

to the judgment of others more qualified—and I believe I am safe in leaving him to the judgment of those best able to judge of his qualifications in that respect. But, sir, no one who knew Mr. Thomas can fail to have been struck with his personal qualities in some respects. Those who knew Mr. Thomas must have been impressed with the straightforwardness, the honesty, and the independence of his character; and, in an age when men sometimes succeed by dint of qualities the reverse of those I have alluded to, such characters are not too common. Mr. Thomas perhaps did not study the arts of the courtier, or those qualities which on the surface commend themselves to bystanders. Mr. Thomas formed his opinions, as I believe, honestly; but, when he had once formed his opinions, I believe that no power on earth would induce him to falter from the course which he thought was right. No considerations of fear or favor ever influenced the late Mr. Thomas. Sir, I do not wish to take up the time of this House, nor do my feelings carry me in that direction, for any length of time, but this I must say: I believe that Her Majesty and the public never, anywhere, either in this colony or elsewhere, had the services of an honest and more true-hearted gentleman than the late Mr. Thomas. With these few words I desire to support the motion before the House.

**THE COMMISSIONER OF CROWN LANDS** (Hon. J. Forrest): I wish, sir, to say that I agree with every word that my hon. and learned friend the Attorney General has said about our late colleague, and I think that what has been said will commend itself to all those who knew our departed friend.

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

## LEGISLATIVE COUNCIL,

*Friday, 18th July, 1884.*

New Members (Mr. Mason, Mr. Loton, and Mr. Davis)  
—New Telegraph Line between Fremantle and Perth—Correspondence relative to berthing of steamers at Fremantle—Address in Reply: adjourned debate—Naval Deserters Bill: second reading—Bank Holidays Bill: second reading—Regulation of Whipping Bill: second reading—Designs and Trade Marks Bill: second reading—General Loan and Inscribed Stock Bill: in committee—Excess Bill, 1883: second reading; referred to Select Committee—Adjournment.

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

**PRAYERS.**

### NEW MEMBERS.

The following new Members took the oaths and their seats: Mr. Clayton Turner Mason, Director of Public Works and Commissioner of Railways (*vice* Hon. J. H. Thomas, deceased); Mr. W. T. Loton, a nominee member; and Mr. J. S. Davis, member for Geraldton (*vice* Mr. Wittenoom, resigned).

### NEW TELEGRAPH LINE BETWEEN PERTH AND FREMANTLE.

**MR. STEERE**, in accordance with notice, asked the Colonial Secretary whether the tenders which were being invited for the erection of a new line of telegraph between Perth and Fremantle provided that the posts should be capable of carrying the necessary number of wires for public telephone communication, when required?

**The COLONIAL SECRETARY** (Hon. M. Fraser) replied that it had been so arranged that the posts could be utilised for the purposes of a telephone exchange for the general public.

### BERTHING STEAMERS AT FREMANTLE: CORRESPONDENCE.

**MR. STEERE**, in accordance with notice, asked the Colonial Secretary to lay upon the table the correspondence that had passed between the agents of the direct line of London steamers and the Government with reference to the berthing of the steamers at the port of Fremantle.

**THE COLONIAL SECRETARY** (Hon. M. Fraser) laid on the table the correspondence asked for.

ADDRESS IN REPLY—ADJOURNED  
DEBATE.

MR. STEERE, in resuming the debate on the Address in reply to the Governor's Speech, said he was sure it must have given the hon. members of that House and the country generally great satisfaction to read His Excellency's Speech, for it showed what earnest endeavors the Governor had made during the recess to carry out the wishes of the Legislature as expressed last session. The hon. member who had moved the Address in Reply congratulated the House upon the fact that the Address breathed a policy throughout it. He did not know exactly what the policy was which the hon. member alluded to, but that the Address did disclose a policy was beyond doubt, and a policy which must be very gratifying to the members of that House, for it showed that in everything His Excellency did he had endeavored to work harmoniously with the Legislature. Not only did they find this policy breathing throughout the Address, it was still more apparent in the various despatches which had been presented to them; and he must say it had given him very great pleasure indeed to read those despatches, and to observe with what ability and independence His Excellency argued various questions with the Secretary of State. He could not help thinking that it was, in a great measure, owing to the convincing nature of the arguments which His Excellency had used that many matters had been conceded by the Secretary of State that otherwise would not have been conceded. The first matter in the Address to which he would refer was the Intercolonial Convention and the results of it. He was sure they would most willingly accede to the proposal that we should contribute our very small proportion—for it would be a very small proportion—of the sum asked for by the Imperial Government to enable it to exercise a protectorate over New Guinea. Nor did he think there would be any difference of opinion amongst them as to inviting the Secretary of State to introduce a bill into the Imperial Parliament providing for the establishment of a Federal Council. We should take our place in that Council along with the other Australian Colonies on what he considered a perfectly equal footing; although we should

not have the same number of representatives we should have quite as much representation as we were fairly entitled to, considering the small number of our inhabitants. His Excellency said he had recommended the Imperial Government to sanction another loan for the prosecution of public works, and told them that amongst the various projects likely to be brought forward they would have to exercise their judgment in making a selection, as it would be out of the question for us to undertake every work which had been advocated, however desirable such works might be. No doubt this was true. The House would have to exercise very great discretion indeed, he thought, in this matter, for, before dealing with these works at all, we must take into our serious consideration the state of our finances. He must say he did not think we were in such a prosperous condition to undertake these public works as he had anticipated, or as he thought other members had anticipated. His Excellency, he thought, in that paragraph in his Speech dealing with our financial position, had made a slight mistake: His Excellency stated that the "unappropriated" cash balance at the end of last month was £102,770. He was sure that was not the case. There may have been an unexpected cash balance, but certainly not an unappropriated cash balance of that amount; and, with the exception of about £40,000, there would not be at the end of this year any unappropriated balance at all. And a great deal of that £40,000 might be appropriated during the present session if hon. members came forward as they generally did, and as they had every right to do, with addresses for the expenditure of money upon public works of a local character in their own districts. Under these circumstances he thought that to say we had this large "unappropriated" balance was a mistake. Hon. members who had looked at the returns furnished to them would have seen that we were spending money at a greater rate than we were receiving, and would also be impressed with the necessity for our limiting our loans to such amounts as we could pay the interest out of current revenue. With regard to the question of what particular public works ought to take precedence of all others, he had already

