tric light companies may be placed under proper supervision. It also gives Councils power to draw up regulations as may be approved by the Governor, acting with the advice of the Executive Council. It also gives them power to break up roads, and in fact similar powers to those framed under the Gas Companies' Acts as now existing in Perth and Fremantle. The latter part of the bill gives power to the company to sue and be sued. As soon as the bill is passed there is one company ready to commence operations.

THE HON. J. W. HACKETT: Does it prevent any other company supplying electric light?

THE COLONIAL SECRETARY (Hon. G. Shenton): I think not. It says any company. I take it that means any company or companies can supply electric light.

Question—put and passed.

ADJOURNMENT.

The Council, at 4 o'clock, p.m., adjourned until Monday, 7th March, at 8 o'clock p.m.

Legislative Assembly,

Friday, 4th March, 1892.

Railway Refreshment Room, Beverley—Augmentation of Ministerial Salaries Bill: third reading—Game Bill: Legislative Council's amendment—South-Western Railway Act, 1891, Amendment Bill: in committee—Remission of Crown Lands Rents Bill: first reading—Discipline of Garrison Troops Bill: first reading—Petition of John Slattery: consideration of—Adjournment.

THE SPEAKER took the chair at 2·30 p.m.

PRAYERS.

RAILWAY REFRESHMENT ROOM AT BEVERLEY.

MR. QUINLAN asked the Commissioner of Railways why the Government contemplated building a refreshment room at the Beverley railway station, in view of the accommodation now available. The reason he asked the question was because he understood this refreshment room would interfere with vested interests.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) said the Legislature expressed a wish some time ago that there should be a refreshment room built at Beverley, and the money was voted for it. There was no more accommodation for travellers at Beverley now than there was then, and travellers were constantly complaining of the long distance they had to walk from the railway station in order to obtain refreshments. It was not desired to interfere with existing interests, and the persons who supplied the present accommodation could, if they wished, rent this refreshment room at the station, which was provided simply for the accommodation of travellers between Perth and Albany.

AUGMENTATION OF MINISTERIAL SALARIES BILL.

Read a third time, and transmitted to the Legislative Council.

APPROPRIATION BILL, 1892.

Read a first time.

GAME BILL.

LEGISLATIVE COUNCIL'S AMENDMENT.

On the Order of the Day for the consideration of the Legislative Council's message, suggesting a further amendment in clause 9 of the Game Bill,

THE ATTORNEY GENERAL (Hon. S. Burt) said this was a measure they had seen before. He believed it had now occupied the attention of both Houses of Parliament for something like three months, and it now came before them again for reconsideration. Amongst the three or four amendments proposed by the Council when this bill was first sent to them was one in this 9th clause, which imposed a penalty upon persons found with prohibited game in their possession during the close season, and which gave power to arrest such persons and to take from them the game found in their possession. All the other amendments suggested by the Council had been agreed to by the Assembly, but in this 9th clause they made an amendment which that House had declined to agree to, for

