

tioned the matter, in order that the hon. and learned gentleman might give his attention to the point.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said "The Transfer of Land Act, 1874," contained a provision to this effect: "In case it shall appear to the satisfaction of the Commissioner that any certificate of title or instrument has been issued in error, or contains any misdescription of land or of boundaries," and so on,—it shall be lawful for the Commissioner to rectify the error, and any person refusing to deliver up a certificate for correction might be arrested and brought before the Supreme Court. He thought this clause would meet the case referred to by the hon. member, and he might say that it was not overlooked when the present bill was under consideration.

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

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

LEGISLATIVE COUNCIL,

Wednesday, 6th August, 1884.

Breach of Mail Contract—Branch Railway to Perth Racecourse—Police inquiries into character of certain classes—Law as to Deserters from American or foreign ships—Local Court at Bridgetown—Plans for new Government Offices, Perth—Vote for Albany Town Hall—Message (No. 17): The Measles Epidemic: Sanitary Precautions; Land Quarantine Bill—Railway Platform at Halfway House (Albion Hotel)—Kimberley Sugar Lands, Reservation from Sale: adjourned debate—Gold Prospecting and Machinery for Crushing: adjourned debate—Appropriation Bill (Supplementary), 1884: in committee—Customs Ordinance, 1880, Amendment Bill: third reading—Adjournment.

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

PRAYERS.

BREACH OF MAIL CONTRACT.

MR. CAREY, in accordance with notice, asked the Honorable the Colonial Sec-

retary if the Government was aware that the s.s. "Lubra," advertised to carry contract mails, &c., to Bunbury and Vasse, did not leave the mails at either place, when *en route* to Albany on Friday, 1st inst.; and if the Government intend to enforce the penalty for breach of contract?

THE COLONIAL SECRETARY (Hon. M. Fraser) replied:—It has been reported that such was the case. The irregularity occurred through the remissness of the purser, who will, as the Agent informs the Postmaster General, be severely dealt with for this gross dereliction of duty. The Government does not intend to enforce the penalty for breach of contract.

BRANCH LINE OF RAILWAY TO PERTH

RACECOURSE.

MR. S. H. PARKER, in accordance with notice, asked the Commissioner of Railways if a survey for a line of railway from the Eastern Railway to the Swan River, opposite the Racecourse, had been made? If so, the length and probable cost of the construction of such line.

THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason) said: Yes, a trial survey had been made. The length of the line would be about 65 chains, and the probable cost £2,000.

POLICE INQUIRIES INTO CHARACTER OF CERTAIN CLASSES.

MR. S. H. PARKER, in accordance with notice, asked the Honorable the Colonial Secretary whether the Government had issued any instructions to the Police, or to any other persons, directing them to make secret, or other inquiries, into the conduct, character, politics, and position in life, or otherwise, of any class or classes of the inhabitants of this colony; if so, whether he would be pleased to lay a copy of such instructions on the table of the House.

THE COLONIAL SECRETARY (Hon. M. Fraser) replied that in order to furnish certain information required by the Secretary of State, the Superintendent of Police had been collecting some statistics; but the papers, being confidential, could not be produced.

LAW AS TO DESERTERS FROM AMERICAN OR FOREIGN SHIPS.

SIR T. COCKBURN-CAMPBELL, in accordance with notice, asked the Attorney General, If an American ship calls at a port in this colony, and any of her crew leave or desert from the ship, can they legally be arrested and forcibly put on board such ship, although their names are not in the ship's articles and they have entered into no written agreement to serve on board the said ship for any term? The hon. baronet said members would readily understand what the question referred to—an incident that had recently caused a good deal of interest and excitement at Albany, and not only at Albany but throughout the colony, and he might also say throughout the other colonies.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said the local Act bearing on this question was an Act passed in 1878, and it had a clause in it which provided that any seaman belonging to a foreign vessel, if he deserted, could be arrested and taken on board his ship. But it must be obvious, he thought, to the House, that this might give rise to many very nice questions. If the seamen belonged to any foreign vessels, it brought at once under the purview of the court that had to decide the case, the question of the law of the various countries concerned, and it must be manifest to hon. members that the question of whether a sailor belonging to a foreign vessel could be dealt with as indicated depended upon the law of the country under which the seaman contracted to serve, or otherwise. Therefore it was clear that the question was a very nice one, though if it were put in precise language, together with all the attendant facts, it was a question that might be comparatively easily answered. At all events, the House would see that many delicate questions might at once crop up. The hon. baronet had put his question in general terms, and although it might be that the hon. member had in his mind certain cases that had occurred, still the question was abstract in its terms, and the only answer he could give to a question of this kind—which in order to be answered with exactness must be considered in the light of all the circumstances surrounding the case and of the

law and custom of the country where the contract was entered into,—the only answer he could give to the question now before them was that the decision of a question of this nature must depend on the circumstances of the particular case.