indicated, within the last few days, what public works were in his opinion of most importance, or at any rate what works we were bound to undertake in the first instance. These were the extension of the railway from York to Beverley,—which certainly they were bound to carry out, in accordance with the terms of the agreement entered into for the construction of the line to Albany, on the land grant system,—and next in importance was the question of harbor works at Fremantle. As to any other schemes, he considered himself quite free to deal with them on their merits when they were placed before them. Whatever schemes were agreed to, they should be such as hon. members must be convinced in their own minds would be reproductive works, either directly or indirectly, and not works undertaken merely for the sake of securing the expenditure of public money in any particular district, merely to cause a fictitious temporary prosperity. He was sure hon. members would be pleased that the wishes expressed by that Council with regard to an alteration of the Kimberley land regulations and the right of renewal by Crown tenants of their present leases had been acceded to by the Secretary of State. He thought they could see from the despatches which had been presented to them, and especially from that which had been laid on the table that evening, how anxious the Secretary of State was that the wishes of the Legislature should be consulted and conceded, even when sometimes they ran contrary to his own opinions. His Excellency in his Speech had alluded to the epidemic of measles, which had unfortunately prevailed for so many months past, and he must say that he himself thought that there had been great remissness on the part of the Government in connection with this epidemic. He was very sorry to have to complain of the Government at all, they had been so much praised lately, but he did think there had been great remissness on their part as regards the precautions that ought to have been taken to localise this complaint. His Excellency stated that fresh quarantine regulations had been issued. So there had. But these regulations did not relate to quarantine on land. It seemed to him the whole thoughts of the Government and of their medical officers had been directed to im-

prove the regulations for quarantining of ships. They never seemed to have considered the question of isolating patients affected with infectious disease, on shore. There was an Act passed at a late session of Council on this very point—an Act to make provision for the better prevention of the spread of infectious or contagious diseases (42nd Vic. No. 5), giving the Governor power to make such regulations as might appear desirable in that respect. The Colonial Surgeon, in his annual report, referring to this outbreak, quoting from the report of the medical officer at Albany, where the disease first broke out, said that no "precautions he (Dr. Rogers) "could take would keep the people from "flocking to the houses first infected, or "were able to prevent intercourse and "thus prevent the spread of the disease." Why not? Simply because there were no rules or regulations in existence having the force of law, to enable him to forbid persons going near these houses, and to forbid persons coming out of them. If proper regulations had been framed under the Act he had referred to, empowering the doctor to isolate the cases, in all probability the disease would have been localised at Albany, instead of spreading all over the colony. Not only that, he thought the Government were otherwise to blame, very much, because a Government officer suffering from this complaint was removed from Albany to another part of the colony, carrying the disease with him. He had also heard that measles had been introduced to the native prison at Rottnest by means of prisoners who were suffering from the disease when they were admitted, and that these prisoners came from Albany. [The Commissioner of Crown Lands: No. no.] The hon. gentleman said no, no; but he had been told so on good authority, and he believed the report was correct. At any rate there was no doubt that a police constable suffering from the measles had been removed from Albany to the Vasse, and that was how the disease was introduced into that district. Could anything be more culpable than that? Here was an Act in force, empowering the Government to frame rules which would have enabled their medical officers to have successfully coped with the disease when it first broke out, yet that Act remained a dead letter, and the

Government neglected to frame such rules as would in all probability have, if enforced, localised the disease and confined it to Albany. Instead of that, the medical officers were powerless to isolate those who were affected, and the consequence was that the disease spread all over the colony, and caused a very lamentable mortality. With our small population this mortality was a very serious matter. What, he should like to know, would be the result in the case of an outbreak of small-pox, with no rule or regulation in force for ensuring the isolation of patients? Hon. members were aware how very careful the authorities were in the other colonies in these matters: they went to almost any expense and trouble, to immediately isolate all cases of infectious disease, and in this way they stamped out the disease. Not more than two years ago they had an outbreak of small-pox at Sydney, but it was stamped out by the prompt action of the authorities. The same thing occurred at Melbourne only the other day, and the patient was isolated at once, with the result that no further cases occurred. But what would be the result here, if such an outbreak were to take place in this colony? The result was something terrible to contemplate. The disease would spread all over the colony, in exactly the same way as the measles did. He thought, as the Government had this Act before them, they should have taken advantage of it, and he intended before the session closed to take some further action in this matter and to ask the House to move His Excellency to take steps for preventing such a calamitous epidemic spreading all over the country in future, by empowering medical men to isolate their patients and to take such other effective measures as the exigencies of the case might require. He had no more to say, except that he hoped the session they were now entering upon would be marked by the same harmonious relations as had existed between the Government and the representatives of the people during the last session, and that by their united efforts they would succeed in passing such measures as would tend to advance the progress and prosperity of the colony.

After a pause, and no other hon. member rising,

THE COLONIAL SECRETARY (Hon. M. Fraser) moved that a select committee, consisting of Messrs. Brown, Burt, Steere, Randell, and the mover, be appointed to bring up the Address in Reply.

This was agreed to, and the committee having retired, brought up the Address. (*Vide p. 6, ante.*)

THE COLONIAL SECRETARY (Hon. M. Fraser) moved that the Address be adopted.

MR. SHENTON, in supporting the motion, said that with other members he was glad to find His Excellency in a position to come to the Council with a speech expressing so favorable an opinion of the general prosperity of the Colony, and also coming forward with so liberal a policy to meet the wishes of hon. members. With regard to the various subjects referred to in the Speech itself, he thought that every endeavor should be made by that House to join with the other colonies in having a Bill passed by the Imperial Parliament under which the whole of the Australian Colonies would form one great confederation. By adopting that course he thought many of the small jealousies that existed now between the several colonies in reference to their Customs and other duties would be removed, and they should all feel that they were then working under one general law, animated by one desire, that of making the United States of Australia what he hoped they would be before very long, equal to the United States of America, not only as regards their material prosperity, but, also, in time, as regards their population. The finances of the colony, although in a prosperous state, should, he thought, be carefully watched. It would be disastrous to the future progress of the colony if we found ourselves in the same position of financial embarrassment as we were in but a few years ago, with a heavy overdraft. They all knew how that tended to depreciate the value of our loans in the money market, and, as we hoped ere long to be in the market again with another loan, we ought to do all in our power to keep up our credit. He found that much stress had been laid upon the fact that our exports last year had fallen off in value as compared with the previous year, but he thought this was easily accounted

for, as regards our wool exports, by the fact that three of the largest shipments of wool, properly belonging to last year, did not clear out until the beginning of this year. The great falling off in our exports had been in sandalwood and pearl shells, but it was to be hoped that the trade in these two articles would be again revived, and prove as remunerative to the colony as in past years. Although the depression in the sandalwood trade might in some way have proved disastrous, and had largely affected the value of our exports, still he thought the colony generally had not suffered so much thereby as might be supposed. He had just been visiting the Eastern Districts, and, on inquiry, he found that in consequence of the labor of many men and their teams not being required for sandalwood carting, a much larger area of land than usual had been cropped and put under cultivation—more so than for years past. He thought the colony was to be congratulated on the result of His Excellency's correspondence with the Secretary of State with regard to the raising of another loan. The floating of this loan, and the appropriation of the money to useful and reproductive public works would give a stimulus to trade, and enable us to extend our railways and our telegraphs, and, he hoped, do something towards improving the harbor accommodation at Fremantle. Before saying anything more on this subject of public works, he hoped that before the end of the year the Government would be prepared to come forward with some improved scheme for working our railways, for, at present, the public did not receive those benefits and conveniences from railway communication which they had a right to expect, simply because of the way in which the railways were managed. Even in minor matters he could point out many causes for complaint. The colony had gone to the expense of importing horse-boxes for the conveyance of horses on the Eastern Railway, a very necessary convenience; but when an application was made the other day to have a horse conveyed by rail from Perth to Chidlow's Well, it was found there was no convenience either at Perth or at Chidlow's Well to get the horse in or to get it out, although the horse-boxes were here. Considering that

