decided to abandon it, for the present at any rate—first on account of the cost, and secondly because it does not give the depth of water we require. We have also thought over the river scheme, and have had plans and reports made, so that it must be said that the Government have treated the House fairly, and have had no desire to keep back anything. It would have been very easy for the Government not to have placed these very inviting plans and the Engineer-in-Chief's report on the table, and we might have done many other things to have kept back informa-

tion; but we have not done so. We have only one object, and that is to do the best we can for the colony with the means at our disposal. Many of us are not without hope that we may be able to make a harbor in the mouth of the river, which would mean that eventually we should be able to bring ships to Perth. This is an idea, the consummation of which everyone would desire. Everyone is desirous of seeing the Swan a navigable river, and the ocean steamers plying upon it. Of course if it could be done, what more could be desired as a secure place for shipping than this beautiful estuary; but there are difficulties. We are first met by the cost, which is very great, and by other difficulties as well. Sir John Coode in his report of 1887 estimated the cost of providing a channel 14 feet deep at £530,000, and I may say that he gave a considerable amount of attention to this river mouth, and I have no doubt he desired to give us a favorable report upon it. In concluding his report in 1877 he says: "Having regard to these facts, and to the necessity for a strong scouring agent to overcome the effects of the southerly drift of sand along the coast, I am reluctantly compelled to advise that no steps be taken to improve the river with a view to the formation of a deep water-channel from the sea, feeling assured that any works of this character would only lead to failure. Instances of the successful treatment of river entrances and bars might be adduced where sand and shingle travel along the shore, but none that I know of where the rise of tide is so small, and the distance to be traversed by the tidal waters so great, as in the case of the Swan." Then, as hon. members are aware, Sir John Coode visited the colony, and he reported again, and this is what he said: "A reconsideration of this question (that is the river mouth), now that I have had an opportunity of personally examining the site and of studying the further data which have been provided, has tended to confirm the views expressed in my Report of 1877, viz., that the conditions are so adverse that it is quite impracticable to treat the existing entrance to the Swan with a view to the formation and maintenance of a deep-water approach from the sea with any degree of success, and



that any operations of this character, except to the limited extent to which I shall hereafter refer, would be attended with failure and disappointment." Again, being further applied to, on the 19th November, 1887, he writes: "The cost of the works required to open up the entrance to the river, putting aside for the moment the practicability of maintenance of depth when so formed, may be put down at £530,000. This sum would cover the construction of two protection moles, internal training banks, the removal of the rock bar, and the formation of a channel below the bridge. The aim of these works would be to afford a navigable depth of 18 feet at low water, but, as I have previously intimated, there is not the slightest prospect of such an entrance being kept open or the depth maintained therein. Any entrance works, either here or at Rocky Bay, would necessitate training and protection moles projecting from the shore. The northernmost of these moles would arrest the sand, and a growth would consequently ensue there, reaching after a time to the termination of the mole, and lodging in the entrance in the form of a bar. In view, therefore, of the insufficiency of tidal and fresh-water scour, and the certainty of sand accumulation, my very decided opinion is, that were the entrance to be opened to the extent above described and the channel formed, it would be impossible to maintain the depth therein. It may be said that the maintenance might be effected by periodical dredging, but the forces to be dealt with are too vast for this mode of treatment, and the disturbance of one gale might, and I believe not infrequently would, undo the work of previous dredging. I cannot bring to mind any successful treatment of a river entrance of this character unless accompanied by an adequate scour of fresh and tidal water, more particularly of the latter. In the foregoing remarks as to the river entrance, I have dealt with works of comparatively small magnitude for the accommodation of coasting and other steamers, but if the design were extended for the reception of larger vessels, the cost would be immensely increased by reason of the greater lengths of the moles, and the additional outlay on the formation of the channel; in fact it would be