SIR T. COCKBURN-CAMPBELL: Can the hon. and learned gentleman inform me whether a man serving on any particular ship is a seaman, within the meaning of the Act referred to, if his name is not on the ship's articles?

THE ATTORNEY GENERAL (Hon. A. P. Hensman): That is a question which again I am not prepared to answer off-hand, accurately, for a man may be a seaman for one purpose and not for another. But I may say that by the English law, and, as I believe, by the law of most civilised nations, the rights of seamen are very carefully protected; that is to say, the laws of each country make particular provision—certainly the laws of England do—that persons shall enter into a written agreement before they serve on board ship; and if a master does not enter into such agreement, if he carries a seaman to sea without such agreement, he is liable to a penalty. That is the only answer I am now prepared to give the hon. baronet.

MR. CAREY asked the Attorney General whether, in giving his answer, he had done so having read the 9th section of the Foreign Seamen's Act, in which it was distinctly laid down that the production of the ship's articles was *prima facie* evidence that a seaman belonged to the ship, and that it was not necessary that the subscribing witness to the agreement should appear in court?

THE ATTORNEY GENERAL (Hon. A. P. Hensman): I think the answer which I have just given, and given off-hand, has exactly foreshadowed the remark made by the hon. member for the Vasse. I said particularly that by the law of England masters must enter into a written agreement with their men before taking them to sea, and, as a rule, I believe that is done. If it is not done, the master renders himself liable to a penalty.

LOCAL COURT AT BRIDGETOWN.

MR. VENN moved, "That an humble address be presented to His Excellency the Governor, praying that he will be

"pleased to take the necessary steps to 'establish a Local Court at Bridgetown.'" The hon. member said the notice spoke for itself, and he trusted it would commend itself to the House and meet with no opposition. Already a Police Magistrate visited the district once a month, and he was advised that this gentleman would undertake the duties connected with the establishment of a Local Court; so that it would not entail any extra expense upon the Government, while at the same time it would be a source of great convenience to the settlers round about.

MR. CAREY, in seconding the motion, said the subject had been mooted some years ago and again formed the subject of discussion at a meeting of settlers held in January last. He might say that when he brought the matter forward on a previous occasion a promise was partly made by Governor Robinson that this court should be established, but nothing had been done in the matter yet, and he hoped the Government would now deem it right to give effect to the wishes of the settlers in the matter.

THE COLONIAL SECRETARY (Hon. M. Fraser) said the only possible objection there could be to the presentation of this address would be that if this court were established it would necessarily entail additional expense. It would be necessary, of course, to have certain officers attached to the court, and the question arose whether the business was likely to be such as would warrant this expenditure. The Government, he might say, had looked carefully into this matter, and, although they were very desirous to meet the wishes of hon. members as far as practicable, and to supply the wants of country districts as far as our revenue would admit, still it was a matter for consideration whether this expenditure would be justified by the amount of business likely to be done, or the convenience which this local court would afford. He had not risen to oppose the address; at the same time it was a matter which the House should well consider, whether, if they acceded to the present request, there were not other centres of population having equal claims with Bridgetown to the establishment of a local court.

THE HON. J. G. LEE STEERE did not

himself think that there would be any additional cost entailed upon the Government, and it was under that belief that he had agreed to support this address. He knew it would be a great advantage to the settlers, and he failed to see what additional expense need necessarily be incurred. The Police Magistrate, who visited the district monthly, could hold the court on his usual visiting day, and the local police constable already acted as clerk, with a salary of £10 a year, and he also might act as bailiff of the court, for which he would be paid out of the fees.

MR. SHENTON said he would support the motion if the hon. member would consent to add the words, "provided the establishment of such court does not entail any extra expense upon the Government." If it was likely to entail any additional expenditure he should certainly oppose it, on the ground stated by the Colonial Secretary, that there were other districts in the colony possessing quite as strong a claim in this respect as the Bridgetown district—Victoria Plains for instance, which was a long way from Newcastle, and although there was a court house there and a Magistrate visiting the district, and there was a considerable population, still they had no local court.

MR. BROWN said no doubt the establishment of this local court would entail additional expense, sooner or later, but he did not think the extra expense likely to be incurred would be more than commensurate with the advantages which the settlers of the district would derive, and he intended to support the motion.

MR. MARMION did not think that the compensating advantages would be at all commensurate with the additional expenditure which would be involved. To his mind it would be a waste of public money, and simply in order to provide personal accommodation for a very few people.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said he quite agreed with the hon. member for Fremantle. Bridgetown was not at all singular in having no local court. There were places of quite as much importance without local courts, and if they were going to increase the machinery of Government, and spread it all over the colony in this way, he did not know where it

was going to end. Beverley was quite as important a district as Bridgetown, yet it had no local court nor even a visiting magistrate; nor had Moorumbine, which was quite as important if not more important a place than Bridgetown. There were many other parts of the colony having equally strong claims for consideration, and he did not think any good case had been made out for Bridgetown at all. For his own part, he was not very much in favor of these local courts being established among a scattered community like this; it only tended to encourage people to become litigious, and to go to law over very trifling matters, so that, altogether, he did not think the House would be acting wisely in adopting this address. It was quite certain it would cost a good deal of money, if not at present, in a few years time.