reasons which were given at the time, and which need not be here again referred to. Then the Council asked for a conference, and it was agreed to have a conference, and one House of Parliament met the other House of Parliament in conference. He had the honor of being one of those who represented the Lower House at that conference, and he thought they had completely knocked out the representatives of the other House, because the contention of the other House all along had been that there was no "ownership" in native game, while at the same time they wished to limit this power of arrest, under this 9th clause, to the "owners" of such game. Therefore, on that point they bowled over the Upper House at once. It was recognised all through the Acts of all the colonies that there was no ownership in native game. There was a question whether there could be ownership in other game, but there was no question about native game, and when this was pointed out to the representatives of the other House at the conference they gave in at once on that point. But now they suggested an entirely distinct amendment; they proposed that the owner or occupier of the land where the game had been taken should have the power to arrest the offender, instead of the owner of the game. They wanted to confine this power to the owner of the land, or his agent, or a police constable. That was exactly what the representatives of the Assembly at the conference did not want to do, and it was what the framers of the bill never intended. The owner of the land might be miles off, and perhaps might never come across the man who had taken the game, and he would walk off with it, scot free. The object of the bill was to protect game during the close season, and to do that they must give power to anyone who came across a man who had game in his possession during the close season to challenge him, and, if necessary, to arrest him, or lay an information against him. Those who defied the law and destroyed game during the prohibited season would, naturally, take every precaution against being observed by the owner or occupier of the land—it was generally done at night; and they would also keep clear of the police. Therefore to prohibit anyone from arresting or challenging them except the owner or occupier of the land or a policeman would have no effect at all in preventing the destruction of game during the close season, and they might as well not have the bill at all. The object of the bill was to allow anyone who caught the offender with the game upon him to arrest him and take it away from him. Of course if the offender was a person who was known, there would be no necessity for arresting him on the spot; you would only have to lay an information against him. This was nothing new. It had been the law in this colony ever since 1874, when our first Game Act was passed. It was also the law in Queensland at the present moment, and also in Victoria. He had not carried his researches any further. The reason certified by the Legislative Council for altering the present law—for that was what it came to—was "because it considers the powers originally granted"—that is, under the present law—"are excessive, and may be so abused as to injuriously affect the rights and liberties of individuals, and are such as are likely to lead to breaches of the peace, and because the object of the Act will be sufficiently secured by the amendment now suggested." But what had been their experience in the past? This law, as he said, had been in force for the last twenty years, and could anyone point to any facts which went to show that these powers had been abused, or that the liberty of the subject had been unduly affected at all, or that it had led to breaches of the peace? If nothing of the kind had resulted since the law came into operation in 1874, what reason was there for saying that it would result if it remained the law now? There was no argument in it at all. There were other Acts besides this which authorised arrest without a warrant, in certain cases, by any person; and he had not heard of this power being abused, or of the rights and liberties of the subject being injuriously affected. All the bill aimed at was to prevent the destruction of game during the prohibited season, and he did not see how they were going to do this unless they allowed this power to be exercised under the circumstances mentioned in the bill. It was a very small subject, he admitted, and he apologised to the House for taking up so much of its time. But

he thought it was his duty to point out exactly how the thing stood, and it was for the committee to say whether they wished to have the law amended as the Council suggested, or whether they would allow this provision that had existed ever since we had a Game Act in the colony to continue in force, as it also existed in Queensland and in Victoria. He would point out that any person before he could be challenged or arrested must be found offending against the Act, with the evidence of his offence upon him; and this was really the only way you could get at these persons, by catching them with their spoil upon them. It appeared to him that if the House accepted this amendment of the other House they would simply make the law in this respect a dead letter. Therefore he moved that this amendment be not acquiesced in.

Motion—put and passed.

SOUTH-WESTERN RAILWAY ACT AMENDMENT BILL.

The House went into committee on this bill.

Clauses 1, 2, and 3:

Put and passed.

Schedule:

The COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) moved to add the words "40 chains," before the words "or thereabouts," describing the commencing point of the line. The schedule would then read: "Commencing at a point on the Eastern Railway eleven miles forty chains or thereabouts from the commencing point at Fremantle," etc. This would bring the starting point near Melbourne Road, and the object in view, in altering the starting point from a point at Bayswater as fixed in the principal Act, was purely a financial one. As members were aware a certain sum had been appropriated for the construction of this line between here and Bunbury, and the Government would not have power to spend any money whatever in the resumption of any land required for railway purposes beyond the starting point of the line, as fixed in the schedule. Members were also aware that a sum of £60,000 was set apart on the loan schedule under the head of "Improvements to Eastern Railway and Railway Stations," and it might be inconvenient for the Government to have to pay for the resumption of any land out of that sum. It was clear now that a good deal of land would have to be resumed for the purposes of the Perth station; and he might say that when he mentioned to the Engineer-in-Chief that morning about altering this schedule so as to make the starting point at 11 miles 40 chains from Fremantle, the Engineer-in-Chief said he was quite satisfied in his own mind that our present contemplated arrangements with regard to the station were altogether inadequate for future requirements, and that before very long we shall be called upon to extend our station yards fully a mile beyond the present starting point. He might inform members that the Government expected there would be a considerable saving on the estimate for the construction of this South-Western line, and the saving thus effected would become available for paying compensation for the resumption of the land required.

