

LEGISLATIVE COUNCIL,

Friday, 29th August, 1884.

District Court of Bankruptcy at Geraldton—Nature of Security for Future Loans—Mail Service for Kimberley District—Mr. Hordern's Amended Proposals re Land Grant Railway from Beverley to Albany (Message No. 25): further consideration of—Point of Order—Message (No. 30): Despatches relative to the question of Responsible Government—Message (No. 31): Negotiations with Sir Julius Vogel re Submarine Cable—Message (No. 32): Establishment of a Sanatorium for Indian troops—Message (No. 33): Transfer of Imperial Convict Establishment to Colonial Government.

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

PRAYERS.

DISTRICT COURT OF BANKRUPTCY,
GERALDTON.

MR. CROWTHER, in accordance with notice, asked the Attorney General whether there was any objection to the establishment of a district court of bankruptcy at Geraldton, for the Victoria District; and, if not, whether His Excellency would be pleased to establish such court? When the appointment of a second Judge was agreed to by that House, he and many other hon. members, indeed nearly all of them, thought that when the Judge travelled on circuit he would carry with him, as it were, the machinery of the Supreme Court; but they found that was not the case. The general impression when the appointment was made was that all important cases for trial in the districts which the Judge visited would be tried by him, but in this they had been disappointed. In Geraldton, for instance, they had the quarter sessions held only a few days before the arrival of the Judge in the district, with the result that the chairman of these sessions had to discharge the duties of a committing magistrate, grand jury, public prosecutor, and presiding judge rolled into one. When the House agreed to the appointment of a second Judge—an appointment which he might say gave much satisfaction to the country at the time—the country (in its ignorance, it now appeared) thought that these anomalies would have been done away with. But he was sorry to say they still continued. The same inconveniences were felt with regard to civil cases. There were important bankruptcy cases

now at Geraldton awaiting adjudication, and the public had expected that when the Judge visited the district he would have been able to dispose of these cases; but here again the public were doomed to disappointment. Could not something be done to enlarge the powers of the Judge when he left Perth on circuit, so that these district courts may become invested with some of the powers of the Supreme Court? The public also had imagined that when the Judge went on circuit His Honor would have taken with him a public prosecutor—an arrangement that would have given great satisfaction in the country districts; but it was found it was not convenient for the Crown Solicitor to go about in this capacity, and the prosecution of offenders was left in the hands of local practitioners,—honest men, no doubt, desirous of doing all that was right, but men who nevertheless must, in the nature of things, be more or less tinged with local prejudice. Could nothing be done to remedy this state of things?

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said he would deal with the hon. member's observations presently, but his answer to the question on the paper would be, that if the establishment of a district court of bankruptcy was desired by the inhabitants of the Victoria District, and it could be effected without adding to the expense of the local court, His Excellency would be pleased to consider the suggestion most favorably. With regard to the question immediately before the House, the question of bankruptcy, the hon. member was in error in supposing that the intention of the Bankruptcy Act was to make the Judges of the Supreme Court the Judges in Bankruptcy in country districts. The intention, following upon the Act in England, was this,—that in the central or metropolitan district—which here would be the Perth district, and in England the London district—a Judge might adjudicate in bankruptcy cases, but that in country districts the county court in England, and here the local or petty debts court, should deal with such cases. A great many of these matters in bankruptcy were matters of detail, which were dealt with in the Supreme Court, by the Registrar; but of course points of law arose from time to time, and these

had to be decided, in the first instance, if in country districts, by the chairman of the local court, subject to appeal to the Supreme Court. It was the desire of the Government, as far as possible, to carry the administration of justice home to people's doors, by the appointment from time to time of district courts with power to deal with matters in bankruptcy, and he hoped there were already sufficient officers in the Geraldton court to carry out its jurisdiction in bankruptcy as well as the recovery of small debts, and other matters of that kind. If so, and the residents of the district desired it, His Excellency, as already said, would be very pleased to give the suggestion his favorable consideration. With regard to what the hon. member had said as to the anticipations that were raised in the public mind when a second Judge was appointed, there was every wish on the part of the Government that there should be no disappointment in the public mind; but it seemed to him that before the anticipation of the public could be realised in this respect, there must be something to show that there were cases for the Judge to try. Happily there had been very few criminal cases requiring the presence of the Judge in country districts since the appointment was first made. He thought there had only been two cases in the past, but there was one other case now awaiting trial, and the Judge was commissioned to proceed to try the case. With regard to civil cases, it was open to the Governor to appoint a Judge to try these cases, in any district where the Judge might travel, and as soon as the Government received any notice that there were any cases ready and waiting for trial they were quite prepared to empower the Judge, by commission, to try them. At present no such case had been brought to the notice of the Government, apart from the bankruptcy case referred to by the hon. member. By the law as it now stood—and it had been the law for some years—these cases could be tried either by the Supreme Court or by a district court, if such court were appointed,—and the Government were quite ready to do so. Going back to the question of the trial of criminal cases, the hon. member said the chairman of the court of quarter sessions was also the prosecutor. He could hardly

agree with that. The chairman had to decide in the first instance whether there was a true bill, or in other words whether a man should be put on his trial or not; but when the prisoner was on his trial, the chairman was certainly not his prosecutor. That would be contrary to the first principles of the English law. It was a Judge's duty to endeavor to hold the balance evenly between the prosecutor and the prisoner. The hon. member said it would be very desirable for the Judge to take a public prosecutor with him,—he presumed the hon. member referred to the Attorney General or the Crown Solicitor. But had the hon. member considered the expense, and not only the expense but the inconvenience which that would entail? With regard to the Attorney General, the House would see that for that officer to be absent for two or three weeks would be a very serious matter, and, in the case of the Crown Solicitor, it would also be an important matter, and would interfere materially with other business. Unfortunately in this colony the distance was so great, and the means of communication so limited, that if either of these officers had to attend to prosecute, at Geraldton for instance, they might have to be absent for a fortnight or more. The Government were anxious to act in the most economical way they could, consistent with efficiency; and it was considered that it would be much cheaper to retain a legal gentleman at Geraldton to prosecute rather than to send the Crown Solicitor up there, which would have put the Government to great inconvenience and the public to great expense. Generally speaking, he might say again that it was the wish of the Government to bring home justice so far as they could consistently with the means at their command and the circumstances of the colony to every man's door, and the hon. member might rest content, he thought, that they would do their utmost in this direction, and that whenever there were cases ready and waiting for trial before a Judge, whether criminal or civil cases, they would use their best endeavor to provide for the appearance of the Judge on the spot, and, so far as possible, to have the proper officers in attendance upon him.