quite impracticable, at any reasonable cost, to provide hereafter, under such a project, for the reception of ocean-going steamers." That, sir, is the substance of Sir John Coode's report on the entrance to the river. It was made after visiting the colony, and when the matter was fresh in his mind. As you are aware, the present Engineer-in-Chief, Mr. O'Connor, who has had considerable experience in harbor works in connection with rivers, has given us a plan and estimates for opening up the river. For the smaller, or minor scheme, he estimates forming a channel with a depth of 30ft. of water at a cost of £560,000, and for the complete work £800,000. His report is on the table, and before this debate goes very far hon. members will have an opportunity of reading it. It is very full and complete, and it deserves consideration, coming as it does from a man of experience, and who has been engaged in similar works elsewhere, and who is, therefore, competent to give an opinion. The objection to Mr. O'Connor's scheme is that it is beyond our means. The colony is not prepared to undertake an expenditure of £560,000 on harbor accommodation at the present time at Fremantle. A scrutiny of the chart will show that the approach has to be blasted out of rock for nearly three-quarters of a mile, and I believe the average depth of rock ranges from 30ft. to nothing, which would give a mean depth of 15ft. Hon. members will also observe, if they look into the chart as I have done, that in order to propound this scheme, the Engineer-in-Chief has had to place the moles in the direction where they will reach the deepest water quickest, and get into the five-fathom depth as soon as possible. It occurs to me that this direction is not a very good one, because we know that the westerly and north-westerly gales are the fiercest that blow in Gage Road. There is also another disadvantage. The bottom is all rock, and there are some nasty patches. I have no doubt these might be removed or be well buoyed and lighted, but it occurs to me that probably the ocean steamers would not care to approach such a harbor in heavy weather owing to the foul ground,—as they would not be touching sand if they grounded. My opinion is that they would not come in, or at all

events would be very cautious in approaching a harbor where there was only 30 feet of water, and where the bottom was foul. In the Suez Canal steamers go aground, but they touch upon sand, which is very different to touching upon rock. We, however, find ourselves in the position of having £150,000 only to spend, a sum with which we could not attempt to touch this river mouth; in fact, if we were not prepared to find the money to carry out the whole scheme, it would be worthless to spend such a sum as £150,000. Even if we did agree to spend the full sum necessary, hon. members must still remember that there would be no certainty about the success of the scheme. It would not be a certainty. I have heard some say, "Let us begin with the £150,000 and go on afterwards." That would be a good argument if we knew we were working on a certainty; but it is not so. We have Sir John Coode, who says it would not be a success, and Mr. O'Connor, who says it would; and I, as a reasonable man, say that there is a doubt about it. The Government, looking at the matter all round, have decided to recommend that this £150,000 should be spent at Owen Anchorage, which is a place well known to us. It is a safe anchorage, and has been for many years the resort of ships trading here in the winter months—at least for such of them as could get into it. I believe vessels drawing 16ft. or 17ft. of water go there now. If a jetty were built from Catherine Point and a light line of railway constructed from there to the Custom House, we might see in a year from this time, those vessels which go to Owen Anchorage discharging their cargoes there, and the goods being brought on thence by rail and proceed to all parts of the colony. The advantage of this proposal to build a wharf at Owen Anchorage would be that with the exception of some shed accommodation no other expenditure would be necessary. The Custom House would remain at Fremantle, and I have no doubt that the existing jetty, which we are at present extending, would be still largely used. I do not see why ships should not continue to use it. We propose also to dredge a passage through Success Bank, so as to accommodate the larger boats such as those of the P. and O. and Orient Com-

panies. And all this we can do for the £150,000 which is on the loan schedule. We have the approval of Sir John Coode to the scheme, and also the approval of our own Engineer-in-Chief. Both believe the work to be practicable, and Mr. O'Connor assures us that it can be done for the sum we have in hand, although to make it a complete work he says the cost will be about £375,000. Our idea is that we should do sufficient for our present requirements.

MR. RICHARDSON: Does that include dredging the channel to Jervoise Bay?

THE PREMIER (Hon. Sir J. Forrest): No. In this scheme we have an opportunity for providing for this part of the colony a harbor which will not only be sufficient for local requirements, but which will also accommodate the ocean steamers. Sir John Coode says: "By increasing the bottom width to say 500 feet, thereby entailing an additional expenditure to a corresponding extent, there is every reason to believe that the channel could be navigated with safety in all weathers, and under all conditions." It has been said, and will be said again, that the channel when opened would soon fill up. Of course that is an important matter, and it is not unreasonable to suppose that it will fill up, but my answer to that is, Why have not the Beagle Anchorage and Owen Anchorage filled up in all these years? The Success and Parmelia Banks have not changed during the last 40 or 50 years, and this is a very important matter? If that be so, why should we say that the channel we propose to dredge out will alter? Hon. members, if they have read these papers, will have noticed that the point has been put to Sir John Coode at my request. I compared the charts, and found that there had been no material difference as regards the limits of the banks or the depth of water; and if there has been a sand travel from the North, it has not been felt at the intervening space between these two banks. I say there is every reason to expect the channel will not fill up, and especially when we have a dredge at work capable of lifting six hundred tons an hour. I think that one dredge will be capable of doing good and effective work in keeping this channel clear. After all—and this a very important point—if we find that the