Mr. R. F. SHOLL said this did appear to him an extraordinary way of doing business. The Government brought down a bill for constructing a railway from A to B, and, finding they were likely to run short of money for another purpose, they proposed to alter the schedule of the bill so as to make the starting point of the line farther back than they originally intended, in order that out of the saving they expected to make on the estimated cost of constructing this railway they might have funds available for paying for land which they wanted to resume for the purposes of the Perth station. It was a curious way of doing business altogether. He thought it would have been better if the Government had waited until they brought before the House the bill which they had given notice of that day, dealing with the resumption of land for railway purposes. The fact of the matter was the Government had been thwarted; they wanted to resume certain land, and they found they could not do it, and this was simply a roundabout way of providing money for the land required in connection with the proposed extension of the Perth station yards. He did not like the course adopted by the Government at all. He thought it would have been much better to have brought in a separate bill to rectify any

mistake they had made as to the starting point of this railway.

THE PREMIER (Hon. Sir J. Forrest) said the hon. member seemed to think that the Government were in some little difficulty, and were now trying to rectify it. Supposing, for the sake of argument, they admitted it—but they did not do so—supposing, however, they did, he did not know that they were to blame for trying to put things on a more satisfactory footing. They were trying to do that every day. In the bill, of which notice had been given that day, the Government did not propose to rob people of their land. The Government always paid fair value for any land resumed for railway or other public purposes. Members would at once see that there was great weight in the Commissioner of Railway's explanation, from a financial point of view. The Government hoped to make a considerable saving upon the construction of this line, and, on the other hand, there had been great expenditure incurred—greater than they had expected—in connection with the resumption of land for the purposes of the Perth Station, and it would be very inconvenient to have to pay for this resumption out of the sum voted for improvements to the Eastern Railway, and for station improvements. Therefore it was proposed, by having the starting point of this South-Western line fixed as now proposed, to obtain the funds required for the resumption of land within that starting point from the money they expected to save on the construction of this line. The whole thing was clear and above board. The Government had no wish to deceive the House in any way. If they saved anything (as they hoped to do) on this South-Western line, they wished to be able to appropriate that saving to paying for the land they required to resume for the Perth station, instead of paying it out of the £60,000 appropriated in the Loan Act for improvements to the stations and grades on the Eastern Railway. This was their object in asking that the starting point of this Bunbury line should be taken back as far as Melbourne Road. Of course, if the House would not consent to this, the Government would have to wait and see what saving they effected on the construction of this line, and then have it re-appropriated for this purpose.

MR. A. FORREST said his experience of Governments in this colony as to paying compensation for land resumed for railway purposes, if that land happened to be in a town, was that they offered very extravagant prices for the land; but, once they got out of town, they took people's land without the slightest compunction. They fell back upon their powers under the Act, and took the land without paying anything for it. In Perth they paid most extravagant prices, but as soon as they got outside the town they began to repudiate any liability at all, no matter what the value of the land might be to the owner. People who owned land in Perth knew that the Government were in the habit of paying the highest amount of compensation, and they stuck it on for that reason; and the claims put forward by the owners of land near Melbourne Road were most extravagant. It was the same in all the towns of the colony, most extravagant prices were paid; but when they got into the country, the Government did not care to pay anything; if they spoilt your property, they wouldn't give you sixpence for it. He knew this for a fact.