SECURITY FOR FUTURE LOANS.

MR. CROWTHER, in accordance with notice, asked the Colonial Secretary whether or not the Government, when recommending to the Secretary of State the raising of a further loan of £525,000 for the prosecution of public works, took into consideration the despatch of Lord Derby, dated 23rd July, 1883, in which the Secretary of State said: "I think it desirable that a separate account should be kept of the revenue raised and expended in each district of the Colony; and whether in any future Loan Bill it must not be declared that the lands and revenues of the Kimberley and some other portions of the Northern districts will not form part of the security for the loan." Also, whether such separate accounts had been kept, and what was the nature of the security intended to be offered for this proposed loan? The colony, he might say, had been almost electrified when it was discovered at the opening of the session that His Excellency, taking time by the forelock, had initiated this loan, and he for one, with many others, on the first blush of the thing, had been extremely pleased with the action of the Governor in the matter, and with the Secretary of State's ready assent to the proposal. But, like many others whom he had since spoken to, and who had spoken to him on the subject, the more they looked at it the less they liked it; and he was inclined to think that, if the distribution of this loan as now proposed had been put to the colony before the loan was initiated, the cry almost unanimously would have been that for the present we could have done without it. [Several hon. members: No, no.] For himself he was perfectly satisfied the country generally was not going to derive as much benefit from the expenditure of this money—as it was now intended to expend it—as they had reason to expect from the expenditure of half a million of money. And as the district which he represented formed a part of what was regarded as the Northern portions of the colony, he thought they had a right to the information which he now sought. Many years ago the cry of separation had been taken up, not by the Kimberley, or Roebourne, or Gascoyne district, but by the district which he had the honor

to represent, and had it not been for the large supply of wet blankets which the Government happened to have on hand at the time, the Victoria District this day would have been a separate province. To his mind—he might be wrong, possibly he was, but if so he should be glad to be put right—but to his mind the expenditure of this loan money was intended to make up in some measure during the next two or three years for the falling off in the revenue of the colony, and the falling off in its exports. This might come as a new revelation to some hon. members, but he was afraid there was a good deal of gospel truth in it. The Government of course could only be guided by the returns furnished to them by their own departments, but he had no hesitation in saying that in the items of lead, sandalwood, and wool alone the value of our exports last year had been over-estimated by nearly £70,000. This meant a corresponding reduction in the spending powers of the community, and a corresponding loss to the revenue, and to his mind this was a very important matter. He did not suppose for a moment that this loan proposal was going to pass through the House exactly as it had been put down. He had an idea that some portions of it had been put down more in order to keep certain parts of the colony in a state of what he might call quiescence than in any expectation of the colony deriving any real good from it. With regard to the suggestion of the Secretary of State as to keeping separate accounts of the revenue and the expenditure in each district, he did not know whether it would be convenient or advisable to do so at present, but he thought the information would be very useful. Not that he considered for a moment that the expenditure in any particular district should be governed by the revenue derived from that district. That would be obviously unfair, and practically impossible. There might be widely scattered districts, contributing, proportionately with the more thickly populated districts, but a small amount to the revenue, but which at the same time it would be to the best interests of the colony to develop, and whose development would necessitate a considerable expenditure of money. On the other hand there were districts,

which having been long settled and become the centres of thriving populations, contributed largely to the revenue, but which in return required no large expenditure of public money to enable them to get along very comfortably. At the same time he thought the Secretary of State was quite right in wanting to know where the money came from and where it went to. He might add that he did not ask for this information in any spirit of hostility or opposition. But, if possible, he should like to get it, so that his own people and others might know who were going to pay for this large loan, from the expenditure of which three-fourths of the colony would derive little or no benefit. Whether the reply he received would be to his satisfaction or not, he wished it to be understood that he was not prepared to say he should take no further action with regard to this loan.

THE COLONIAL SECRETARY (Hon. M. Fraser) said he had listened with considerable interest to the hon. member's observations, and if the hon. member would, so far as regards some of the points raised, wait until Monday evening, when he hoped to have the pleasure of addressing the House generally on these matters, very likely the hon. member would find some light thrown on some of the topics he had referred to. His reply to the hon. member's question was this: In recommending for the sanction of the Secretary of State a further public works loan, His Excellency the Governor had proceeded on the assumption that the loan will be a charge upon the revenues of the whole of the existing territory of the colony. The passage of the despatch referred to by the hon. member was now being acted upon, to the extent that an account was being kept of the funds raised and expended in the respective portions of the colony North and South of the Murchison River.

CONVEYANCE OF MAILS, KIMBERLEY DISTRICT.

MR. McRAE moved, "That an humble address be presented to His Excellency the Governor, praying that he will be pleased to place on the Estimates the sum of (£200) two hundred pounds for conveyance of mails in the

"Kimberley District." He thought the district presented stronger claims for consideration in this respect than many other parts of the colony which were provided with mail conveniences. He had intended to have moved that the services for which the money was asked should have been for a monthly mail leaving Derby for the Fitzroy river, following the river up to Mt. Wynne, thence across to the Lennard river, and returning down that river to Derby by the usual cart road—a distance of about 200 miles. But, upon further consideration, he thought it would be better to leave the route to be determined hereafter by the Government. The position of Derby, situated as it was about 25 miles from the Fitzroy and about the same distance from the Meda river, necessitated the settlers of the district to travel a long distance for their mails, some of them having to go from 50 to 150 miles, and their inconveniences did not end there. Very often, when they got to Derby, the steamer or other vessel bringing the mails might not arrive for a week or a fortnight after it was expected, and the settlers had to return to their stations without their letters, and in this way many days and in some cases weeks were lost. In a district like Kimberley, where labor was so difficult to procure, and everybody's time was consequently so valuable, this was a very serious inconvenience. This mail would be a great boon to the settlers of the district, and would serve about a dozen of the largest stations, representing a population of about 50 souls. It might be said that such a small number scarcely deserved the expenditure of £200 to supply them with a mail service. But he would point out that the position of these settlers was a peculiar one. They were situated on the outskirts of civilisation, and had not any of those conveniences which the residents of more settled districts enjoyed. Apart from that, the district contributed largely to the revenue—a great deal more so than any other district in the whole colony, in proportion to its population, and it had received very little share of public expenditure up to the present time. Under these circumstances he hoped the House would be prepared to agree to this address.