MR. VENN said he was not prepared to add any proviso to the motion whatever on the score of expense. If any little extra expense should be entailed he thought the district was fully entitled to it. The factious opposition that was offered to anything suggested for the benefit or convenience of the southern districts was a spirit which he regretted to see manifested in the House. He attached considerable weight to the opinions of the Commissioner of Crown Lands in many things, but when the hon. gentleman volunteered an opinion on a question like this he did not think it was worth very much.

The House then divided upon the motion, with the following result:—

Ayes	12
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Noes	11
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Majority for	1
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AYES.	NOES.
Mr. Brown	Hon. M. Fraser
Mr. Burt	Hon. A. P. Hensman
Sir T. C. Campbell	Mr. Mason
Mr. Carey	Mr. Glyde
Mr. Crowther	Mr. Grant
Mr. Davis	Mr. Loton
Mr. Hamersley	Mr. Marmion
Mr. Higham	Mr. McRae
Mr. S. S. Parker	Mr. Randell
Mr. S. H. Parker	Mr. Shenton
Hon. J. G. Lee Steere	Hon. J. Forrest (Teller).
Mr. Venn (Teller).	

The motion was therefore carried.

PLANS FOR NEW GOVERNMENT OFFICES. PERTH.

MR. SHENTON, in accordance with notice, moved: "That the Council approves of the recommendations contained in the report of the select committee appointed to consider and report upon the plans prepared for the completion of the new Government Offices, Perth." The committee (the hon. member said) had examined the ground plans, and considered that they provided the accommodation required; but as no elevation had been prepared to work in with the ground plan, the committee considered it would be advisable to offer a premium of £50 for the best design for the elevation. The committee also found that the Director of Public Works estimated that the cost of completing the central wing would cost about £10,000—taking into consideration the cost of the other wings already built; and the committee were of opinion that this estimate should not be exceeded. The money for the £50 premium had already been voted on the Supplementary Estimates.

Motion agreed to.

VOTE FOR ALBANY TOWN HALL.

SIR T. COCKBURN-CAMPBELL, in accordance with notice, moved, "That an humble address be presented to His Excellency the Governor, praying that he will be pleased to take such steps as may be necessary for affording the Municipality of Albany the same assistance, proportionately, as that given under similar circumstances to the Municipality of Fremantle, in respect of the erection of a Town Hall." The hon. baronet said he always wished to be moderate when asking for anything on behalf of his constituents, and in this case he thought he was not asking for anything that might be considered unreasonable. On the contrary, he hoped the House would agree with him that he was asking for something that was thoroughly reasonable. In fact the House had already established a precedent in this matter, when, last year, it cheerfully agreed to give Fremantle that help towards the erection of a town hall which proportionately he now asked for Albany. On

that occasion several hon. members said they would be prepared to give the same aid to other districts, if they were satisfied that a town hall was required there; and he could assure hon. members that in this case a town hall was very much required. The only public building in the place available for public meetings was the present court-house, and the Government officials were often put to very great inconvenience, and worse than inconvenience, from that fact. He might mention that when a public banquet was given by the inhabitants to the present Governor lately, it had to be held in this court-house, and when the ball took place at night the Resident Magistrate's office had to be converted into a supper room, while the clerk's office had to be utilised as a ladies' dressing-room. The whole place was turned topsy-turvy, and the Government Resident told him that on every such occasion he and his officers were put to any amount of inconvenience. In fact, it was found absolutely necessary by the inhabitants to erect a town hall; and he had received a telegram the other day stating that the Municipality had arrived at a decision to expend £5000 in the erection of this town hall. It was a large sum for them to undertake to raise, but they wished to have a building worthy of the place. It was the only place at present from which strangers visiting the colony derived their first impressions of Western Australia, and, judging from the plans of the proposed building, it would be a very handsome one, and a building well worthy of the town. The hon. member for Fremantle, when he urged the House last session to assist the residents of that place to build a town hall, said he considered it in the light of a national undertaking, as people arriving there received their first impressions of the colony from what they saw at Fremantle. He (the hon. baronet) thought the first impressions of the colony at present formed, by nearly every one travelling to and from the other colonies, were derived at Albany—though he sincerely hoped that before long steamers might call at Fremantle, for he considered it would be in the interests of the colony that they should do so. Notwithstanding that,—even if steamers were induced to call at Fremantle—a large number, and probably the majority, of