MR. R. F. SHOLL said he was not in the secrets of the Government like the hon. member for West Kimberley, and did not know what prices the Government paid. His objection to the bill was because he considered it went on a wrong principle altogether. He did not like the way the Government were trying to get out of their difficulty. Last night, when he twitted the Government with it, they were told it was a mistake, and that it would be altered; but now they found it was no mistake at all, but done with a deliberate intention.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) said he must take exception to the remarks of the hon. member for West Kimberley (Mr. A. Forrest) as to the Government offering extravagant prices for lands resumed for railway purposes. If the hon. member had seen the award of the arbitrators he would have told a different tale. On the other hand the Government were told that they were the most mean Government in this respect that ever occupied a Treasury bench. He did not know what was the mean of the two opposite statements. It struck him that the

prices given by the present Government for land so resumed were fair prices, and such as would be given by any member of that House who wished to purchase.

MR. PARKER was surprised at the hon. member for West Kimberley stating that the price paid by the Government for the land resumed near Melbourne Road was extravagant, when the hon. member's own partner had valued it considerably higher than the price paid by the Government.

MR. A. FORREST said it was true that a member of his firm did value the land at a very high price, but he himself was very wroth about it. His own valuation was only a little more than the Government offered in the first instance.

MR. PARKER said he should like to draw the attention of the Commissioner of Railways to the words at the latter end of the schedule. The schedule to this bill, it would be observed, did not contain the usual description of the route to be traversed. The usual course was to define the whole line with the utmost exactitude, from its commencement to its terminal point, and these schedules generally covered several pages. Here it was all embraced within half-a-dozen lines. He did not object himself to the route being described in this manner, but he doubted very much whether it complied with the provision of the Railways Act, or the special Act authorising the construction of this line. In the original schedule the route was fully and minutely described, occupying four pages, but in this amending Act, the whole thing was put into a dozen lines, and ended with these words, "as more particularly delineated by a red line on map marked P.W.D., W.A., 1498, deposited at the office of the Commissioner of Railways, Perth." He did not think any Act of Parliament ought to refer to any document that did not form part of the Act itself. To find out exactly where this line of railway ran, they would have to go outside the Act altogether, though in the principal Act the authority given was to construct the railway "in the line and upon the lands described in the schedule." But now if anyone wanted to find out what the exact route was, he would have to go to the office of the Commissioner of Railways and get permission to look at a certain map. Acts of Parliament ought to be complete in themselves. It was quite contrary to all practice to refer to a document that was not to be found in the Act itself, but deposited somewhere else. The schedule ought to be complete in itself, without reference to any plan to be found in the public offices. Therefore he moved that these words be struck out: "as more particulary delineated by a red line on map marked P.W.D., W.A., 1498, deposited at the office of the Commissioner of Railways, Perth."

THE ATTORNEY GENERAL (Hon. S. Burt) admitted there was a good deal of justice in what the hon. member had said; still it must be admitted that our old way of proceeding with regard to the schedules of railway routes was a very clumsy one, and certainly altogether unintelligible to the average mind. The form adopted hitherto had been after this style: Starting at a point in loc. T, by a curve of 20c. radius, the chord of which bears 117° 08′ for a distance of 4c.; thence by a straight line, thence by a curve of 20c. radius, the chord of which bears 138° 52′ for 11c. 20l.,—and so on. It would puzzle a Philadelphia lawyer to understand four or five pages of rigmarole like that. Nobody ever tried it. Now they proposed to adopt a simpler way. This new form of schedule also had this advantage: it enabled the Government to bring in the bill authorising a line of railway sooner than they would be able to do if they had to wait until they obtained all this information about straight lines and curves and radii, and chords, and all these figures which could only be given after the final survey was made. Therefore to this extent it would expedite the commencement of the work. The bill of which he had given notice that evening, dealing with the resumption of land for railways, would place it on a little better footing, by allowing this reference to a map or plan to be adopted by law. That was the system adopted in New Zealand, and, upon perusal of a New Zealand Act he thought it was a most admirable system, much simpler than the cumbrous and unintelligible form adopted here hitherto. He therefore hoped the hon. member for York might be persuaded to let these words stand in this schedule, as the bill he was about to introduce would legalise it a little more than it was at present, and it

was proposed to adopt it in all future Railway Acts.