The motion was adopted unanimously.

MR. HORDERN'S AMENDED LAND GRANT RAILWAY PROPOSALS (MESA-SAGE No. 25).

On the order of the day for going into committee for the further consideration of Mr. Horder's amended land grant proposals,

SIR T. COCKBURN-CAMPBELL, in moving the Speaker out of the Chair, asked the indulgence of the House for a few moments while he said a word or two with regard to the subject. He was glad the House had yesterday been able to come to the conclusion to grant the first concession that Mr. Horder had asked for as an amendment upon the resolutions which the House had agreed to, because, although giving him the fee simple of each section as it was completed might not be as secure a guaranty of the work being carried right through as if they had retained the fee simple of the land until the line was completed, still he thought, considering the grounds which had been given, the concession was a reasonable one. With regard to the question of compensation, he greatly regretted that the House had come to a different conclusion. He thought it was the hon. member for the Swan who had said there had been a great deal too much wavering backwards and forwards about this matter. He believed there had, and he was fully convinced that Mr. Horder himself was of that opinion also; and as, perhaps, this was a final proposal on his part, and as the proposal was a reasonable one in itself, he thought it was to be regretted the House had not seen its way to accept it. When this question of compensation was under discussion, he thought several hon. members said they saw no difference between giving compensation for lands taken in payment for the construction of the line and compensation for lands taken for the purposes of the railway. For himself he saw a great difference between the two. He thought it was quite fair that the contractor should pay compensation for such lands as might be taken up in payment for the construction of the line, because if there were any improvements made upon these lands, they must be of additional value to the syndicate, and it would be only fair that the syndicate should pay for that additional value. On the other hand, with regard

to land on which the railway was built, if the line passed through fee simple land, and that land had to be resumed for the purposes of the railway, he did not think it was unreasonable on the part of the promoter to ask that we should settle for it ourselves. He thought it was quite fair and reasonable the contractor should expect to get this land from us, and not that he should have to buy it, which would be really the case if he had to pay compensation for it. He thought perhaps hon. members were rather under an erroneous impression as to what this compensation would come to. He imagined that, with the exception of the passage of the line through Albany, there would be very little compensation of any kind to be paid for the land taken for the purpose of building the railway, and even in Albany he thought it would be very slight. He hoped the House would, if possible, reconsider this question, and be prepared to make some alteration, on the presentation of the report of the committee, which would enable the affair to be carried through. With regard to the question that was now before the committee—the question of whether the land to be given as a subsidy for the construction of the line shall be taken up indiscriminately in any part of the reserved area, or only opposite each section of the line so completed, he never thought for a moment that the contractor would agree to the resolutions which the House had previously arrived at in this matter. Of course it was impossible, in the face of the strong, very strong, opposition which those who were inclined to deal liberally with the contractor experienced in committee and in the House—[MR. RANDALL: Question. THE ATTORNEY GENERAL: Hear, hear.]—it was impossible for those members who did wish to deal liberally with the promoter in this matter to have their own way, and consequently they were obliged to arrive at such conclusions as it was possible to arrive at. But he was perfectly certain from the very first that the contractor would send back this resolution for their reconsideration, because knowing the country as he did, and looking at the map and seeing how the contractor would have to take up his land, he came to the conclusion that it would be neces-

sary for him to take up a large amount of indifferent land, and that, considering the immense cost of this undertaking and the nature of the country generally, unless the major part of the land he received was land he could make use of for purposes of settlement, the concern could not possibly pay. In thinking of this matter that very day he was reminded of a little anecdote, in which he was personally concerned some years ago. He wanted to let some land of his own, and he told the person who was negotiating for it what the conditions were upon which he was prepared to let the land, and this person made what he thought was a very pertinent remark at the time,—that no man was such a fool as the man who tried to make a good bargain. What he meant was this: that the man who sought to get the best of a bargain on his own side, leaving nothing for the other party, must expect to suffer in the carrying out of the contract. He thought that was very much the case in this matter. If the colony made a bargain with these contractors that would not pay the contractors, we must expect the whole thing to collapse. When he addressed the House on this subject the other day, he said he felt much interest in the matter, and the Attorney General, he believed, said he also felt an interest in it, but an interest of a different nature—or something to that effect, the inference being that while his (the hon. baronet's) own interest in the matter was a personal interest, the interest felt in it by the hon. and learned gentleman himself was an interest not affecting himself but the colony at large. He might state that these railway proposals, if carried through, might affect him very injuriously, for a time at all events, and not himself alone but other persons closely related to him. But, in his opinion, so great were the benefits which the colony would derive from the construction of this line, that he thought it would be entirely wrong to allow any personal considerations to weigh with them in the matter. He felt very strongly on the subject, for he was afraid that, unless the House was prepared to deal in a liberal spirit with the contractor in regard to these final proposals, the whole affair would fall through. That, he thought, would be most unfortunate.

They had heard what the Colonial Secretary had stated more than once (when hon. members moved for sums to be placed on the Estimates), as to our ways and means; and it seemed to him we were gradually working our way to a deficit again, and he was afraid that a very serious depression would result if this project were abandoned. He therefore sincerely hoped the House would be able to arrive at some conclusion that would enable the matter to be carried through.

MR. SPEAKER: I must call attention to the fact that all this is very irregular; I am sure if the hon. baronet himself had been in the Chair he would not have allowed any member to have spoken in this irregular way. [The ATTORNEY GENERAL: Hear, hear.] If my attention had been called to it, I should certainly have ruled the hon. baronet out of order, but, knowing that he had a very strong feeling in this matter, and my attention not being called to the irregularity, I did not like to interfere. But I should be wanting in my duty as Speaker, and displaying such an utter ignorance of Parliamentary practice if I were not to point out that he was wholly out of order, that I could not let it pass without observation.

The question, "That the Speaker do now leave the Chair," was then put and carried.

MR. RANDELL said he should like to say a few words with reference to—

MR. SPEAKER: There is nothing now before the House.

SIR T. COCKBURN-CAMPBELL: I think I may be allowed to state, sir, that the House, without opposition, extended its indulgence to me in this particular matter.

MR. SPEAKER: There is nothing before the House, sir, and I will now leave the Chair, in order that the House may go into committee.

IN COMMITTEE.