this section of the line had been open for some months, he thought some arrangement might have been made before now for the transport of stock upon it. Then, again, there were constant complaints of the want of trucks on the line. He hoped these sources of complaint would be removed, and receive the attention of the Government; and, if the funds at the disposal of the department were insufficient, he felt sure hon. members would be only too willing to vote the necessary funds to place the railway in proper working order. Seeing that we had to keep up a staff, whether the line worked little or worked much, he thought we ought to see that the railway was made to yield as much revenue as possible. With regard to the land grant railway proposals, he found from recent telegrams received from Mr. Hordern and from the Crown Agents that Mr. Hordern had very materially altered his terms, and the concessions he now asked for were such as the House should pause before acceding to. Mr. Hordern now asked that the lands taken up by his syndicate should be exempt from taxation, and he also wanted to withdraw from the stipulation as to working the line continuously, after it was opened. He (Mr. Shenton) was one of the original members to whom the proposals were referred, and he remembered very well that the one point which they were most particular about was the continuous working of the line, otherwise the colony might soon find the railway thrown on its own hands. As to the syndicate's lands being exempted from taxation, that also was a most serious concession, and one which he thought should not be listened to for a moment. Sooner or later we must look forward to raising additional revenue for paying the interest upon further loans, and we should have to resort to a land tax to meet these charges. It would be most unfair to other land owners if a syndicate receiving such liberal concessions in other respects were also to be exempt from contributing their share towards the general revenue by having their lands free from taxation. With regard to the other projects, he had hoped the Government would have received some final offer from Sir Julius Vogel with reference to the submarine telegraph, but, from the telegram read in

the House that evening, he was afraid we were as far from the commencement of that work now as we were last session, and, if ever it came to be constructed, he was afraid we should have to look to other parties than Sir Julius Vogel for carrying it out. The proposals that appeared in print some time ago from Mr. Waddington, with reference to the construction of a railway to Champion Bay, on the land grant system, were, he thought, worthy of the careful attention of hon. members and of the Government, because he considered that this part of the colony and also Champion Bay would reap much more advantage from that railway than we should from a line going south. When the papers came before them, hon. members would be in a position to weigh the merits of these schemes. The liberal manner in which the Secretary of State had met the Council with reference to their wishes as regards a modification of the Kimberley land regulations and the position of the present lessees of Crown land would, he was sure, be regarded with satisfaction by all classes of the community, showing as it did that the Colonial Office is ready to meet us in every way with reference to our lands. In past years we had been told over and over again that we had nothing to do with the lands of the colony, that they were entirely under the control of the Secretary of State; but now it was found that the Secretary of State, so far from wishing to exercise complete control over our Crown lands, was quite willing to meet us in every way. He hoped the concessions which had been granted to Kimberley leaseholders would tend to the more speedy settlement of that district. With regard to the public works that ought to be first taken in hand, they must of course extend the present railway as far as Beverley; but he also thought it was worthy of their serious consideration whether it would not be advisable to proceed without delay with a branch line to Northam. The station at Spencer's Brook was six miles from the Northam townsite, and was in fact in the bush, with no means of getting from Northam to it. To make a road would cost a large sum of money, and, as the country was almost a dead level, he thought it would be a saving in the end if they were to connect Spencer's

Brook and Northam by rail. If funds were available a branch line should also be made to Newcastle, because one of the most fertile portions of the Eastern Districts, as regards corn-growing, was to be found between Spencer's Brook and Newcastle. He need hardly point out that in order to make our trunk railway a success we should have as many feeders as possible in the shape of branch lines. But the most important work of all for their consideration was that of harbor works at Fremantle. Something must be done to provide improved facilities for vessels visiting our principal seaport. But when they looked at the large amount that would be required for these works, he thought the Council should pause and consider whether it would not be advisable in the first place to spend say £1000 or £2000 in obtaining the services of Sir John Coode or some other eminent marine engineer, to personally inspect the locality. The present plans were made, as hon. members were aware, without having had the advantage of a personal inspection of the harbor or the river, and he could not help thinking, if we had a marine engineer on the spot, some plan might be devised that could be carried out at a less cost than either of Sir John Coode's plans. When they looked at what had been done in South Australia and also in Melbourne by means of dredging, he thought it was quite possible we might succeed in having docks made inside the river bar. Fourteen years ago vessels drawing 7ft. could not cross the bar of the river at Port Adelaide, but a few months ago a steamer drawing 24 feet had entered the river, which was now available for the largest class of vessels. Probably the same result might occur here, by the adoption of the same means. If, however, it could not be done at a less cost than Sir John Coode's breakwater scheme, he thought a loan should be raised with as little delay as possible and have that scheme carried out, even if it should cost £400,000. The Governor in his Speech drew their attention to the necessity for making provision for supplying Perth and Fremantle with good drinking water. He was glad to find His Excellency inviting their attention to this matter, for, unless some steps were taken in this direction, these two towns must sooner or

later expect to be visited by some fearful epidemic. For his own part, he thought it would be a good plan for the Government in the first instance to see what could be done by boring for water, and sinking artesian wells. Looking at the large quantity of water falling on the Darling Range that was not carried away by the river, it was obvious that this water must find its way into the sea under ground. (The hon. member referred to the very successful results obtained at Sale, in Victoria, by means of boring, which he said ought to stimulate us to experiment in the same direction at Perth and Fremantle.) The boring apparatus might afterwards be removed to some of the country districts, to be utilised there in endeavoring to obtain a permanent water supply. Altogether he thought, if boring should prove successful, it must entail a much smaller expenditure than the construction of water works would. Having referred in terms of commendation to the provisions of the Loan Inscription Bill, and expressed his approval of the proposal to have a Government steam launch for use at Fremantle, the hon. member, in conclusion, joined in the expression of a fervent hope that the labors of the session would result in increasing the prosperity of the Colony and the welfare of its people.