MR. PARKER asked if the bill referred to would make these maps or plans public property, open to the inspection of the public? What he objected to was this: the introduction into an Act of Parliament, as the description of a line of railway, a reference to a map or plan which no one could inspect without special permission from the Commissioner of Railways at his own office.

THE ATTORNEY GENERAL (Hon. S. Burt) said the bill would allow these plans to be inspected by the public at any time if they wished,

MR. PARKER said, in that case, he would withdraw his amendment.

SIR J. G. LEE-STEERE thought there was a great deal to be said in favor of the new system of describing the route, in having this map to refer to, instead of having a schedule which no one could understand, or become any the wiser by it. But what he thought required some alteration was as to providing that this map should be marked in some way by the Speaker or the Chairman of Committees so as to distinguish it, and so that it could be kept in safe custody. He remembered that on one or two occasions when they were dealing with land-grant railways they had a map which was supposed to define the route of the proposed lines, but this map went astray, and they had never been able to trace it, in either case, and the consequence was the colony suffered great injury. Therefore he thought these plans ought to be in some way ear-marked so as to be identified as the plan referred to in the schedule, and they ought to be safely deposited somewhere.

THE ATTORNEY GENERAL (Hon. S. Burt) said that in New Zealand they were deposited for custody at the office of the Supreme Court, but it had struck him that the Commissioner of Railways, office would be a more suitable place. People who wanted to inspect these maps would be more likely to get the information they wanted from the Railway Department than they would at the Supreme Court office, though, no doubt, so far as protection against loss was concerned, it would be better to have them deposited in the Supreme Court. That, however, they could deal with in the new bill.

Amendment withdrawn.

Schedule agreed to.

Bill reported.

REMISSION OF CROWN LAND RENTS BILL.

Read a first time.

DISCIPLINE OF GARRISON TROOPS BILL.

Read a first time.

PETITION OF JOHN SLATTERY AND OTHERS.

MR. QUINLAN, having moved the House into committee for the purpose of considering the petition of John Slattery and others (laid on the table on the 27th January last), said members were fully alive to the facts of the case, as the petition itself set forth the whole of the circumstances very clearly. He had hoped that the hon. member for East Kimberley would have moved in the matter, but as that hon. member had been absent from the colony he gave notice of motion on the subject himself. He thought the petition plainly showed that these men were entitled to some reward beyond the small amount that had been given to them by the Government. They were clearly entitled to some further consideration as the discoverers of the Kimberley goldfields. The Government could not get out of the fact that they offered a reward of £5,000 for the discovery of a workable goldfield, on certain conditions, and he understood those conditions had been complied with, in the spirit if not in the letter of the *Gazette* notice. All these people had ever received was a sum of £650, which actually did not cover their expenses. They were prepared to prove in a Court of law that they were the discoverers of these goldfields, but they had been prevented from doing so by the Government of the day. His hon. friend the member for East Kimberley (Mr. Baker) would be able to give the House such facts and figures as would prove that these men were the discoverers, and that more than 10,000 ounces of gold, which the reward stipulated for, had been sent away from Kimberley. This question was before the late Legis-

lative Council in 1888, and he noticed from *Hansard* that several hon. members on that occasion expressed themselves in favor of these men being paid the reward that had been offered. On that occasion —he was sorry to have to refer to it —the Legislature agreed to give the widow of the late Government Geologist £500 for what her husband had done towards the discovery of these goldfields, but the claims of these men were left unrecognised, though many people thought they were more entitled to a reward than the Government Geologist. It had been admitted by the late Governor (Sir F. N. Broome) before he left the colony, in a speech which he delivered, that quite 50,000 ounces of gold had been realised from these Kimberley goldfields; and no doubt a great deal more gold had been found than the Government knew anything about. He thought the Government really ought to reconsider the claims of these men, after all they had gone through, and, if they did not give them the whole of the reward, at any rate give them a portion of it. It was only this session that they had given £250 to the person who was said to have discovered the Blackwood tinfields, and he thought they had acted quite properly in doing so, for he considered that anybody who discovered valuable mineral deposits which would add to the prosperity of the colony ought to be well rewarded. He was aware that these Kimberley goldfields had not proved very profitable to some persons who had invested in them, but that was no reason why justice should not be done to the discoverers of the fields. It was unnecessary for him to go into details, as the petition itself very clearly set forth the justice of the petitioners' claims, and, without detaining the House further, he now begged to move, that the Government be requested to take into their favorable consideration the petition of John Slattery, presented to this House on the 27th January last.