travellers would still call at Albany, and derive at that place their first impressions of the country. Hon. members might probably raise the objection that if they did this for Albany, they would be bound to do the same for other places, if similar assistance is asked for—and he certainly thought it would be so. But, as they did this last year for Fremantle, without any safeguard at all, without any condition as to future assistance, he considered they were already bound to give this help to Albany. He did not suppose there were many places as to which the House would soon be asked to give its aid in this way; but, in view of the precedent already established, he thought when assistance was asked for, they would be bound to give it. If the line were to be drawn at Fremantle, as he had heard one or two members say it ought to be, he would point out, if they were to do that, they would be directly fostering a certain feeling of jealousy on the part of country towns which already undoubtedly existed. People in the country fancied that the central towns had much more influence in that House and with the Government than country towns, and if they were to draw a line at Fremantle in this matter, as had been suggested, they would certainly be fostering that feeling of jealousy which he had alluded to as already existing. As to the amount of the contribution asked for, all he proposed was that proportionately the same amount should be given to Albany as the House had agreed to give Fremantle. He understood the Municipal Council at Fremantle proposed to expend £10,000 in the erection of their town hall, and what they asked and what the House consented to grant them, was twenty per cent. of the cost of the building, one fourth to be paid when the foundation stone was laid, and the balance by instalments as the work progressed. He asked for nothing more for Albany than this 20 per cent., or one fifth of the amount which the Municipality proposed to expend on the building, which he was informed was £5,000. He believed the hon. member for Fremantle said that £500 would be a sufficient sum to provide this year for that town, therefore all that would be required on next year's Estimates for Albany would only be £250. It might

be said by some hon. members that something had already been done in the matter of a town hall for Albany,—that some money was placed on the Supplementary Estimates last year, “in aid of a town hall.” But, as a matter of fact, that was simply a “matter of account.” Governor Robinson had given a site for a town hall, which did not answer for that purpose; and consequently it was sold in order to enable the Municipal Council to buy another site, and the money paid into the Treasury. Exactly the same thing had been done at Fremantle. He believed hon. members generally did not approve of the course taken by Governor Robinson—he forgot exactly upon what ground—but he hoped their disapproval of the action of the late Governor would not prejudice them against the interests of his constituents, to the detriment of Albany, in the matter now brought forward. He thought, in common fairness, that in view of the precedent established last year, hon. members would see their way to support the motion.

THE SPEAKER having ruled that the question was one of finance, and that it should therefore be considered in committee, the chair was temporarily taken by the hon. member for Toodyay.

IN COMMITTEE.

MR. MARMION, in seconding the address, said that when he moved a similar resolution last year he then expressed his intention of voting for any similar motion that might be made hereafter, for assistance on the same conditions as assistance was given to the Fremantle people towards the building of their town hall. He considered that in doing so the Government would only be acting fairly and acting judiciously towards any town or district in the colony—(MR. CAREY: Bridgetown)—yes, even Bridgetown, by granting a certain percentage to the residents towards the erection of a town hall. He thought it was a good policy to assist the settlers in every progressive movement of this kind, when they showed a readiness to help themselves.

THE COLONIAL SECRETARY (Hon. M. Fraser) said a line must be drawn somewhere. In everything mundane there must be a finality; and if they were going to embark in these under-

takings where were they going to stop? Last year the House came forward in a most magnanimous manner to assist Fremantle, in its most praiseworthy endeavor to erect a town hall that would be worthy of the chief port of the colony; but he hoped they were not going to adopt that as a precedent to be followed in the case of every town and hamlet throughout the colony. Years ago the paternal Government under which we live gave to certain corporate bodies in our towns and to the settlers of country districts certain powers of local self-government and local taxation, which would enable them to provide ways and means to carry on local improvements without encroaching upon the general revenue. That concession was hailed at the time as a great boon and a blessing, and he should like to see the colonists giving some practical proof of their appreciation of the powers conferred upon them. Were they always going to draw upon the general revenue for works of a municipal character, in this way? There were already scores of towns in the colony, and in time they would have hundreds of towns putting forward claims for assistance towards erecting a hall, and where were they going to draw the line? Hon. members should bear in mind that the colony was about to enter upon serious financial responsibilities, and it behoved us to be very careful of our promises. He thought we might very well stop at the chief port of the colony. The policy of the House in the matter of public works should be to encourage and to initiate such works as were calculated to develop the resources of the colony, to provide improved facilities of transit, to stimulate local production, and so forth, rather than the adornment of our towns by the erection of handsome town halls. The towns were merely feeders upon the country settlements, and they would soon die of inanition if the country did not show signs of vitality. He considered the inhabitants of the towns were as a rule well able to look after themselves, in these matters, and that it behoved the House when considering the question of public works to bear in mind the requirements of the country generally, in the way of reproductive works. He hoped the hon. baronet would show his faith in

the ability of Albany to build its own town hall, without calling upon that House to assist it out of the general revenues of the colony.