MR. MARMION hoped he would be allowed to join in the chorus of congratulation which those members who had already spoken had indulged in with regard to the Speech and the policy which His Excellency the Governor had placed before them in opening the session. In the first place, referring to the question of Federation, he might say that as an Australian he felt proud to sit in a Legislature asked to contribute towards the expenses attendant upon the first step in a movement that may hereafter tend to make this Australia of ours a great nation. It had been said by persons outside the House that this colony, in her present position, had no right nor title to contribute towards this expenditure. He failed to see that. As a Western Australian he felt himself to be quite as good as any other Australian. And why should the colony itself not be regarded with equal favor as any other member of the family? Although we were a little behind in the race of progress at present,

we may hereafter, although perhaps not be in the lead, still make very fair running. With reference to the finances of the colony he was rather regretful to find hon. members inclined to deal with the subject in a lugubrious fashion. It always seemed an extraordinary thing to him with regard to Western Australians, or many of them, that whenever we have good times, they are always afraid of our falling upon bad times, and when we do have bad times they always make a great deal of fuss about it. It was only a couple of years ago that we were indebted to the tune of about £100,000, and we were then going to the dogs. During that two years not only had we paid off that debt—true we had borrowed £50,000 towards doing so—but not only had we paid off our overdraft but we had now something like £70,000 to the good. Still he found hon. members ready to announce to the world at large that we are hardly in a position to go into the money market to borrow any more for public works,—works which it was admitted on all hands would tend to the progress of the colony. He did not understand this feeling. He thought it was to be regretted that some hon. members always seemed to look at the dark side of the picture. They must know that what was said in that House, especially with regard to their finances, must have some effect outside the House and outside the colony. For his own part he saw nothing at all to be alarmed about. He thought our present position was a very good one, and with wise legislation and liberal legislation, he saw no reason why our revenue and our finances should suffer diminution, to any great extent, during the next few years, even though we enlarged our liabilities. No doubt an important source of revenue during the last two or three years had been the Kimberley District, and he was happy to find that His Excellency the Governor had so backed up the representations of that House as to induce the Secretary of State to so modify the land regulations of that district as he was sure would tend to advance the interests of the district. He trusted that otherwise a liberal legislation would follow this step, and that we shall suffer no loss or diminution of revenue from that portion of our territory. He found the Governor referring to this

district as a "gold mine" for the colony. No doubt it had been a "gold mine"—a "gold mine" without which we should not have been in a position to undertake the great works which the colony had already entered upon, and which it looked forward to enter upon in the immediate future. With reference to the exports of the colony, he had before now made allusion to the fact that the statistical information put before the House, and before the world at large, with reference to our exports,—the value of our exports,—was not to be depended upon as it ought to be. Were it necessary, and did time admit of it, he might draw attention to several items which appeared in the Blue Book at a very much higher rate than their value, notably wool, and again timber. He thought the time had arrived when the statistical information officially compiled, and placed before the House, should be at least reliable, for it possibly might have an ill effect should it be proved hereafter to be unreliable. A subject that had not been mentioned yet in the course of the debate, but a subject that afforded cause for congratulation, was the extension of our telegraph line to our Northern districts. He understood that the second section, extending as far as the Gascoyne, would be opened in about a week's time, and there could be no doubt that this was a work that would contribute largely to the progress and development of the intervening country. With reference to the land grant railway schemes, still in abeyance, he thought the time had hardly arrived for entering into a discussion upon these points; at a later period of the session they would probably have to deal with the question *in toto*. He might say, echoing the words of the Governor, that it was a good thing that the promoter of one of these schemes would arrive in the colony shortly, and, doubtless, they should then ascertain whether this work was ever going to become an accomplished fact or not. He thought it would be well we should know it as soon as possible. With reference to the land regulations, he was inclined to think with the mover of the Address in Reply that it would be wiser on the part of the House to defer any further attempt at altering them until, at the approaching general election, the whole question came before the country.

Referring to the Eucla District, His Excellency in his Speech said that the ultimate success of that district still to a great extent depended upon the undetermined question of the water supply. For his own part, he felt somewhat pleased that he had been one of those who, at the last session of Council, had advocated the expenditure of a certain sum of money with the view of settling this question, and he was still of opinion that it was unwise on the part of the House that it did not vote a small sum out of the public funds towards a solution of the problem. He trusted it was not yet too late to do so. If we desired to keep up the large revenue we were deriving from this district, it would be wise on our part to do now, at our own expense, what last year we were asked to share with others, and send a party into the district with the view of ascertaining whether water is to be had or not. If we settled that question satisfactorily we might depend upon it that the district was bound to become settled, and that the revenue derived from it, which was now a large one, was bound to increase, to the benefit of the whole colony. It was not often that they found a Governor anticipating their wishes, but he congratulated Governor Broome upon having anticipated the wishes of the House and of the country, in endeavoring to obtain the Secretary of State's sanction to another loan. He did not know that he agreed with the cautious manner in which His Excellency had alluded to the public works to be undertaken out of this loan. He would personally have been better pleased had His Excellency indicated the particular works which in his opinion it would be most desirable for the colony to undertake. The hon. member for the Gascoyne had told them that throughout His Excellency's Speech there breathed a policy. He agreed with the hon. member that throughout the Speech there did breathe a policy, a policy of progress: still he should have liked to have had from the highest authority in the colony an expression of his opinion as to what works, in the interests of the country at large, we should undertake out of our next loan. This naturally led him to the works which in his own opinion were most desirable. In the first place—not because he looked upon it as the most



important, but as a matter of expediency, he thought they should first of all see to the extension of the railway to Beverley. He had already expressed his opinion, last session, as a member of the select committee appointed to report upon the various land grant railways then before the House, that this was a work that ought not to be allowed to go out of the hands of our own Government, and he sincerely hoped we should be in a position to continue this line without delay. The next work, and perhaps he might be allowed to say the work of primary importance, was the construction of harbor works at Fremantle, or perhaps it would better please some hon. members if he were to say the improvement of harbor facilities at or near the port of Fremantle. Now he was one of those who rather liked to debate; he was rather fond of it; but he certainly did detest to debate, year after year, a subject that had been worn threadbare, and he knew that nothing he could say on this question of harbor works would be new. Therefore he should be sorry to weary the House by reading, as he might do, whole pages of volume after volume of *Hansard*—[Mr. S. H. PARKER: Read them.] He would not do that. He might refer to speeches delivered by the hon. member who had just sat down (Mr. Shenton), expressing views entirely opposed to the views enunciated by the hon. member that evening on this very point. [Mr. PARKER: Read, read.] He felt very strongly inclined to do so. Going only two sessions back, a select committee was appointed to report on the subject of increasing the jetty accommodation at Fremantle, and that committee in their report recommend what steps in their opinion it was desirable to be taken to show that the colony was in a position to undertake harbor works of some magnitude. Should he read to the hon. member the names of the members of that committee? [Mr. PARKER: Certainly.] He would not bother himself to find them now, but the hon. member for Newcastle was one of them. The committee recommended, two years ago, that Sir John Coode's scheme should be adopted. The hon. member for Newcastle strongly advocated the adoption of the select committee's report, and when the hon. member for the Gascoyne wished