Paragraph 6 of Mr. Hordern's letter, dated 25th August, 1884 (reverted to):

THE COLONIAL SECRETARY (Hon. M. Fraser) said the question now before them was the resolution submitted the other day by the hon. member for the Gascoyne,—that the contractor's ob-

jections to being limited, in the selection of his land, to areas opposite any particular section of the line already constructed, should be conceded, provided that half the frontage to the railway be reserved for the Government,—in other words, that he should have the right of free selection, taking up his land, as he became entitled to it, anywhere within the reserved area, between Beverley at one end and Albany at the other. The other concession asked for—that which the House had yesterday agreed to by a large majority—was one to which he had given his entire support. He alluded to the condition that as each 20-mile section was completed and in working order, the fee simple of the land upon which that section was constructed should be granted to the contractor, instead of his having to wait for the fee simple until the whole line was completed and in working order. He looked upon that as a fair and reasonable concession. Looking at this undertaking as a financial undertaking it was but reasonable to suppose that, as the work progressed, the contractor should desire to have power, if necessary, to raise funds for the further prosecution of the work; and therefore it was that he had given that proposal his hearty support. But, with regard to the concession now asked for, and which to his mind was the most important of all, he thought it behoved them to give it their most serious attention. He had gone carefully into the matter, and he thought they ought to hesitate before they agreed to this proposal. They had conceded a good deal to the contractor now. They had abandoned the forfeiture clause, in the event of the line not being completed or continuously worked, and they had given him, rightly given him he thought, possession of the railway as it was completed in sections, and now what was it that he asked? He asked that the grants of land that he became entitled to, as the work progressed, might be taken up anywhere within a belt of land bounded on the north by Beverley and on the south by the sea coast, and having an average width of eighty miles. If they had retained the forfeiture clause, as a security for the completion of the whole line, there would not have been that objection to this indiscriminate selection which he could now foresee. It

was, he could not say evident—although, to his mind, it was evident—that if we met the contractor in this matter, and gave him the right of unrestricted selection, we ourselves would be placed in a somewhat awkward position. It was very well to say that we still had certain safeguards, in the provision made as to the deposit of £10,000 and the further provision that the contractor could not claim the deeds of grant of the whole of his land until the whole line was completed. But, if we also acceded to his present request, he failed to see how this colony would be assured in any way of the fact that the line will be completed from end to end. He only wished that, on reflection, he could have agreed to this proposal, but, after going carefully through all the papers connected with the matter, he was at a loss to see, if we assented to this right of free selection, what security we should have that the line would ever be finished. He would be prepared to meet the contractor to a certain extent. He would be prepared, if practicable, to allow him the right of free selection within certain divisions of the whole area, as the work went on; but he was not disposed to go any further. The contractor was not limited to one end of the line. The work was to proceed simultaneously from both ends, and he would have no objection to his making his selections within any division of the belt which he would thus become entitled to.

Mr. BROWN expressed his exceeding regret at the views held by the leader of the Government with regard to this point, views which must of necessity have great weight not only from the position of the hon. gentleman, but also from his reputation as a liberal-minded and progressive official. He quite agreed with the hon. gentleman that it behoved us to be cautious in dealing with this great question, but he thought our caution ought to be exercised both ways, not merely to make as good a bargain as we could in the interests of the colony, but also to take very good care that we did not lose the line altogether, except upon considerations which would justify the colony in losing it. For his own part, he firmly believed that if we did not accept these final proposals of the contractor we should lose the construction

of this railway, and he thought that would be a disastrous thing for the colony, because he thought the proposals were not such as would justify the House in adopting a course that would lead to that result. So far as the colony was concerned, he thought it would make very little difference if these proposals were accepted. What he meant was this,—he did not see that the conditions previously recommended by the House presented any great advantages, so far as this colony is concerned, over and above the advantages embraced in the present proposals. The Colonial Secretary said the contractor asked to be allowed to select his land anywhere between Albany at one end and Beverley at the other end, but the hon. gentleman forgot to remind the committee that there was a proviso reserving to the Government half the frontage to the railway, in every section along the whole line, and that this frontage shall not be less than five miles wide and fifteen miles in depth. If hon. members would look at the map it would be seen that, putting the matter in the most favorable light for the contractor and the worst possible light for the colony, the interest of Western Australia would be well protected by this proviso. The Colonial Secretary said we would have no security if we acceded to this proposal. The hon. gentleman must have a very poor opinion of the value of this land then; for it must be remembered that, even under the amended conditions, the contractor would only get the fee simple of one half the land which he took up, the fee simple of the other half being kept back until the whole line is completed. Now, seeing that the total amount of the land which the syndicate would become entitled to would be something like 2,640,000 acres, and that of this we should retain 1,320,000 acres as security,—if this land was worth what some hon. members said it was, surely that would be a very good guaranty, apart from any other consideration, that the contractor would push the line through; and the further the contractor carried the line the greater would be the security we should have that he would complete it.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) took the same view of the matter as the Colonial

Secretary, and pointed out that Mr. Hordern himself had, in the earlier stages of the negotiations, suggested the very conditions which he now declined to entertain. For instance, writing to the Government on July 27, 1883, Mr. Hordern said: "Upon the signing of the agreement the Government shall provisionally grant to the syndicate 240,000 acres of land in respect of the first section of twenty miles of the line, in order that the syndicate may be in a position to settle immigrants and workmen in accordance with the stipulation hereinafter expressed." What was that stipulation? "On the completion of each subsequent section of twenty miles of the proposed railway, the Crown to grant to the syndicate 12,000 acres of land in fee simple for every mile constructed of such section, the said land to be selected in the following manner,"—he asked the attention of hon. members to this in particular, as it showed that at that time Mr. Hordern himself proposed exactly what the select committee had recommended, but which the House now seemed ready and even anxious to depart from, in order to meet Mr. Hordern's altered opinion. The selection, according to Mr. Hordern's own original proposals, was to have been made in the following manner: "No land to be granted in blocks of less than 60,000 acres in extent, to be forthwith selected East or West of that particular section"—not anywhere he chose along the whole line—"of the railway completed, equipped, maintained, and worked, in respect of which the claim is made, and within a distance of thirty miles on either side of such section." Those were the terms upon which the syndicate originally proposed to do the work, and the anxiety now shown by some hon. members to conclude a bargain with Mr. Hordern, on any terms, reminded him of a man having a spavined horse for sale, and who was very anxious to dispose of it to the first comer, for fear the next might discover its defects, and he should lose the sale of it. It looked as if we were trying to take in Mr. Hordern.