MR. BROWN said the arguments made use of by the hon. member who moved this address were to his mind unanswerable. The great blessing referred by the Colonial Secretary as having been conferred upon the settlers by this 'paternal government' was the blessing of taxing themselves,—the power to raise money out of their own pockets, so to speak. For his own part, he did not look upon that as a very great blessing. He thought they might well encourage those who showed their readiness to take advantage of the powers thus conferred upon them, by assisting them in the way here proposed. The amount asked for was not a large amount, and, as for the principle involved, the House had directly recognised it in other matters, time after time. He was not one of those who considered that all the good things should fall to the central towns; and if the principle was a right principle as regards Fremantle, he thought it was equally right that it should be extended to less flourishing and less central towns. It was not only with regard to town halls that the same principle had been recognised in Perth. The convenience and comfort of the citizens had been consulted in other ways, and money voted out of the general revenue to provide them with recreation grounds, public gardens, and other things. If it was true that all local works were to be provided by each town for itself, simply because the people had obtained the great blessing of being able to tax themselves, the principle ought to have been applied to Perth itself long ago.

MR. RANDELL said, rightly or wrongly, he thought the House had admitted the principle on many occasions of helping the inhabitants of towns in such objects as this, and, although they had departed from the traditions of the old country in this respect, where the Government scarcely ever assisted in such objects, yet he thought we were following in the steps of the other colonies, the Legislatures of which he believed did to a very large extent grant help towards these local undertakings. Having ourselves admitted the principle in the case

of Fremantle, he could scarcely see how we could consistently refuse to render proportionate assistance to other towns. No doubt other towns would ask for such assistance—he hoped they would; it would show they had some life and vitality in them, and that they looked forward hopefully to the future. He scarcely thought any hon. member would come forward to ask for assistance in this way unless he felt there was a necessity for it, and that he was justified in doing so. He had no doubt that Geraldton and York would shortly put in a claim for assistance in the same way as Fremantle and Albany; and he trusted that whoever might be returned to that House after this session would recognise the principle and follow the lines already laid down, of giving assistance to such towns as might require it, in such a matter as this. So far as his own individual sentiments were concerned, he was very much opposed to this granting of public aid where voluntary efforts might accomplish the object in view, but, having admitted the principle, he did not see how they could consistently depart from it.

MR. GLYDE said he had cheerfully supported the hon. member for Fremantle last session, when he moved a similar resolution, and he had equal pleasure in supporting the present motion. He thoroughly believed in the good old principle of helping those who helped themselves, and he should be glad to see a similar application made, on the same conditions, on behalf of Geraldton and York. He thought it was a healthy sign of progress, and that the least they could do, when people showed their readiness to tax themselves in this way, was for the Government to come forward in a liberal spirit to show their appreciation of such voluntary efforts.

SIR T. COCKBURN-CAMPBELL pointed out that in this case the people of Albany were taxing themselves in the very way which the leader of the Government considered it was their privilege to do—taxing themselves to such an extent that he hardly saw how they really could afford it. But, as he had already said, they were very anxious that this building should not only be worthy of their town but a credit to the colony. The hon. gentleman opposite said there must be a

finality in all mundane affairs. He failed to see that there was any finality in this world in matters of this kind, which he thought must be dealt with as questions of expediency. He did not think it was at all likely that the principle would be extended to every little township in the colony, as the hon. gentleman seemed to apprehend. He did not suppose every little village in the country was going to ask for a town hall simply because Fremantle and Albany were building one, or that the Legislature was likely to give assistance towards the erection of any miserable barracks it might be proposed to erect. No doubt it was necessary to be careful, as the Colonial Secretary had said; but when they found, as they did, hundreds and thousands expended with very little care indeed, it seemed to him that to draw a line at this particular point was rather mean.

The resolution was then put, and, a division being called for, there appeared—

Ayes 13

Noes 9

Majority for 4

AYES.

Mr. Brown
Mr. Carey
Mr. Crowther
Mr. Davis
Mr. Glyde
Mr. Hamersley
Mr. Higham
Mr. Marmion
Mr. S. S. Parker
Mr. S. H. Parker
Mr. Randall
Mr. Venn
Sir T. C. Campbell

(Teller).

NOES.

Hon. A. P. Hensman
Hon. J. Forrest
Mr. Mason
Mr. Burt
Mr. Grant
Mr. Loton
Mr. McRae
Hon. J. G. Lee Steere
Hon. M. Fraser (Teller).

The motion was therefore carried.

MESSAGE (No. 17): OUT-BREAK OF MEASLES: SANITARY PRECAUTIONS: LAND QUARANTINE BILL.

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

"Referring to the 14th paragraph of the Speech with which he opened the Session, and to his despatch at page 38 of Council Paper No. 21, respecting the outbreak of measles in the Colony, the Governor has the honor to inform the Honorable the Legislative Council that the Act 42 Victoria, No. 5, does not, as he is advised, allow of the framing of Regulations of sufficient scope to check the spread of a con-

"tagious or infectious disease appearing in a centre of population.

"2. To be effective, the Regulations should provide for the enforcement of quarantine on sick or infected persons; for the removal, when necessary, of the sick from their houses to hospitals; for the destruction of infected clothing and bedding; for entry upon and disinfection of premises, &c.; for special burial of the dead, and for other action; all which, though it would of course only have to be taken according to the gravity and circumstances of the particular outbreak of disease, must be legalised beforehand.