to postpone the consideration of the subject, these were the words that fell from the hon. member for Newcastle:— "He (Mr. Shenton) failed to see what "was to be gained by reporting progress, "and he hoped the question would be "settled that evening. Sir John Coode's "report had been before them for four "years, and hon. members ought to be "conversant with it by this time. He "thought they were all in accord as to "the inutility of expending any money "in extending the new jetty at Fremantle, "and that the improvements suggested "by the select committee were only "temporary expedients. The scheme of "harbor works recommended for adop- "tion hereafter was one which not only "would meet our requirements as regards "the shipping, and form a coaling station "for steamers, but would also be, as "pointed out by Captain Fothergill in "his evidence before the select committee, "the only harbor of refuge on the whole "coast. If our revenue increased during "the next three years, in the same ratio "as it had done within the last three "years, he believed there would be no dif- "ficulty whatever in the way of our under- "taking this great work, say within two "years time." That two years time had now arrived, and he called upon the hon. member to redeem his pledges. He called upon the hon. member to act consistently with the views he had expressed in that House two years ago. "It would not be "necessary," the hon. member added, "to "call in all the money at once, but by "instalments as required. The work "would extend over a considerable period "of time, and the loan could be spread "over that time." That was the hon. member's opinion with regard to harbor works in 1882, and he was sorry to see a considerable change in the opinion of the hon. member as expressed in 1884. The hon. member now spoke of the desirability of expending a sum of money to introduce into the colony a representative of a class with whom the colony ought to be pretty familiar by this time—a marine engineer. And what for? In order to decide where our harbor works ought to be, and what description of works we ought to undertake. It was not for him (Mr. Marmion) to say that this would not be a wise thing to do, but he must say it was a great pity the hon.

member—who had a seat in that House four or five years ago, when the House, after much deliberation, came to the conclusion to abide by Sir John Coode's opinion, without his visiting the colony; it was a great pity, he said, the hon. member did not insist upon having the opinion of Sir John Coode, formed on the spot, and that a sufficient sum of money was not voted to induce him to visit the colony at that time. Granting that a majority of the House were now of opinion that it was desirable to have Sir John Coode to visit the colony and inspect the harbor with his own eyes, we should have to expend not £1000 nor £2000, but probably from £5000 to £10000. [Mr. SHENTON: No, no.] Did the hon. member not know that it cost about £2000 to get Sir John Coode's opinion, without his visiting the colony? [Mr. PARKER: No, no.] Let the hon. member look up the statistics. The hon. member for Newcastle had referred to what had been done in South Australia and in Victoria by means of dredging. But was it not a *sine quâ non* condition as regards any harbor works to be constructed at Fremantle that they should be capable of accommodating the steamers of the P. and O. Company? South Australia had expended scores of thousands, hundreds of thousands, in deepening the river, so as to be able to induce the P. and O. steamers to come up to Port Adelaide, but they had not succeeded in doing so yet, notwithstanding this enormous expenditure. [Mr. SHENTON: They have had a steamer of a larger draught than the P. & O. steamers.] He should like the hon. member to prove it. [Mr. PARKER: We will take evidence on the point.] In Melbourne, again, the Government and the harbor authorities had expended hundreds of thousands, in deepening the river Yarra, without the desired result. Why the prime cost of one of these dredges—one of which was at Fremantle the other day—was not less than £30,000. Was Western Australia in a position to go to that expense for the purpose of conducting dredging experiments? He thought not. We must cut our coat according to our cloth, and, unless we were going to postpone harbor works for ever, or at any rate until there would be none of them left in that House to continue the debate on the

subject, they had better undertake some works within their means, and which could be accomplished during the present generation. He had now done with the question of harbor works: [Mr. PARKER: No, no. Read, read.] He noticed that His Excellency in his Speech referred to a desire he had felt to visit the Northern and Kimberley Districts, and he hoped that some arrangements might be made enabling His Excellency to do so, for he had no doubt it would be a very advantageous thing for that part of the colony if His Excellency were to visit it personally, and see with his own eyes what the pioneers of settlement had to struggle with. His Excellency in his Speech said he had directed a large portion of his correspondence with the Secretary of State to be printed for the information of the House, showing the manner in which many of the subjects which occupied the House last session had been dealt with. He had taken the trouble—when he said he had taken the trouble he should rather have said he enjoyed the pleasure of perusing these despatches, for if ever it had been a pleasure to him to read despatches he had felt it in reading Governor Broome's, which he hoped he might be permitted to say exhibited throughout them a fund of good sense, of sound practical ideas, and also a tone of honest independence, which had afforded him much pleasure, and he congratulated His Excellency upon the effect they had produced upon the Secretary of State, in many cases inducing him to alter his opinion when that opinion in some instances had been very strongly expressed. He was glad to find that the necessity for making provision for supplying Fremantle and Perth with pure water had not escaped His Excellency's attention. He thought that was a work that might fairly be undertaken by the Government of the colony. The coastal and intercolonial steam service, and the question of continuing the present subsidy, were subjects which at a later period of the session would occupy their attention. At present he would only say—although probably some hon. members might not be inclined to agree with him—that the steam service was very fairly conducted at the present time, and he thought there was very little cause for complaint. Certainly the vessels em-

played in the intercolonial trade were of a much better class than we could have expected when the contract was entered into, and the extended service to the North was very fairly conducted, the steamer employed being a good serviceable boat. Although he should not be in favor of continuing to subsidise these services for ever, and especially the intercolonial service, he should be sorry to see the subsidy withdrawn altogether. His idea as to these subsidies was that they should be on a sliding scale—so much this year, a little less next year, gradually fining it down to a very small amount. The question of purchasing a steam-tug or a steam launch, and the question of the Government resuming the jetty traffic on the jetties at Fremantle, were matters which he would have a further opportunity of dwelling upon. He presumed that the resumption of the control of the jetty traffic would follow the extension of the present jetty accommodation. He thought it would be impossible to carry on the traffic under the present system. He thought the words of the Governor in the concluding paragraph but one of his Speech were not idle words, for he considered that during the past twelve months His Excellency in handling the affairs of the colony had certainly shown that his object had been to administer our affairs in "harmony with the laws of the colony and the wishes of the people." He only hoped and trusted that the policy which His Excellency had inaugurated at the beginning of his administration would be continued throughout the whole term of that administration.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said he desired to add a few words to what had fallen with reference to His Excellency's Speech, and he did so with the more pleasure as he found that the actions of the Government during the past year had been such as to meet with the almost unqualified approval of hon. members. It had been said that the sweetest of all sounds was praise, and if that be true he thought the Treasury bench, as representing the Government in that House, ought to feel highly satisfied, for, so far as he could remember, he did not recollect to have heard in the course of the debate anything seriously condemnatory of the