MR. BAKER said he had much pleasure in seconding the motion. Being the member for the district where these goldfields were discovered he knew something about this matter, and he certainly thought these people were deserving of some consideration. The reward was for 10,000 ounces, and he would guarantee there had been, not 10,000 but 100,000 ounces of gold come off that field. He noticed that another condition of the reward was that this 10,000 ounces were to be shipped to Great Britain. He did not understand that exactly, or why it should have been put in. But there was no doubt about the gold having been found, and that these men ought to be rewarded. He believed the Government had a bit of a set-off against them on account of some horses and equipments which they let the party have when they went out prospecting, but the Government could deduct that set-off from the claims of the petitioners, and pay them the balance. These men devoted a lot of time to prospecting and went through a great deal of hardship, and one of them (Slattery) was now a cripple for life. Discoverers of goldfields generally had a rough time of it, and they deserved all they got. He had been a discoverer of a goldfield himself,—though he got nothing for it; but his sympathies were with those who went through the hardship of prospecting for gold in a district like Kimberley. He hoped the present Government would think fit to reimburse these people for their loss of time, and the trouble they went through in finding these goldfields.

THE ATTORNEY GENERAL (Hon. S. Burt) said that in the temporary absence of the Premier he might say a few words as to what he knew about this matter. It appeared from the hon. member for East Kimberley's own experience that discoverers of goldfields did not always get rewarded, and the hon. member said he sympathised with these petitioners for that reason. But what were the facts? He had had all the papers connected with this matter placed before him, and had given them very serious consideration; and, if he had thought there was really anything due to these men, he would have been very glad indeed to have recommended the Government to pay them. But on a careful perusal of the papers he came to the conclusion that there was nothing at all in their claim. He did not remember all the points, but he remembered one thing, that this *Gazette* notice that had been referred to had been withdrawn by the Government, and another notice inserted. The whole thing was carefully investigated by the

Governor in Council, with whom the final decision rested (according to the terms of the reward), and the decision arrived at was that the reward had never been gained at all, in any sense; but, as these men had gone to considerable trouble and some expense, and still more perhaps because they were very persistent, and to get rid of them, the Government gave them £500. At the same time they were strictly informed it was given to them without prejudice, and that nothing was actually due to them; and, as sensible men, they took their £500, without prejudice too. They also had received £150 in advance, and had some horses and pack saddles and other equipments lent to them, the remains of a large expedition, belonging to the Government, that had recently been exploring the Kimberley district. As he had said, he had gone through all the papers, and had come to the conclusion that these men were entitled to nothing at all. They agreed, according to the terms of the *Gazette* notice, to leave it to the Governor in Council to finally adjudicate any claim put forward for the reward, and the Governor in Council had done so, and come to the conclusion that these men had no claim at all. They then tried to get at the Supreme Court, but failing in that, they now came to that House trying to reopen and upset the whole thing again, after agreeing to abide by the decision of the Governor in Council. Like the hon. member for the district, he sympathised very much with these men that they had no chance of establishing their claim because there was nothing in their claim. Anyone who went into the matter must be driven into that conclusion, and he would advise the House not to reopen the question at this time of day. At any rate it was not the duty of the Government, with the knowledge and information they possessed, to encourage the idea that they could listen to any claim put forward on behalf of these men. The whole thing had been settled long ago so far as the Government were concerned, and settled after the fullest consideration of all the circumstances. It was shown conclusively that the conditions of the reward had never been fulfilled, both as regards the number of ounces of gold entered at the Customs, and also as regards its being shipped to Great Britain; and it was never proved that these men were the actual discoverers of this goldfield.