"3. The Governor therefore proposes to the Council to amend the Act 42 Victoria, No. 5; and he transmits, herewith, for the consideration of the Council, a Bill drafted with this object. In order that the operation of the Bill, should it be passed into law, may be clear to the Council, the Governor also transmits a draft of the Regulations he would, with possibly some alteration, think it necessary to promulgate, should the enabling power be conferred.

"4. Should these, or similar, Regulations be given force of law, the powers acquired by the Government will be very extensive, and will seriously trench upon the liberties of sick persons, and those in contact with them. Such powers, however, have elsewhere been permitted for the general safety, and it is for the Council to decide whether they are to be exercised in Western Australia. Speaking with some knowledge of the administration of laws relating to the public health, the Governor is of opinion that no more restricted provisions than are contained in these draft Regulations would be strong enough to cope, with any chance of success, with an outbreak of disease in a centre of population.

"5. It may not be irrelevant to note that even the suggested Regulations would, it may be feared, have been ineffective, could the Government have promulgated them on the outbreak of measles last year. The suppression of an epidemic can only be made possible by providing for it beforehand.

"6. When, on the opening day of the last Session of the Council, the Gover-

"nor learnt of the outbreak of measles
 "at Albany, the disease was already
 "prevalent in that town. One fatal case
 "had occurred, three households were
 "affected, some cases were convalescent,
 "and there had been communication
 "between the healthy and the sick.
 "Short of enclosing the town of Albany
 "within a strict sanitary cordon, for
 "which the Government, even could such
 "a step be justifiably taken, had neither
 "the executive means nor the legal
 "power, no action, it is probable, would
 "have prevented the spread of the disease
 "to other parts of the Colony. On this
 "point, the Governor refers to his pub-
 "lished despatch above mentioned.

"7. Reports by the Government Resi-
 "dent and Medical Officer of Albany,
 "relative to the beginning of the epi-
 "demic, are also enclosed, for the infor-
 "mation of the Council.

"Government House, Perth, 6th Au-
 "gust, 1884."

The enclosures were ordered to be
 printed.

RAILWAY PLATFORM AT HALF-WAY HOUSE.

MR. S. H. PARKER, in accordance
 with notice, moved: "That, in the
 "opinion of this House, a Platform on
 "the Eastern Railway at the Albion
 "Hotel will be a great convenience, and
 "afford accommodation to a large portion
 "of the inhabitants of Perth and Fre-
 "mantle; and that it will be gratifying
 "to the Council if the Government will
 "be pleased to cause such a platform to
 "be erected, and also direct that certain
 "trains every day shall stop there for the
 "purpose of taking up and putting down
 "passengers." The hon. member said
 he brought forward the motion, in
 pursuance of the petition he had presented
 to the House the other day. He was
 assured that the platform, if erected,
 would be a great public convenience to
 travellers.

THE COMMISSIONER OF RAIL-
 WAYS (Mr. C. T. Mason) thought hon.
 members would agree with him there
 were quite enough platforms already
 between Perth and Fremantle, and he
 felt bound to oppose the motion.

THE HON. J. G. LEE STEERE con-
 curred with the Commissioner that there
 were quite as many platforms on this

line as were necessary, or that the bulk
 of the travelling public cared for, and
 he certainly would not support the
 resolution.

The motion upon being put was
 negatived on the voices.

RESERVATION OF KIMBERLEY LANDS FROM SALE.

ADJOURNED DEBATE.

MR. RANDELL, in resuming the
 debate upon the motion introduced by
 the hon. member for the North (Mr.
 Grant)—that, pending the receipt of full
 and complete information by the Gov-
 ernment respecting our Kimberley lands,
 it is desirable that no alienation by sale
 of any sugar lands in that district should
 be permitted—said it was not with any
 intention of speaking to the motion that
 he had moved the adjournment of the
 debate, but in order to give an oppor-
 tunity to the hon. member for the
 district (Mr. McRae) to express his views
 on the subject, and he was sure the
 House was glad to see the hon. member
 in his place again, after his recent
 illness. He understood the hon. member
 had an amendment to propose upon the
 original motion, an amendment which
 would in all probability commend itself
 to the House—at all events it would
 commend itself to him, for he was quite
 in sympathy with the proposal to reserve
 from sale a certain portion of the lands
 in this district, although he objected to
 the original proposition which would
 have had the effect of excluding all the
 lands in the district from sale. But if
 certain areas could be defined, his
 sympathies would go altogether in favor
 of the motion. He might also say that
 he sympathised with the views expressed
 in the course of the debate the other day
 by the hon. member for Greenough, that
 it was a pity the land regulations framed
 for the Nor West did not provide for the
 reservation of all lands in that portion of
 our territory from sale, until we knew
 more about them, and were more fully
 cognizant of their value.