Government. He thought that, taking all things into consideration, the colony was to be congratulated upon its present position. If hon. members would only let their minds go back to the year 1870, when we had no steamers on our coast, not a telegraph post erected, and when the public might be said to have been almost unrepresented in the Legislature,—when they compared the condition of affairs then and the condition of affairs now, he thought it could not be said that the constitution under which we live had not been productive of good. The extent of country that was settled and utilised now was he did not know how many times greater than it was when we adopted the present form of Government. When he reminded hon. members that three years ago a great portion of our Northern territory was unknown, that Kimberley was unknown and neglected, and that it now yields us a revenue of something like £30,000 a year, he thought it could not be said that the colony was not going ahead. Five years ago, when he first visited the Nicol Bay District, it was quite a serious undertaking to get up there, but now there was monthly steam communication with that part of our territory, and the passage was looked upon almost as a pleasure trip. Our land revenue was increasing yearly, and at the present time realised almost a hundred thousand pounds, and his opinion was that it would never be less. We had been in a position to borrow pretty largely for public works, and His Excellency had shown himself favorable to another loan; but he quite agreed with His Excellency when he said that we should be very careful how we expended these loans. He could not help thinking himself there was a feeling abroad that so long as it was loan money we should not be so careful of it as if we were spending our own money; but he did not think so. He thought that in the expenditure of our loans we ought to exercise the same economy and the same scrutiny as in the expenditure of money received from current revenue. The pay day would come some day. [Mr. CAREY: Hear, hear.] Altogether, speaking of himself personally, he thought the prospects of the colony were very encouraging, and he considered that the present constitution had been productive of very

much good to the colony. There might be drawbacks and there might be some disadvantages connected with it, but there were drawbacks and disadvantages under every form of Government. The main question for consideration was whether the colony had made material and substantial progress under the present constitution, and whether the wishes and aspirations of the people had been considered, consulted, and recognised. For his own part he felt quite certain that the members of the Government with whom he had the honor of being associated had the real interest of the colony at heart. Their whole time and energies were devoted to the public service, and the same thing he thought might also be said—so far as a desire to serve the colony was concerned—of the members sent to that House by the people, and he could see no reason why their united efforts should not continue to result in measures tending to the advancement of the colony, and the contentedness and welfare of its people.

THE COLONIAL SECRETARY (Hon. M. Fraser) said it was gratifying to himself, he was sure, to find that the report which the committee had brought up had given such general satisfaction, and he was sure also that it would be very gratifying to His Excellency to hear the favorable opinions which had been expressed on all sides of the House with regard to his policy, and the appreciation with which his actions had been met. The hon. member for the Swan had pointed to what he thought a discrepancy or a mistake in the paragraph in His Excellency's Speech relating to the surplus revenue, and contended that the "unappropriated" cash balance could not have been so large as the Governor represented. The interpretation which he (the Colonial Secretary) put upon the statement in His Excellency's Speech, that the unappropriated cash balance at the end of last month amounted to £102,770, was that this unappropriated cash balance did not refer to the sums which had been appropriated by any Act of that Council, but was simply the cash balance in hand at that date. The hon. member for the Swan also made some pertinent remarks with regard to the serious epidemic which had prevailed during the past few months; but, here

again, he would draw the attention of the House to the fact that His Excellency told them that papers on this subject would be laid before them, and he would ask hon. members before they arrived at any opinion on this matter to wait for the production of these papers, from which it would be seen that the Government had taken action in the matter, but that, unfortunately, that action had not met with that success which it might have done in preventing the spread of the disease. Still, all was done that at the time was practicable. He thanked the hon. member for the Swan, however, for the spirit in which he had alluded to the action of the Government in this matter. The hon. member for Fremantle had taken exception to the value put upon our exports in the official returns presented to the House; but he would assure the hon. member that the greatest care was taken last year in arriving at a fair estimate. The Customs department exercised the greatest care and caution, and the department was much indebted to that influential body the Chamber of Commerce, who on this occasion gave the Government the benefit of their valuable assistance in making the valuations placed against our exports, which he had every reason to believe were correct. He himself had great faith in the gentlemen who constituted the Chamber of Commerce. [MR. MARMON: So have I.]

MR. SHENTON, referring to what had fallen from the hon. member for Fremantle, who had charged him with having changed his opinion on the subject of harbor works, said they all lived and learnt. Since that question was discussed in the House two years ago he had visited the other colonies, and seen what had been done there, and he had also had the opportunity of communicating with gentlemen who were connected with harbor works in those colonies, who assured him that, by having an engineer to inspect the locality where we proposed to have these works here, we might possibly save many thousands of pounds. It had been pointed out to him that the annual cost of the upkeep of an open breakwater, with a long wooden pier, as recommended by Sir John Coode, and the interest of the money expended in the construction of such works, would be more than if we had to employ dredges

all the year round, in providing accommodation for shipping inside the bar. As to the P. & O. steamers not going up the river to Port Adelaide that was not because they could *not* go, but because it would be a violation of the terms of their contract. A steamer drawing a larger draught than the mail steamers had recently gone alongside the railway wharf at Port Adelaide, thus showing what could be done by means of dredging. These were the reasons why he had changed his views on the subject of harbor works, and his only object in recommending that we should get some competent marine engineer to visit the colony was because he thought a personal inspection would, in the end, be a saving of money to the colony.

The Address was then agreed to.

#### NAVAL DESERTERS BILL.

THE COLONIAL SECRETARY (Hon. M. Fraser), in moving the second reading of this bill, said hon. members had probably read the correspondence which had passed between the Admiralty and the Colonial Office, and the Commodore on the Australian station, and His Excellency the Governor, with reference to the desertions that took place from Her Majesty's vessels on this station. His Excellency, in writing to Lord Derby on the subject, said he was informed by the Superintendent of Police that he was not aware of a single instance in which a naval deserter in any port in this colony had not been arrested and returned to his ship; that the law of the colony provided a penalty of £20 upon any person who harbored a seaman absent from his ship without leave; and that after having heard from Commodore Erskine on the subject, His Excellency, on behalf of the local Government, had undertaken that this Government shall defray all police and escort expenses incurred within the colony in recapturing a deserter. Lord Derby, in acknowledging this despatch, said he was desired by the Admiralty authorities to convey their thanks to the local Government for the measures already adopted to check desertion. But, in addition to the checks provided by the present law, His Excellency was advised that it was necessary he should be supported by a measure

such as the bill now before the House. The object of the bill was clearly expressed in the 3rd and 4th clauses, which provided certain penalties for persuading any seaman to desert, and which also provided a summary means of dealing with such offences. He was not aware that he need dwell any further upon the bill. All would agree that we should do all in our power to assist Her Majesty's Government in preventing desertion from the ships of war employed on this station; and by passing the present bill that object would be met, and hon. members, as loyal subjects, might feel satisfied with having done their duty in the matter.