MR. S. H. PARKER said the main argument put forward by the Treasury bench was, that if we did away with the condition as to construction before free selection we should be doing away with

the only remaining security we possess. But it appeared to him that this right of free selection would be one of the best securities we could have for the construction of the line right through. What possible use would this land be to the contractor or anybody else until he brought his railway to it? The land without the railway would remain as valueless as it had remained since the colony was first settled. He did not think it made much difference to us where the contractor selected his land. What we wanted was not that he should select his land, but that he should settle it. What we wanted was to see this land, which was now a wilderness, and likely to remain a wilderness unless we got this railway,—what we wanted was to see this wilderness converted into a prosperous settlement. It was well known that for some miles out of Albany a great portion of the land was nothing more than sand; and were we so unreasonable as to insist upon the contractor taking up this land, which, for about twenty miles of it, would not carry a sheep to the thousand acres,—land which no man in his senses would ever dream of looking at. He hoped hon. gentlemen opposite did not want to palm this “spavined horse” upon the contractor, but give him land he could make use of, and settle population upon. What did it matter to us whether the contractor selected his land twenty miles from Albany or a hundred miles from Albany, so long as he settled it,—and this railway would be of no use to him unless he did settle it, nor would the land be of any use to him until the railway came to it. It appeared to him therefore we had every security that the work would be carried through.

Mr. RANDELL said it must be admitted that the present proposals were on the whole considerably larger than those which the select committee had recommended and which the House had ratified, and he thought the concessions already made were important concessions. At the same time, looking at the importance of the undertaking to the colony, and at the large amount of money which the syndicate will have to spend, seeing also that there was no reason to doubt the *bona fides* of the promoter, and that we should still retain possession of the fee simple of a moiety of the land, in

addition to a considerable sum of money in the shape of deposit money—taking all these facts into consideration he thought it could hardly be said that we had little or no security that the work would be completed once it is commenced. He could hardly conceive that any man of business or any syndicate would incur the large expenditure of introducing railway plant and material, and deposit £10,000 with the Government as a guarantee of their good faith, and then stop short after going a short distance at each end of the line, thereby forfeiting their land, and abandoning their railway.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said it had been suggested that there had been a great deal of wandering backwards and forwards in this matter during these negotiations. If so, all he could say was—that was a charge that could not be brought against him. He went into select committee on this question intending to make up his mind as to the principal features of the case, and he did make up his mind. He gave way, however, on what he conceived important points, because he saw others giving way, and because he thought the only chance of their arriving at a satisfactory conclusion was for all to give way more or less. He stated the other day that he intended to abide by the committee's report, and he believed he went so far as to say he would adhere to every word of the report—a statement which did not altogether meet with favor. What he meant was, not that he would stand to every letter of the report, but that he would stand to the substance of it. That he had done, and that he still meant to do. They had already given up one of their great guaranties for the completion of the whole line—and he would again remind the House that it was the line, the whole line, and nothing but the line they had gone into this contract for. Assuming, as he did assume, that there was every intention on the part of the contractor to carry the line through, still it might be that the very best intentions of a man may not be carried out. It might be that the company would not be formed, or, if formed, that it may not prosper, and what position would we be in then, with this contract signed on the terms now proposed? Where was there anything in the con-

tract that was a guarantee that the line would be completed and in working order, except the £10,000 deposit, which would be exhausted in about three months (under the proposed penalty of £100 a day) if the line were not continuously worked. The other day he suggested, and perhaps he might be allowed to say it again, that his interest in this matter was not perhaps of the same nature as the interest of other hon. members. What he meant was that he himself had none of those interests in the colony in the shape of landed property which he was glad to think other hon. members had, and which he would be very glad to have himself, although he was afraid he was not likely to have. Still, if he might be allowed to say so, he had the interests of the colony at heart,—that was to say, he wished to do the best he could to advance this matter, in the interests of the colony. That was his view now, and that was all he had meant when he made the observation referred to. He must say he felt—and he was not ashamed to say so—he felt a great deal of sympathy with that foolish person mentioned by the hon. baronet when he moved the House into committee; he felt very much like that foolish person. He wanted to see the colony, if possible, making a good bargain, and not a foolish one.

Mr. GRANT said he was once a contractor himself and all he could say with regard to these proposals was this: if, as a contractor, he had a *bona fide* intention of carrying out the work he would not care one snap whether he were limited in his selection, or whether he had the whole area to select from in the first instance. He would feel perfectly certain, if his intentions were to complete the line, that he should get all he wanted. Therefore he thought it behoved us in this matter to have some security that the very pick of this land will not be selected by the contractor before he finishes the line,—land which was even now worth 10s. an acre, and which would be worth a great deal more hereafter, whether we had this railway or not, for there was no doubt that this colony in time must become an outlet for the over-crowded population of other countries. It was therefore our duty to protect ourselves in this matter—it was a duty we not only owed to our-

selves but also a duty we owed to posterity—and it appeared to him that the only protection we now had was that selection shall not proceed beyond the line as it was constructed.

Mr. MARMION was very anxious indeed to see all the difficulties between the contracting parties to this great work removed. He thought they had already given way on some very important points,—he himself had given way more than he ever thought he should, and he considered the contractor was now asking for more than the colony ought to concede. Hon. members in speaking of the scheme seemed to be under the impression that the land we were giving the contractor was given in payment for this railway. It was not so at all. It was not given in payment for the railway, but simply as a subsidy for building it. The railway, when it was built, would still be the property of the syndicate, and if we wanted to possess it ourselves we should have to buy it. Hon. members therefore must not run away with the idea that in parting with this land we were parting with it in payment for the railway. On the other hand, no doubt there was something to be said in favor of the concession now asked for by the contractor. It was stated that some of this land was of a very poor description indeed, especially just outside Albany, and was not likely to be very profitable to the contractor or anyone else, and it did seem rather hard we should compel him to take 12,000 acres of sandplain for the construction of every mile of railway carried through this poor country. Would it not be possible to effect some compromise, and allow the contractor, on the completion of one section, to select his land within the area on either side of the next section he was coming to?

Mr. LOTON said he was quite as anxious as any hon. member to see this railway constructed and completed, but, bearing in mind that they had already made very considerable concessions to the contractor, it appeared to him their chief object now was to ensure the completion of the line right through, and it had struck him that this might be done in a way that would afford security to the colony and at the same time satisfy the contractor, if his intentions were, as they all hoped they were—*bona fide* intentions. He

begged to propose the following amendment: "That the contractor in the selection of the first moiety of the lands to which he becomes entitled shall be confined to the areas lying east and west of the particular section of the line for which the lands are given in payment, but the second moiety may be selected anywhere within the reserved area, provided that half the frontage to the railway in every section shall be reserved to the Government; and no frontage so left to the Government shall be less than five miles wide in the direction of the meridian, by 15 miles in depth." He did not think that any contractor could reasonably object to that. It had been urged that the object of giving the contractor the right of selection in advance of construction was to enable him to locate his immigrants. But he would remind the House and the contractor that these people would be in a very unfortunate position indeed if they were located anywhere where this railway did not come near them.