MR. McRAE said that in continuing
 the debate on this question he might
 state that he did not think it would be
 wise to deal with our Kimberley lands as
 had been proposed by his hon. colleague
 (Mr. Grant), for he thought that, in

doing so, we should be shutting up all the lands in the district, and probably by doing so would retard the progress of pastoral settlement. Therefore, as an amendment, he intended to move: "That until a comparison has been made, after careful examination and report, between the sugar lands of Queensland and that portion of our Northern territory North of Lat. 16° 20' South, it is not advisable that any land should be disposed of or dealt with other than on pastoral lease." (The hon. member also asked the Commissioner of Crown Lands to lay on the table a map showing the lands referred to). On reference to the map of the district it would be seen that all the lands embraced in this amendment would lie north of the Leopold Range. A few years ago he spent some months in the northern part of the Kimberley district and more particularly about Camden Harbor, and he was in a position to speak from personal inspection of a great portion of the lands in that neighborhood. He thought there was no doubt whatever that we have a great quantity of land there that would be found eminently suitable for sugar growing; and the harbor at Camden was no doubt one of the best in all Australasia. When the party with whom he visited the district landed there, they had several vessels chartered to take stock there, and the captains of these vessels all reported that it was one of the best harbors they had ever been in. Most of the land included in this amendment abutted on Camden Harbor, and he thought it would be wise to reserve this land from sale for the present, as there was no knowing yet what its value might be as a sugar growing country. In the early days of Queensland, before it was known there that they had any sugar lands, a great quantity of land was disposed of at a very low price, which afterwards turned out to be excellent sugar land, and it was resold at a very high price, and the value of these lands now was something enormous compared to the price which the Government received for them. He noticed a paragraph in a Queensland paper the other day showing the progress made within the last two or three years at Cairns, a seaport town in the northern part of that colony—all owing to the

development of the sugar industry. In 1881 the township of Cairns was on its last legs. Its imports at that time were not worth more than £1800, whereas in 1883 the value of its imports had risen to about £50,000. In 1881 its exports were valued at about £15,000, and, two years afterwards, they amounted to £84,000. He ventured to predict that we had in the northern part of our Kimberley district another Cairns, and he thought it would be wise and prudent to reserve the land in this neighborhood from sale until we found out its real value. He did not think that in doing so we should be at all retarding pastoral settlement, for, although this land was rich enough for anything—quite as rich as any part of the Mauritius and very similar in the character of its soil to the sugar lands of the Mauritius—still it was not suitable for wool growing. When he visited the district some years ago they took 4000 or 5000 sheep with them, but these sheep almost all died of starvation, although the grass was so thick and luxuriant that you could not see a flock of sheep feeding 50 yards off. The grass, however, was coarse and reedy, and not at all suitable for sheep pasturing. A little further south of the harbor there was another tract of country very similar, just to the north of the King Leopold Range, which also would be included within the area defined in this amendment. He did not think there would be any necessity to exclude from sale the lands south of the Leopold Range, as the rainfall to the southward of that range was not nearly sufficient for sugar cultivation. The average rainfall in the southern portion of the Kimberley district was probably not more than 24 inches, whereas in the Camden Harbor country he was sure it would be found to be 100 inches. The land, too, south of the range was quite a different class of country from that north of the range. To the south the grass was much shorter and finer, and had been proved beyond doubt to be suitable for sheep pasture, and he did not think it would be wise to reserve this land from sale. But the grass north of the range was altogether too coarse, and the climatic conditions too tropical for successful wool-growing; and, as regards this land, he thought it would be very wise on our part to take

time by the forelock, and reserve it from sale, until we found what is its real value to the colony.

MR. MARMION seconded the amendment.

MR. STEERE said he did not think he was likely to offer any opposition to the amendment now before the House, but he thought it was desirable they should see it in print before agreeing to it, and he would therefore move the adjournment of the debate until Friday evening.

This was agreed to.

GOLD PROSPECTING AND MACHINERY FOR CRUSHING.

ADJOURNED DEBATE.

MR. GRANT, in resuming the debate upon his motion for a sum of £500 to be placed on the Estimates, to be expended in prospecting for the discovery of a goldfield, said it would be in the recollection of hon. members that the debate was adjourned in consequence of a difference of opinion as to the amount asked for, the hon. member for the Swan thinking it ought to be doubled. They had all come to the conclusion, he thought, that a sum of money should be placed on the Estimates for this purpose, and if the desire of the House was that the amount asked for should be increased, he should be very happy to support any amendment to that effect. Undoubtedly we had gold in this colony, and in many places where it had never yet been sought for, and he did not think we should be going wrong in sending out prospecting parties consisting of practical men to look for it. In the Champion Bay district alone there was a tract of country some sixty miles in extent, similar in all appearances to countries which elsewhere were found to be auriferous, and he could not see why we should not expect the same result here, if we went the right way to work. It would not cost much, and it would be a grand thing for Western Australia if a payable goldfield were discovered here. The resolution he had brought forward also referred to the desirability of erecting the quartz crushing machinery now lying idle at Fremantle, so that we might test any supplies of quartz sent down by these prospecting parties, instead of having to send them to the other colonies.