The bill was read a second time without discussion.

#### BANK HOLIDAYS BILL.

THE COLONIAL SECRETARY (Hon. M. Fraser), in moving the second reading of this bill, said the bill required very little explanation on his part. It was brought in to meet the growing requirements of the colony, in the way of its banking business, and to assimilate our laws as regards bank holidays with the laws of the mother country and of the other colonies. The schedule appended to the bill, which enumerated the days which should be proclaimed holidays, had been framed in a great measure in accordance with the advice of the managers of our local banks and others interested in trade, and it was believed that the bill would be found a very useful one. Of course it was open to amendment, as regards its details, if hon. members had any amendments to suggest; but as regards the principle of the bill, which was all the House was now asked to affirm, he did not suppose there would be any difference of opinion. Therefore he did not propose at this stage of the bill to enter into any elaborate explanation with reference to its provisions, which could be fully discussed in committee.

MR. S. H. PARKER said it was his intention to move some amendments in committee, following upon the lines of the legislation on the same subject adopted by the colony of Victoria. The bill as it now stood empowered the Governor to proclaim a bank holiday for

the whole colony, which sometimes might not only be unnecessary but also inconvenient. It might be convenient perhaps to proclaim a holiday (say) at Roebourne, when it would be very inconvenient for the same day to be also observed as a holiday at Perth and in this part of the colony. On the other hand, it might be desirable and expedient to proclaim a holiday in this part of the Colony, when there would be no necessity for it at Roebourne, and where it might even be very inconvenient. The amendment he proposed to make in this respect was to empower His Excellency to proclaim holidays for certain districts, and not necessarily for the whole colony from one end of it to the other. There were other amendments which he intended introducing in committee, but to which he need not now refer.

THE COLONIAL SECRETARY (Hon. M. Fraser) said it had been his intention to have himself moved an amendment such as that which had been suggested by the hon. member for Perth, when they went into committee on the bill; but, as the hon. member himself undertook to do so, it would be unnecessary for him to say any more than that the amendment which the hon. member had sketched out would, so far as he could see at present, command his cordial support.

The motion for the second reading was then put and passed.

#### REGULATION OF WHIPPING BILL.

THE COLONIAL SECRETARY (Hon. M. Fraser), in moving the second reading of this bill, said the reason for its introduction and the object of the bill itself would be found in the published despatches on the subject laid on the table of the House. The Secretary of State for the Colonies, writing to His Excellency the Governor on the 18th January, referring to a circular despatch of Lord Carnarvon's on the subject of the public flogging of prisoners, said:—"I am satisfied that the public flogging of prisoners is indefensible, and should be discontinued entirely. If, therefore, the practice is still permitted by the law of the colony under your Government, I request you to take steps for the amendment of the law, so as to provide that every sentence of flogging or

"whipping imposed by a Court or Magistrate shall be inflicted, except in the case of a person under the age of 14 years summarily convicted, in some prison; and that no person who is, not officially connected with the prison shall be present at the punishment; and that, in the case of a person under 14 summarily convicted, it shall be inflicted privately; and further, that in every such sentence the instrument and the number of lashes or strokes shall be specified. The prison regulations of the colony should provide that corporal punishment for prison offences shall not be inflicted in the presence of other prisoners." His Excellency the Governor, in replying to this despatch, informed the Secretary of State that a bill would be brought forward this session regulating the infliction of flogging prisoners in our local gaols, in the manner desired by the Secretary of State; and it was in fulfilment of that promise that the bill now before the House had been introduced. He was not aware that the bill needed any further explanation on his part.

MR. S. H. PARKER said that after the harmony which had prevailed throughout the evening he felt somewhat abashed in standing up to say anything calculated to disturb the harmony of the meeting. But he really saw no reason for introducing this bill in this colony. Such a bill might be all very well in England, where the flogging of prisoners was a common occurrence, but in this colony, where the punishment of whipping was hardly ever imposed, or, if imposed, was confined to mere youths, and administered by policemen in the lockup, he certainly did not think there was any necessity for legislation of this nature. He had never yet heard of any person being publicly whipped in the colony, or of the punishment of whipping being administered to adults under any circumstances, except in the Convict Prison. The Secretary of State of course was not so well acquainted with the state of affairs in this colony as we ourselves were, and no doubt the noble lord was under the impression that public whipping was often resorted to here, and that consequently legislation in this direction was necessary. But if His Excellency, instead of saying he would introduce a bill at once, as desired by the Secretary

of State,—if His Excellency had told the Secretary of State that we had attained to such an advanced state of civilisation in this colony that public whipping was a thing unheard of, he thought His Excellency might have done the colony some service. The bill, he repeated, appeared to him wholly unnecessary. The attention of magistrates might be called to the fact that, should they ever feel called upon to impose whipping as a punishment, such whipping should be inflicted in private; but as for legislating on the subject that was wholly unnecessary, so far as this colony was concerned. He regretted having to appear so early in what the Colonial Secretary might consider a contentious spirit, but, viewing the bill as he did, he felt bound to move, as an amendment, that the bill be read a second time that day six months.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) thought the hon. member who had last spoken had hardly done justice to this little bill. Take clause 2 for instance, which he could not help thinking was a very proper clause. There was power under various statutes given to magistrates to sentence persons to be whipped, and, for some years past, the law in England required that the instrument with which the punishment was to be inflicted and the number of lashes shall be specified when passing sentence. This was what this clause proposed to do here, and he thought it was a provision that would commend itself to the discretion of the House. With regard to the 3rd clause, it provided that every sentence of whipping—except in the case of a person under the age of 14 years summarily convicted—shall be inflicted in some gaol or prison. No doubt that was generally done now; but the clause went on to provide that no person who is not officially connected with the gaol or prison shall be present at the infliction of the punishment. He thought the hon. member would agree that this was a step in the direction which he professed to advocate on humanitarian grounds. With regard to the 4th section—that every such sentence of whipping, in the case of a person under the age of 14 years, shall be inflicted privately—he thought the House would agree that that, too, was a humane provision. If an unfortunate boy should be

in the position of having to be flogged, it must be for his own benefit that he should not, if possible, be exposed to the greater shame which he might feel, if the flogging were done in the presence of other people, which would probably have a tendency to brutalise him rather than to improve him. The bill was one quite in accordance with the tendency of modern legislation. It simply legalised what the hon. member said was already the custom, and he thought he had said enough to commend it to the favor of the House.

The motion for the second reading was then put and passed.