Mr. BURT said he had listened very attentively to what had fallen in the course of discussion from both sides, and he must say the position was one of considerable difficulty. For his own part he was prepared to deal as liberally as we could with the contractor. He could not shut his eyes to the fact that when this scheme was first mooted there were several other schemes of a similar nature before the House, but this was considered by far the most liberal offer we had. In fact it was considered so liberal then that all the rival schemes were laughed at and pooh-poohed, and many hon. members at that time did not think it would ever have gone so far as it now had towards being realised. They thought it was too good, in fact. The offer was so liberal that they doubted whether it was a *bond fide* offer; but he thought they were all satisfied now as to the *bona fides* of the contractor. It seemed to him that what was perplexing the committee at the present moment was whether the contractor should be allowed free selection or not. A great deal had been said about giving up guaranties for the performance of the work. The only thing in the shape of a guaranty he had seen yet was that which the Crown Agents had provided in drafting the contract,—that

the line should be forfeited and revert to the Government if it was not completed or continuously worked; and when we gave up that security—as we had done at a very early stage in these negotiations—it appeared to him we had given up anything in the shape of a guaranty that we ever had. Whether we gave the contractor the right of free selection, or whether we tied him down to the land opposite those portions of the line which he had constructed, and whether we gave him the fee simple of the lands or not,—this would be no guaranty that the line would be completed. It might provide against the alienation of more lands than we could possibly help, but it would be no guaranty that the line would be carried all the way through. But what he looked at was this—and he thought it was a point that had not been touched upon yet; supposing that by some unfortunate or unforeseen circumstance, or combination of circumstances, the contractor became a bankrupt, after making say forty miles of the line at each end, and he was unable to finish his contract, what provision was there made enabling the Government to reopen the lands which were reserved pending the completion of the line? While the work was in progress we contracted to lock up all the lands on either side of the line until the railway was finished and the contractor had selected his land; but, supposing he was unable to finish it, no provision whatever was made to enable the Government to reopen the land which had been locked up. This was a very important point, and had not yet been touched upon. Some provision ought to be made whereby, unless the contractor completed the line within a given time, the Government could throw open these lands, otherwise we might have the contractor after making a few miles saying he could not proceed with the work then but he hoped to be able to do so at some future time, and meanwhile he must insist upon the land remaining locked up until he had an opportunity of making his selections. If some such provision as this were made, he should be quite prepared to go with the proposal that the contractor should have the right of free selection. He thought the contractor's own interest was the best guaranty we could have—having

let go the forfeiture clause—that he would complete the line.

The amendment submitted by Mr. LOTOH was then put, and, a division being called for, the numbers were—

Ayes...	11
Noes...	9

Majority for	2
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AYES.	NOES.
Hon. M. Fraser	Mr. Burt
Hon. A. P. Hehman	Mr. Crowther
Mr. Mason	Mr. Davis
Mr. Grant	Mr. Glyde
Mr. Hamersley	Mr. McRae
Mr. Lotoh	Mr. S. S. Parker
Mr. Marmion	Mr. S. H. Parker
Mr. Shenton	Mr. Randell
Hon. J. G. Lee Steere	Mr. Brown (Teller).
Mr. Venn	
Hon. J. Forrest (Teller).	

The amendment was therefore adopted.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) then moved, That the following words be added: "The House is of opinion that Mr. Hordern's objections to the 28th Resolution of the House may be met by allowing him to make free selection in blocks of not less than 12,000 acres in extent, provided that the lands to be so selected shall be within the areas on either side of the line which has been duly completed and opened for traffic, and not in advance of the same; provided also that half the frontages to the railway in every section of 20 miles shall be reserved to the Government, and that no frontage so left to the Government shall be less than five miles in the direction of the meridian by 15 miles in depth." The result of this amendment, the hon. gentleman said, would be this: if the area opposite the first section constructed did not contain sufficient good land for the contractor's purpose, he need not select any land within that area, but he would go on constructing another section, or more sections than one if he liked, and when he came to the good land he would be allowed to select within that area all the land he had become entitled to in respect of all the sections of the line he had up to that time completed.

This amendment was agreed to without opposition.

Paragraph 5 of Mr. Hordern's letter reverted to: "I regret that I am unable to agree to the amendments proposed

"to clause 47; this clause is virtually the same as that of the Crown Agents, and, if the latter is considered preferable, I have no objections to its being substituted."

Mr. MARMION said hon. members were aware that the land to be taken by the contractor was to be taken east and west of each section of the line as completed; but the House had subsequently agreed to let the contractor have a free right of selection, and the clause here referred to dealt with the land the contractor became entitled to for introducing immigrants, and what he asked for was that he should have the same right of selection in respect of this land as of the land he was entitled to for constructing the line. The select committee recommended that a proviso be added to the clause dealing with the land for immigrants, confining the selections to the areas opposite the completed sections; but as the House had conceded that point as regards the land taken up by the contractor in payment for the line, he thought it would be only consistent they should make the same concession as regards land taken up for immigrants introduced by the contractor. He would therefore move to retain all the words of the select committee's amendment proposed to Clause 47*, down to the word 'inserted,' in the fourth line, and to strike out all the remainder of the amendment.

This was agreed to, without discussion.

Mr. MARMION then moved, "That after the word 'subsidy,' in the last line of Clause 47 of the amended contract, the following words be added: 'for railway construction, maintenance, and equipment, provided that no such selection shall be made in advance of the line of railway at the time being completed and open for traffic, and that no such selections be taken out of the frontage blocks reserved for the Government in accordance with the sub-sections of Clause 50.'" This

* "25. That in Clause 47 the word 'areas' be substituted for the word 'districts,' in the 2nd line, and that between the words 'defined' and 'remaining,' in the same line, the words 'in clause 50' be inserted; [also that a proviso be added, confining the selections in question to the areas opposite those sections of the railway in process of construction at the time the immigrants are introduced, and further, that such selections be not taken out of the frontage blocks reserved for the Government in accordance with the sub-sections of Clause 50.]"

would put the contractor, as regards the land taken up for immigrants, on the same footing as the amendments which had just been agreed to put him in, in respect of the other land he became entitled to.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) thought this question of introducing emigrants was of more importance than it might appear at first sight. Clause 46 of the draft contract said: "The Government will pay to the contractor at the expiration of three calendar months from the arrival in the colony of any such emigrants the sum of £10 for each such statute adult so introduced in each respective year, or, at the option of the contractor (to be declared at the end of each year), will grant to the contractor or his nominees, in fee simple, for each such statute adult 50 acres of land." Did the House conceive that the time specified and the guaranty were sufficient? He thought this question had hardly received the consideration its importance entitled it to.