THE HON. J. G. LEE STEERE said he had already stated that he agreed with the hon. member for the North that it was desirable a sum of money should be placed on the Estimates to be expended in searching for gold, but that he did not think the amount mentioned would be sufficient, and that he would be glad to see it doubled. At the same time he thought the money ought to be expended in the manner proposed by the Government Geologist in his report, and under that gentleman's supervision. He therefore now moved, as an amendment upon the hon. member's resolution—an amendment which he understood would be accepted by the hon. member himself—“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 £1000 to be expended in the manner proposed by the Government Geologist in his report presented to the Council by His Excellency the Governor; and that the Government at an early date should erect at Fremantle the quartz crushing machinery now lying there.”

MR. MARMION pointed out that the erection of this machinery would cost a considerable sum of money.

THE HON. J. G. LEE STEERE said he thought the £1000 would all be required for prospecting purposes, and if the Government required a further sum for erecting this crushing machinery, they might ask the House for a vote for that purpose. He did not suppose it would be a great deal.

THE COLONIAL SECRETARY (Hon. M. Fraser) was afraid it would cost more than hon. members imagined.

THE DIRECTOR OF PUBLIC WORKS (Mr. C. T. Mason) said it would not only be necessary to erect the machinery, they would also have to get a skilled workman to superintend the crushing, whose wages would probably not be less than £4 a week, in addition to which they would want two or three laborers; so that he did not suppose the cost of working this machinery, after erecting it, would be less than £10 a week.

MR. GRANT differed in opinion altogether from the hon. gentleman as to the cost of running this machinery. There were plenty of men to be had in

the other colonies, who understood the work thoroughly : it was very simple, and the cost need not be anything like £10 a week. He looked upon the Director of Public Works as an obstructionist.

THE COLONIAL SECRETARY (Hon. M. Fraser) suggested that the hon. member for the North should himself place his services at the disposal of the Government to boss the running of this machinery. The thing might be economically worked then.

MR. GRANT said he intended to direct his energies in a more useful direction. He proposed endeavoring to obtain some quartz at the North, to send down to be crushed by this machinery, and, in doing that, he considered he would be doing his share towards the development of the colony's resources.

MR. MARMION said this machinery had cost a large sum of money, and it was a great pity it should be allowed to go to ruin. If the Government did not intend to use it themselves they had better dispose of it to somebody who would.

THE COLONIAL SECRETARY (Hon. M. Fraser) thought probably that was the best thing they could do with it—sell it for what it would fetch. At any rate it would be as well to strike the words relating to the erection of this machinery out of the amendment.

THE HON. J. G. LEE STEERE consented to do this, and, with leave, the following words were expunged : "and that the Government at an early date should erect at Fremantle the quartz crushing machinery now lying there."

The amendment, as amended, was then put and passed.

APPROPRIATION BILL (SUPPLEMENTARY), 1884.

This bill was passed through committee *sub silentio*.

CUSTOMS ORDINANCE, 1860, AMENDMENT BILL.

Read a third time and passed.

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

LEGISLATIVE COUNCIL,

Friday, 8th August, 1884.

Telegraph Station at Fortescue River—Trucks for Eastern Railway—Indian Remount Service: Colonel William's visit—Medical Officer for the Kimberley District—Landing Platform at Ashburton—Public Works at Derby—Local Court at Victoria Plains—Closure of Streets in York Bill: first reading—Albany Mechanics' Institute Bill: in committee—Deeds of Grant Bill: in committee—Kimberley Sugar Lands, Resumption of from Sale: adjourned debate—Bank Holidays Bill: third reading—Appropriation Bill (Supplementary), 1884—Adjournment.

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

PRAYERS.

TELEGRAPH STATION, FORTESCUE RIVER.

MR. McRAE asked the Director of Public Works, If it is intended to have a telegraph station at the Fortescue River, on the Northampton and Roebourne telegraph line? He had received a letter from the settlers of that locality requesting him, if possible, to endeavor to secure this facility for them.

THE DIRECTOR OF PUBLIC WORKS (Mr. C. T. Mason) said that no provision had been made for a station at the Fortescue, but, should it in the future be deemed advisable to have a station there, one would be established.

TRUCKS ON THE EASTERN RAILWAY.

THE HON. J. G. LEE STEERE asked the Commissioner of Railways, What number of additional trucks are required to afford the necessary means of meeting the requirements of traffic on the Eastern Railway, and when such additional number of trucks will be available for use?

THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason) said that at the present time, having regard to the increasing traffic on this line, the question was rather a difficult one to answer, because what might be required to-day might not be required to-morrow, and what may have been required yesterday might not be required to-day. But he could assure the hon. member that the matter of providing a sufficient number of trucks to meet the requirements of traffic was one that had already engrossed and would in future engross his attention, and that every provision would be made to carry