#### DESIGNS AND TRADE MARKS BILL.

THE ATTORNEY GENERAL (Hon. A. P. Hensman), in moving the second reading of this bill, said the House was well aware that it had long been a recognised principle of the law in all communities which had risen to a certain position that a person had a right to have a property in his own inventions, and in any discoveries that might be the result of his own ingenuity and industry; and this bill simply carried out that principle with regard to designs to be applied to manufactures, and with regard to those various devices or trade marks with which manufacturers were in the habit of stamping their goods, in order to show that they were genuine and the products of the firm naming them. Copyright in designs had been protected by statute in England since the year 1842. Since then various Acts had been passed which, upon the registration of a design, gave the proprietor an absolute right for a number of years to use that design alone. With regard to trade marks, it had always been actionable at law to pass off goods with a mark which another person had used a sufficient time to induce the world to believe it was the particular mark of that person and of no other. As far back as the year 1872, the then Lord Chancellor remarked that “every trader had his particular mark or stamp,”—showing that the use of trade marks was extensively practised even in those days. They knew that now at any rate all manufacturers of any eminence had their distinctive trade marks. But it was not until the year 1875, however, they were first able to be registered in England, and

since that time they had been registered in the way which this bill provided for registration in this colony. He need hardly remind the House that copyright in designs and trade marks was a property, which passed with the good-will of a business, and might be sold or otherwise dealt with; and there could be no doubt that this was not only an advantage to the public but also a stimulus and a benefit to the inventor and the manufacturer. Last year, in England, all previous statutes with regard to trade marks and designs were consolidated in one Act, and the bill now before the House was an adaptation to this colony of the Act in question. The bill had been before the public and before the members of that House for some time, and he thought it required no further words from him to commend it to the consideration of the House. Of course legislation in a matter of this kind did not of itself induce persons to become inventors, or stimulate them to the production of a better class of goods, but it did this—it drew the attention of the public to the fact that if they did invent, or design, or manufacture an article of a superior quality, the law would protect their invention or their ingenuity, and they could apply a trade mark to it and stamp it with that mark, so that the public would know what to inquire for,—which would be a benefit to the public and at the same time a stimulus to the manufacturer. With these few remarks he now moved the second reading of the bill.

Motion agreed to *sub silentio*.

Bill read a second time.

#### GENERAL LOAN AND INSCRIBED STOCK BILL.

The House went into committee for the consideration of this bill in detail.

Clauses 1, 2, and 3:

Agreed to, *sub silentio*.

Clause 4—"When the borrowing shall be upon debentures, such debentures shall be issued in London on behalf of the Government of Western Australia by the Crown Agents for the Colonies, upon the best and most favorable terms that can be obtained, and shall be signed by any two of them on that behalf:"

MR. STEERE said he thought it would be advisable to insert some words in this clause which would enable the Governor to employ other agents than the Crown Agents. The time might come when we shall have an Agent General of our own.

THE COLONIAL SECRETARY (Hon. M. Fraser) said the Crown Agents were acknowledged to be the most successful financial agents that could be employed. New Zealand, although it had an Agent General of its own, always employed the Crown Agents to negotiate its loans; and, seeing that we intended to pass another Loan Bill this very session, he thought that under the circumstances we could not do better than employ the Crown Agents as our financial agents. He would ask the hon. member whether he thought it would be politic to put any construction upon the bill as would imply that we had some doubt as to the fitness of the Crown Agents to represent us in this matter. If we should hereafter employ an agent of our own, it would be open for us, if desirable, to amend the bill in that respect.

MR. STEERE said it was from no want of faith in the Crown Agents that he had made the suggestion. He quite concurred with what had been said as to their being very good financial agents, but he thought possibly it might have been as well to provide for the contingency of our having an agent of our own. He did not wish to press his amendment.

The clause was then put and passed.

Clauses 5 to 9:

Agreed to, without comment.

Clause 10—Mode of providing for payment of interest and principal of debentures:

MR. STEERE said this clause required provision to be made, apparently, for the payment of interest not only upon outstanding debentures, but also any which may have been redeemed. Why should it be necessary to make any provision out of the general revenue to provide for the payment of interest on debentures that had been redeemed?

THE COLONIAL SECRETARY (Hon. M. Fraser) said the words here used were identical with the words used in previous Loan Bills. It could not be imagined for a moment that interest would have to be paid upon debentures already redeemed, although the clause required provision



to be made for such interest. This, he took it, was meant to apply to the fact that some interval of time must necessarily elapse between our action here and the action of the Crown Agents in London. He presumed the sole object in view was to make sure that there shall be sufficient funds available for the payment of interest.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said the words must have some limited meaning. It was clear from the words which followed, "and shall remit that sum to the Crown Agents at such time as will enable them"—to do what? "To pay thereout the then current half year's interest;" showing clearly that provision was only required to be made to meet something which was actually payable.

The clause was then agreed to.

Clauses 11 to 32 were agreed to, *sub silentio*.

Preamble and title :

Agreed to.

Bill reported.

#### EXCESS BILL, 1883.

THE COLONIAL SECRETARY (Hon. M. Fraser), in moving the second reading of this bill, said he believed hon. members would agree that the Government had brought down their Excess Bill to a sum which might reasonably be accepted by the House, being certainly less than one per cent. of the revenue. Every item contained in the schedule of the bill had been before the Finance Committee appointed under the Audit Act, and it would be seen on reference to the papers that some of the items were actually less than what had been approved by that committee. He was not aware that at the present stage of the bill it was necessary for him to enter into any explanation with regard to these items, beyond what was already in the possession of hon. members. The Minute Book of the Finance Committee was on the table, and subject to the scrutiny of any hon. member.

The motion for the second reading of the bill was agreed to, without discussion.

THE COLONIAL SECRETARY (Hon. M. Fraser) said he did not know whether, under the circumstances, hon. members wished to follow the practice of past

years and have the bill referred to a select committee—if they did so, he would offer no opposition; but, as a matter of form, he would move that the committal of the bill be made an order of the day for July 22nd.

MR. STEERE thought it would be better to follow the usual practice of referring these bills to a select committee, and he should therefore move, as an amendment, that the bill be referred to a committee consisting of the Colonial Secretary, Mr. Brown, Mr. Shenton, Mr. Carey, and the mover, and, by leave, Mr. Loton and Mr. Venn.

This was agreed to.

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

#### LEGISLATIVE COUNCIL,

*Monday, 21st July, 1884.*

Natives sentenced to death at Geraldton—Expenditure of School Fees received by Board of Education—Supplementary Estimates, 1884—Federation of Australasia—Premium for Plans of New Government Offices at Perth—Telegraph line from Bunbury to Bridgetown—Adjournment.

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

PRAYERS.

#### NATIVES SENTENCED TO DEATH AT GERALDTON.

MR. CROWTHER asked the Colonial Secretary whether the Government had arrived at any decision as to what will be done with the two natives condemned to death by Mr. Justice Stone, at Geraldton, about two months ago, for murder? The hon. member said a very unusual course had been adopted towards these natives, who, for seven or eight weeks now, had been left in suspense as to whether they were to live or whether they were to die. Their