No other hon. member rising, the amendment proposed by Mr. MARMION was then put and passed.

Paragraphs 7 and 8 of Mr. Hordern's letter: "(7) The Government and the Legislature are agreed that upon completion of any section of the line the contractor shall be granted three-fourths of the land to which he is entitled; but in order to show that I am acting in good faith, and fully intend constructing the whole line between Beverley and Albany, and completing the contract to the entire satisfaction of the Government, I am willing that one moiety only of such land shall be granted to the contractor, and that he shall not be entitled to the remainder until the whole line is constructed. (8) As a further guarantee of my good faith, I am willing to agree that the £10,000 deposit shall remain in the hands of the Government, on the same terms as to payment of interest to contractor as provided in the amended contract, until three years after the final completion of the whole line, and that this same and interest shall be available for the payment of any fines to which the contractor may become liable."

THE HON. J. G. LEE STEERE said he thought no one would take exception to these proposals of Mr. Hordern. They pointed clearly to the *bona fides* of his intentions, and probably had influenced members considerably in granting the concessions which the contractor had asked for in other directions. The proposal to be content with a moiety of the land, instead of three-fourths as agreed upon by the House, seemed to point that the contractor at any rate was acting in good faith; and he would now move that, as regards paragraphs 7 and 8, the committee agree to accept the proposals contained therein.

Question—put and passed.

Paragraph 9.—"I am prepared to make York the Northern terminus of the railway instead of Beverley, and to select the land in respect of the section between York and Beverley from the areas set apart for selection in respect of the line between Beverley and Albany; and further to commence the construction of the line from York within 12 months of the date of the confirmation of the contract by the Legislative Council, and to complete it to Beverley within 2 years from that date."

POINT OF ORDER.

THE HON. J. G. LEE STEERE rose to a Point of Order. A committee of the whole House had already decided this session that the proposed railway should be commenced simultaneously at Beverley, at one end, and Albany at the other; and he maintained it was not competent for the House now to re-open the question.

MR. BROWN submitted that the whole letter (Mr. Hordern's) having been sent down to the House by the Governor for its consideration, it was within their province—nay, it was their duty—to deal with the whole letter. If the principle involved in the Point of Order were assented to, should the Governor send back for amendment or reconsideration a clause of a bill that had been passed by the House, the House would be debarred from further dealing with it.

THE HON. J. G. LEE STEERE said the case was not analogous. The Governor had a constitutional right to send back for the reconsideration of the House

any bill which he thought necessary; but this letter had not been sent back with any request on the part of the Governor that the House should reconsider the question of the terminus of the line.

MR. BROWN said he defied the hon. member to point out when a committee of the whole House decided that the line should have its terminus at Beverley. The House had never pronounced any opinion on that point.

THE HON. J. G. LEE STEERE said that a committee of the whole House decided, on the 20th, that the construction of the line should be commenced simultaneously at Beverley and at Albany.

THE COLONIAL SECRETARY (Hon. M. Fraser) said, without expressing any opinion upon the merits of the case, that the matter had been sent back for their consideration, and he did not see why they should not deal with this particular paragraph as well as the other paragraphs of Mr. Hordern's letter. They had departed in some very material points from the previous decisions of the House as regards the terms of the contract.

MR. S. H. PARKER said it was he who had first proposed in the House that the contractor should commence at York rather than Beverley, but he thought the question had assumed a different aspect altogether since then. The House had now made it obligatory upon the contractor to pay compensation for the lands resumed for the purposes of the railway; and the amount of compensation that would have to be paid for land if the line started from York would be a very much larger sum than if it started from Beverley. Therefore he did not propose to move any further in the matter.

THE ATTORNEY GENERAL (Hon. A. P. Hensman): May I say a word on the question of order? The House has already affirmed a resolution that the railway should commence simultaneously at either terminus, Beverley at this end and Albany at the other end; and it is now suggested that we should take into consideration whether York should not be the northern terminus instead of Beverley. It seems to me that such a resolution would be contradictory of the resolutions already arrived at. No doubt we have re-discussed other matters connected with

the contract, but they are all more or less matters of detail; but it is now proposed to alter the terminus of the line—a proposal that involves an expenditure of some £80,000.

THE CHAIRMAN OF COMMITTEES: The only decision arrived at on this point was, that the construction of the line should commence simultaneously at either end, Beverley and at Albany,—which were the two termini in contemplation when that question was under consideration. The question is now raised, whether the line should not be extended to York, which is a question that has never been put to the vote, and upon which the House has passed no opinion. The question has been incidentally talked about, but the House has expressed no opinion upon it. It is therefore quite in order for the committee to proceed with the consideration of the paragraph now before it.

DEBATE RESUMED.

MR. BROWN said, very possibly, after what the hon. member for Perth (Mr. Parker) had just pointed out, with reference to the question of compensation, that Mr. Hordern himself might not feel inclined to carry out the proposal made in this paragraph. But he wanted to give him an opportunity of doing so, if he chose, and, for that reason, he would move, "That it is desirable to accept the proposal of Mr. Hordern, contained in the 9th paragraph of his letter, to make York the northern terminus of the railway instead of Beverley." Seeing that since this letter was written, the House had resolved that compensation for land resumed should be paid by the contractor and not by the Government, he did not consider that Mr. Hordern was at all bound to carry out this proposal, under these altered conditions. For his own part, without again going into the whole question, he thought it was of the utmost importance to the colony that it should be relieved from the expenditure of some £80,000 which would be required for the construction of this line between York and Beverley, when it had the opportunity of having the line constructed on the land grant system.