MR. BAKER said that the condition about shipping the gold to England was absurd. Nobody would ever dream of doing so. People were only too glad to sell it to the storekeeper on the spot; and this excuse about the gold not having been shipped to England was only a "get out" on the part of the Government. It was nothing but just a bit of quibble. The quantity of gold was got right enough. What a lame excuse to say that it wasn't entered at the Customs! As for 10,000 ounces not having been got on these fields, why he himself had brought down as much as that; and, if there had been an ounce of gold got on that field, there had been 100,000 ounces. It was, therefore, all nonsense to say that the reward had not been earned.

MR. QUINLAN said as to there not having been 10,000 ounces of gold entered at the Customs, these men had never had an opportunity of proving it. If they had had the opportunity of proving their case, in a court of law, no doubt they would have done so. But they were deprived of that opportunity, and they now came to that House to see justice done to them. He thought it behoved the present Government to show, when the occasion arose for it, that they were prepared to treat people properly, and not take the pettifogging view that they seemed to take of this matter. It was for that House to decide whether these men had been treated properly or not. If these people received no consideration, he should consider it a very hard case indeed.

MR. CANNING thought that if the petitioners proved that 10,000 ounces of gold was found, in consequence of their discovery, and within the specified time —whether it passed through the Customs or not—they were fairly entitled to this reward. The conditions of the reward had, in effect, been complied with.

THE PREMIER (Hon. Sir J. Forrest) said this matter had already been decided, it having been considered by the Governor in Council, in accordance with the terms of the second part of the *Gazette* notice. There were other persons who claimed this reward, and who considered

they had an equal right to it. He knew that the widow of the late Government Geologist received £500, and these people, Hall and Slattery, had £500 also. If the House desired to say it did not agree with the decision of the Governor in Executive Council, it was quite competent for it to do so. But the Government of the day were quite satisfied that they had done all that was right and proper. The present Government succeeded the previous occupants of benches, and, the Treasury having looked into the matter, were certain the former Government was right in what it did, and he did not think there was any necessity to go further into the matter. A little while ago the Yilgarn claim was decided, and so had been the claims put forward for the discovery of Pilbarra. The awards in these cases were accepted, because the claimants knew and accepted the conditions under which the awards were payable—namely that the Governor in Executive Council should be the tribunal to decide to whom the rewards should be paid. The same tribunal had dealt with the present case, and the Government having also looked into the matter, he thought there was no necessity to disturb the decision arrived at.

MR. BAKER said he was a little bit astonished to hear the Colonial Treasurer say that £500 had been paid to others who had come in. Hall and Slattery were the premier discoverers, and as such were entitled to the premier reward.

MR. RICHARDSON said the Government, in proclaiming the reward, rendered themselves liable for £5,000, providing the 10,000 ounces were discovered. He did not think it could be denied that that quantity had come from the Kimberley fields, and, allowing that others had received some reward, if all the payments combined did not amount to £5,000, did it not appear that the Government of the colony were still liable to some extent?

THE PREMIER (Hon. Sir J. Forrest): No, the Government said they found the fields themselves, by their own Geologist.

MR. RICHARDSON: There might be something in that, but he could not help thinking that a good deal of the discovery of the Kimberley goldfields was due to Hall and Slattery.

THE PREMIER (Hon. Sir J. Forrest): The Government equipped them, and also paid them £500.

MR. CANNING was somewhat surprised at the Premier referring to the Executive Council as a "tribunal." That was something entirely unknown to British law. Although it was known to exist as such in some continental countries, it was not so in England, nor had he ever heard of such a tribunal in a British colony possessing free institutions. They knew that in Russia and other countries they had what was called administrative law, which was entirely distinct from the statute law; but no such thing was known to the British law, as administrative law.

MR. QUINLAN offered to withdraw the motion, if the Government would give an assurance that the claim of the petitioners would be again considered.