channel does silt up, surely it may be expected that we will discontinue operations, and that we will not spend a vast amount of money in finding out whether this channel will silt up or not. It seems to me, from the arguments I have heard, that it is imagined that the Government are going to put the dredge to work upon this channel through the Success Bank, and going to continue it for years and years, until all the money is gone, scooping away at this sand every day, and seeing the cutting filled up again by the sea next day, but going on all the same, and not using reasonable prudence to adapt their method to the results which become visible from day to day. I say, on the contrary, that after spending £10,000 or so we will be able to judge whether this channel is going to be a success or not. The whole thing, it appears to me, is in a nutshell; for within a year we can have a wharf at Owen Anchorage and a railway connecting it with the Custom House at Fremantle; and we can have a dredge at work on the channel through the Success Bank. The only part of our scheme that can fail is the dredging of the channel, so as to keep it open. The other parts are a certainty. And I say that these two works—the jetty at Catherine Point and the railway to connect it with Fremantle—are works justified at the present moment, even without the idea of having a harbor for large steamers at Owen Anchorage. A very small expenditure will settle the point as to whether the dredging is to be successful or not, and we shall soon be able to assure ourselves as to whether our operations are likely to be successful, or whether they are to be a failure. And then what will be our position? Supposing we find, after spending £10,000 in dredging, that the work is useless, and there is no chance of keeping this channel open, our position will be that we shall have  $1\frac{1}{2}$  miles of railway constructed; we shall have a wharf, and these will be works that are useful in the present circumstances of the colony. We shall have spent a certain sum in experimenting, and we will then be able to satisfy ourselves as to whether success by this method is possible or not. Therefore why should we hesitate to make this trial? We are not going to spend the whole of the £150,000 upon this channel,

or that portion of it which will remain after making the wharf and the railway, unless there are reasonable grounds and hopes for the work turning out a success. As soon as we are satisfied that the work is useless we will stop; and we shall have to come back to this House and tell you so—that after having spent £10,000 in dredging we find it is useless and have discontinued the work, and we shall then have to place before you some other scheme for making a harbor at Fremantle. I ask if this is a reckless or wild scheme? We are not acting in this matter on our own ideas, for we have competent authority behind us. We have Sir John Coode; we have Mr. O'Connor, our Engineer-in-Chief; and we have a gentleman well known in this colony and much respected for his knowledge of marine matters—that is Captain Archdeacon. All these are agreed that this work is practicable, and that the chances of success are reasonably good. The cost of the scheme is considered by everyone to be within our means. For myself, I can only say that after giving this matter a considerable amount of attention during the past year I have not been able to find any other scheme, within our means, which seems so feasible. If the House does not accept the programme of the Government in this matter, the only thing I can see for it is that we should go on as we are, and wait until we can afford to spend more money upon some larger scheme. The Government are unable, at the present time, to ask this House to commence the river scheme, having only £150,000 for that purpose. Before we can undertake a work which we know, on competent authority, cannot cost less than £560,000, before any good results can be attained, we must have some idea as to where the money is to come from. This other scheme for opening the mouth of the river to ocean navigation is in a very different position from the scheme which I now have the honor of placing before you; for if we commence that large scheme with only £150,000 we shall have to spend the whole of that money without being able to ascertain whether the expenditure is doing any good, and in fact we shall have to spend nearly half-a-million of money before we can be assured whether the scheme will be a

success or not. On the other hand, with the scheme I now place before the House, you will have to spend only a small sum of £10,000 before we can know whether the work is likely to keep the channel open or not. In fact, the wind and weather of the first winter after the channel has been opened will show us whether there is reasonable ground for our going on with the work and being able to keep the channel open. With the river scheme, however, the expenditure of this sum of £150,000 would be only like a drop in the ocean, for you would have to go on spending half-a-million to achieve any visible result, and even then the result would be uncertain. The Government feel a great responsibility in this matter. We have looked all round the subject; we have studied it from every point, and the only conclusion we have been able to come to is the proposition I have placed before you to-night. Of course it is quite competent for this House to refuse to us the permission we seek for carrying out the scheme of providing a harbor at Fremantle; and if the House does refuse to carry out our ideas—well, we will be in this position, that we shall not be able to go on with any harbor improvements at present, and we will have to consider what other scheme we may be able to devise, and to be placed before you at some future time. But there is one thing which the Government are not prepared to do, and that is we are not prepared to begin a scheme which we must be responsible for unless we are provided with means for carrying it out. Our only desire—and I do not believe any of us has any other desire—is to do what we can for this port of Fremantle; a port so long talked of and so long desired, and so very important to the best interests of the colony. No one regrets more than I do that we are unable to place before you to-night a scheme for making these harbor improvements at Fremantle. Of course all the vested interests are there, and we have been accustomed to look on the port of Fremantle as the principal port of this portion of the colony, and we have all desired that if a harbor was to be constructed it should be made there, and that it should be the port of call for the great ocean steamers. Our desire is to do that, but we have not