MR. VENN said he need hardly say that he intended to support the motion. They never had this subject before them

for discussion before, as it was nipped in the bud. He ventured to think that if they had this offer of Mr. Hordern before them last session, they would never have dreamt of having the line commenced at Beverley. They had heard a great deal this session about the value of the lands between York and Beverley, and of the probability of a line between those two places being a remunerative line; but he had no hesitation in saying that no one would have suggested that the colony should build a line of railway from York to Beverley, had it not been for the proposal to build a line from Beverley to Albany.

THE HON. J. G. LEE STEERE said that so much had been said on the subject the other evening, that it would be only waste of time to labor the point any further. He would therefore, without saying any more, move, as an amendment, "That, in the opinion of this House, it is not desirable to accept Mr. Hordern's proposal to make York the northern terminus of the railway instead of Beverley."

MR. SHENTON said the question of constructing a railway from York to Beverley had never been raised, except in conjunction with the proposal to have a line from Beverley to Albany, and he thought it was very doubtful whether the House would have agreed to it, if Mr. Hordern's scheme had not been accepted. He thought the majority would have been in favor rather of a line to Newcastle. The claims of that district were much greater than the claims of Beverley, and the interests of the colony would have been better served.

The amendment submitted by Mr. STEERE was then put, and, a division being called for, the numbers were—

Ayes	12
Noes	8
Majority for	4

AYES.	NOES.
Hon. M. Fraser	Mr. Crowther
Hon. A. F. Hensman	Mr. Davis
Hon. J. Forrest	Mr. Grant
Mr. Mason	Mr. McRae
Mr. Burt	Mr. S. S. Parker
Mr. Hamersley	Mr. S. H. Parker
Sir L. S. Leake	Mr. Venn
Mr. Loton	Mr. Brown (Teller)
Mr. Marmion	
Mr. Randall	
Mr. Shenton	
Hon. J. G. Lee Steere	
(Teller)	

The amendment was therefore adopted, and Mr. Hordern's proposal rejected.

The resolutions were then reported to the House.

MR. BROWN moved that the report be adopted.

MR. BURT moved, as an amendment, that the debate be adjourned until Monday, 1st September; which was agreed to. Debate adjourned.

MESSAGE (No. 30): DESPATCHES RE RESPONSIBLE GOVERNMENT.

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

"The Governor has the honor to transmit, herewith, for the information of the Honorable the Legislative Council, the following documents, relative to the question of Responsible Government in this Colony:—

"Governor to Secretary of State: De-

"spatch No. 72, dated 9th April, 1884 (extract).

"Secretary of State to Governor: De-

"spatch No. 60, dated 14th July, 1884.

"Government House, Perth, 29th August, 1884."

MESSAGE (No. 31): NEGOTIATIONS WITH SIR JULIUS VOGEL RE SUB-MARINE CABLE.

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

"The Governor has the honor to transmit, herewith, for the consideration and advice of the Honorable the Legislative Council, copy of a despatch from the Right Honorable the Secretary of State for the Colonies (No. 63, dated 18th of July, 1884), with enclosures, showing the state of the negotiations with Sir Julius Vogel in the matter of the concession to lay a sub-marine telegraph cable.

"2. The Governor's despatch No. 44, of the 2nd of August, 1883, referred to in these papers, will be found at page 4 of Council Paper No. 21 of this Session.

"Government House, Perth, 29th August, 1884."

THE COLONIAL SECRETARY (Hon. M. Fraser) moved, That the message be

referred to a select committee, consisting of Mr. Steere, Mr. Marmion, Mr. Venn, Mr. Crowther, and the mover.

Agreed to.

MESSAGE (No. 32): SANATORIUM FOR INDIAN TROOPS.

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

"The Governor has the honor to transmit, herewith, for the information of the Honorable the Legislative Council, copy of a despatch (No. 62, dated the 17th July, 1884), with enclosure, from the Right Honorable the Secretary of State for the Colonies, relative to the question of the establishment of a Sanatorium in Western Australia for Her Majesty's troops in India.

"2. The Governor's despatch No. 74, of the 11th April last, replied to by the Earl of Derby, will be found printed at page 62 of Council Paper No. 21 of this Session.

"3. It will be seen that the question has been referred for the opinion of the Government of India.

"Government House, Perth, 29th August, 1884."

MESSAGE (No. 33): TRANSFER OF IMPERIAL CONVICT ESTABLISHMENT.

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

"The Governor has the honor to transmit, herewith, for the consideration of the Honorable the Legislative Council, copy of a despatch, dated the 21st of July last, which he has received from the Right Honorable the Secretary of State for the Home Department, in reply to his despatch No. 9 of the 8th of April last, printed at page 4 of Council Paper No. 22 of this Session.

"2. The Governor will be glad to learn whether the Legislative Council are prepared to consent to the transfer to the Colonial Government of the Imperial Convict Establishment on the terms stated in paragraph 2 of the Governor's above-mentioned despatch, which are as follows:—

"a. Payment at the rate of £45 per annum for each individual maintained by the Colony on account

"of the Imperial Authorities.
"Lunatics at £42 as already agreed.

"b. Transfer to the Colony, free of charge, of all Imperial property, including stores.

"c. All buildings to be placed in good condition before being handed over; e.g., the prison roof now requires extensive repairs.

"d. All Imperial Officers to be at once pensioned, and their pensions paid to them irrespective of their re-employment by the Local Government.

"Government House, Perth, 29th August, 1884."

THE COLONIAL SECRETARY (Hon. M. Fraser) moved, That message No. 33 be referred to a select committee; such committee to consist of Mr. Forrest, Mr. Steere, Mr. S. H. Parker, Mr. Marmion, and the mover, and, by leave, Mr. Venn, Mr. Loton, and Mr. Shenton.

Agreed to.

The House adjourned shortly after midnight.

LEGISLATIVE COUNCIL,

Monday, 1st September, 1884.

Railway from Geraldton to Dongarra, Cost of construction—Representation of the Government in the Legislature—Financial Statement: Estimates—Consideration of Message (No. 18), Land Grant Railway to Eucla—Consideration of Message (No. 20) re Mr. Hordern's Colonisation and Agricultural College Scheme—Further Consideration of Message (No. 25): Mr. Hordern's Amended Proposals for Construction of Land Grant Railway from Beverley to Albany—Cattle Trespass Act, 1882, Amendment Bill—Albany Mechanics' Institute Bill: recommitted—Deeds of Grant Bill: third reading—Adjournment.

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

PRAYERS.

COST OF CONSTRUCTING RAILWAY FROM GERALDTON TO DONGARRA.

In reply to Mr. CROWTHER, THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason) said he estimated that the approximate cost of