THE PREMIER (Hon. Sir J. Forrest) said this course would be agreeable to the feelings of members of the Government, but they could not pay away public money to gratify personal feeling. Their duty was to do what appeared to them to be right, even if it was unpleasant; and, having already satisfied themselves that these people had no claim for this award, the Government must decline to re-open the question. Even if something was to be given, the parties were not agreed among themselves as to who should have it, and there would probably be a law-suit as to the division of the money. The Kimberley goldfields were discovered a year before these men were near the place; they were discovered by a Government expedition, fitted out by his direction, and commanded by Mr. Johnston, and the Government Geologist of that day, Mr. Hardman, was attached to it. The Government Geologist reported the discovery of gold by that expedition, and he prepared a geological map of the Kimberley district. These men never said a word about any reward when they started for the field, and he did not think it ever entered their heads until others put them up to it, and this old *Gazette* notice was ransacked out of the records of the office.

MR. BAKER said all that Mr. Hardman discovered was a trace of gold, a few pennyweights. Mr. Hardman was paid by the Government for that work,

but these prospectors were not paid. Take the cost of horses and camels and other equipments supplied by the Government, and deduct it from the £5,000 which had been offered as a reward, and let these real discoverers of gold at Kimberley receive the balance of the money.

MR. R. F. SHOLL really thought that the men who first discovered gold at Kimberley and brought it down here were Hall and Slattery. He believed they acted upon Mr. Hardman's recommendation. This matter had, however, been dealt with and disposed of, but he thought these persons were more entitled to the reward for discovering the Kimberley goldfields, than the person to whom the House had that session voted £250 as being the discoverer of the tinfields.

Motion—put and negatived.

ADJOURNMENT.

The House adjourned at ten minutes past 4 o'clock, p.m.

Legislative Council,

Monday, 7th March, 1892.

New Members — Game Bill: Legislative Council's Amendment—Police Bill: error in—Harbor Improvements at Geraldton—Harbor Improvements at Cossack—Distillation Act: proposed amendment of—Goldfields Act Amendment Bill: third reading—Wonnerup Roads Bill: third reading—Governors of High School Bill: second reading: committee—Augmentation of Ministerial Salaries Bill: second reading: committee—Customs Bill: committee—Electric Lighting Bill: committee—Adjournment.

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

PRAYERS.

NEW MEMBERS.

The Hons. George Glyde and Daniel Keen Congdon, having been introduced, took and subscribed the oath required by the 22nd section of the Constitution Act.

GAME BILL.

LEGISLATIVE COUNCIL'S AMENDMENT.

THE PRESIDENT announced the receipt of the following Message from the Legislative Assembly:—

Message No. 38.

"*Mr. President,*

"The Legislative Assembly acquaints "the Legislative Council that it is unable "to agree to the amendment made by the "Council to the Assembly's amendment "on the Council's original amendment in "clause 9 of the Game Bill, as contained "in Message No. 23 from the Legislative "Council.

"*Amendment of the Legislative Council "to which the Legislative Assembly has "disagreed:*—

"That all the words between 'any,' "in the fourth line, and 'to,' in the "seventh line, be struck out, and "the following words inserted in lieu "'thereof:—'police constable or the "'owner of such imported bird or "'animal or his authorised agent, or "'the owner or occupier of the land "'from which such native game has "'been taken or his authorised agent, "'who may demand the same re-"'spectively, it shall be lawful for "'such police constable, or such "'owner, occupier, or authorised "'agent, with any assistance he may "'require.'

"JAS. G. LEE STEERE,
"Speaker."

Ordered—That the Message be taken into consideration on Tuesday, 8th March.

POLICE BILL: ERROR IN.

THE PRESIDENT: Before this House proceeds to business, I have a short statement to make regarding the Police Bill. Hon. members are aware that one of the duties of the Clerk of Parliaments is, before presenting a bill to the Governor for Her Majesty's assent, to certify that it is the bill as it passed both Houses. During the examination of this bill, the Clerk of Parliaments discovered that amongst the amendments made by the Legislative Assembly, one was omitted to be sent up to this House for its concurrence. Consequently the Clerk of Parliaments is unable to give the proper certificate which he has to do before he