the means to do it at present; and, therefore, we have to come before you and propose a scheme which, I believe, will be suitable to the needs and means of the colony, and will provide a safe and commodious harbor. I believe it will admit of the largest steamers afloat; and I see no reason whatever why that channel, when once opened, will not keep open—with the assistance, at any rate, of a dredge. In the future, when this country becomes far more developed than it is, it may be possible to open up the Swan River at Fremantle; it may be possible to construct a great harbor inside the mouth and to open the river up to Perth. I see no reason why anyone should not look forward to that time as not very far distant; but the time is not yet. We are yet a struggling country; we have an immense territory to develop; all our resources are required for the opening up of the extensive interests throughout the length and breadth of this country; we have railways to construct; we have agricultural development to look after; and I believe the time has not arrived when the people of this country are willing or able to spend £500,000 or £800,000 on a harbor at Fremantle. The time has, however, arrived, in the opinion of the Government, when we are justified in spending £150,000 in trying to provide for that great want; and, as I said before, I say again, that before we have spent £150,000 we shall have proved whether the scheme is to be successful or not. Therefore those hon. members who vote with the Government on this matter are only voting for this—they are voting that a wharf should be constructed at Owen Anchorage; that a light railway should be constructed from Owen Anchorage to Fremantle; and they are also voting that operations shall be commenced as soon as possible for opening a channel into that Anchorage. If, after we commence these works, our advisers become convinced that they have not achieved the desired results, but that the expenditure will be useless, we will then stop our operations, and will not spend any more money on the works. But we hope and believe that the project we have now placed before you will be successful, and we believe that before long Fremantle will be not on a bye-way, but on the highway

between the Old World and the great colonies to the eastward of us. I can only ask hon. members to carefully consider this matter, and from the point of view, as far as they can, that the Government see it from. We have no wish to force one scheme over another upon the members of this House, but we feel that the time has arrived when something must be done to place Fremantle in a better position than it now occupies, and the only scheme we consider to be within our means is that which I now have the honor to place before you. I thank hon. members for the patient attention with which they have listened to my remarks.

MR. PEARSE: The question is one of such importance that it will require a great deal of consideration from this House; and with that view I now rise to ask for an adjournment of this debate until Wednesday next.

Agreed to.

Debate adjourned until Wednesday, 13th January.

#### ADJOURNMENT.

The House adjourned at 9.15 p.m.

### Legislative Council,

Thursday, 7th January, 1892.

New Member—Police Bill: Committee's Report—Mineral Lands Bill: third reading—General Loan and Inscribed Stock Bill: third reading—Boyanup-Minninup Railway Bill: third reading—Boyanup-Busselton Railway Bill: Committee—Settled Land Bill: first reading—First Offenders Bill: first reading—Sharks Bay Pearl-shell Fishery Bill: second reading—Game Bill: second reading—Adjournment.

THE PRESIDENT (Sir T. Cockburn-Campbell, Bart.) took the chair at 8 o'clock.

PRAYERS.

#### NEW MEMBER.

THE HON. THOMAS BURGESS, being introduced, took and subscribed the oath required by the 22nd section of the Constitution Act.

#### POLICE BILL.

THE COLONIAL SECRETARY (Hon. G. Shenton) moved the adoption of the Committee's report on this bill.

Question—put and passed.

#### MINERAL LANDS BILL.

This bill was read a third time and passed.

#### GENERAL LOAN AND INSCRIBED STOCK BILL.

This bill was read a third time and passed.

#### BOYANUP-MINNINUP RAILWAY BILL.

This bill was read a third time and passed.

#### BOYANUP-BUSSELTON RAILWAY BILL.

This bill was considered in committee and agreed to without amendment.

#### SETTLED LAND BILL.

This bill was received from the Legislative Assembly, and was read a first time.

#### FIRST OFFENDERS BILL.

This bill was received from the Legislative Assembly, and was read a first time.

#### SHARKS BAY PEARL SHELL FISHERY BILL.

##### SECOND READING.

THE COLONIAL SECRETARY (Hon. G. Shenton): In rising, sir, to move the second reading of this bill, I may explain shortly the reasons which have induced the Government to bring it forward. Under the old Act of 1886, which it is proposed by this bill to repeal, altogether insufficient power was given to the Government to deal with the fisheries at Sharks Bay. An arrangement was made with some parties at the pearling grounds, who were called the trustees, to grant them a lease of a certain area for three years, for which they paid £1,000 per annum, and they sub-let it to others. At the expiration of the three years, the area was let to the same parties for a further term of two years at an annual rental of £800. Great dissatisfaction, however, existed among the pearlers as to the way the trustees carried out their duties, and re-