

LEGISLATIVE COUNCIL,

Friday, 3rd September, 1880.

Papers showing return of expenditure on Northern Railway—Perth Working Men's Association Mortgage Bill—Supplementary Votes for 1880: Report of Select Committee—Message (No. 19), Colonial Secretary's Department: Consideration of—Free Railway Passes to Members of Council—Municipal Institutions Act, Amendment Bill: in committee—Message (No. 21), contract with owners of "Rob Roy" and "Otway"—Message (No. 22) re Audit Bill—Expenditure of Road Loan: Report of Superintendent of Roads: Adjourned Debate—Cost of working Works Department—Appropriation Bill: first reading—Adjournment.

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

PRAYERS.

EXPENDITURE IN CONNECTION WITH THE NORTHERN RAILWAY.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) laid on the Table a return moved for by Mr. S. H. Parker on the 27th July (*vide* p. 34 *ante*), showing the whole cost of the construction of the Northern Railway to the present date, the cost of all rolling stock, stations, and plant provided for the same; the cost of all lands taken for the said Railway; and all other charges and expenses incidental to the construction of the said Railway. (*Vide* Sessional Paper A 12: "Votes and Proceedings.")

PERTH WORKING MEN'S ASSOCIATION MORTGAGE BILL.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) introduced a Bill to enable the Perth Working Men's Association to raise money on Mortgage. Bill read a first time.

SUPPLEMENTARY VOTES FOR 1880: REPORT OF SELECT COMMITTEE.

MR. STEERE brought up the report of the Select Committee appointed to inquire into the expenditure, during the first six months of the year, of those services for which a Supplementary Vote had been asked (*vide* p. 112, *ante*). The hon. member said that, as regards the first item "Conveyance of Inland Mails, £3,000," the vote for 1880 for this service was £5,000 and there had been expended up to the 30th June a sum of £5,346. The cause of this vote having been exceeded was the fact that the gross cost

of the conveyance of mails by the Government had been under-estimated, while, on the other hand, the revenue derived from this source had also been less than had been anticipated. It appeared that the expenditure was originally calculated upon the probable net cost of the service. The Committee believed that the additional vote now asked for would be sufficient to meet the requirements of the service for the remainder of the year. With regard to the next two items "Rent, £25," and "Subsidy, Duplication of Sea Cable, £50"—these overdrafts had been caused by the original estimate having proved insufficient for the purpose. With reference to the next item, "Printing Department, £200," the Committee found that this amount was partly required for extra workmen employed in the Department in consequence of the additional demands upon the resources of the Establishment. The transfer of the work of issuing stationery and forms from the Colonial Secretary's Office to the Printing Department had also entailed some additional expenditure, and the remainder of the vote was necessitated by reason of the steam printing machinery having only recently arrived, instead of at an earlier part of the year as had been expected. The last item for which a Supplementary Vote was asked, was in connection with the Works Department, for which a sum of £500 was required. The Committee found that of the whole vote for Minor Works for the year (£3,000), a sum of £2,774 18s. 10d. had already been expended, leaving only about £230 for expenditure on Minor Works during the next six months. The Committee also observed that a sum of £166 had been spent, without any Legislative authority whatever, in the conversion of the Military Hospital into a Female Prison, though the Hospital had never been utilised for that purpose. It also appeared that nearly £400 had been paid out of the vote for Minor Works as laborers' wages, and the Committee were apprehensive that unless a considerable reduction was effected under this head, the Supplementary Vote now asked for in connection with the Works Department would be insufficient to meet the expenditure for the remainder of the year.

The report of the Select Committee was received and ordered to be printed.

**COLONIAL SECRETARY'S DEPARTMENT:
CONSIDERATION OF GOVERNOR'S
MESSAGE.**

MR. STEERE said it would be in the recollection of the House that, on the 30th August, a Message was received from His Excellency the Governor with reference to the report of the Select Committee appointed to inquire into the expenditure connected with the Colonial Secretary's Department. His Excellency in his Message said he believed the want of a competent book-keeper in the Treasury was recognised by the House, and suggested that the Council should provide on the Estimates a suitable salary for such an officer, not exceeding £350 a year, when the Government would endeavor to make arrangements for filling up the appointment in such a manner as, at the same time, to meet the wishes of the Legislature with regard to the duties of the Registrar General being performed in the Colonial Secretary's office. His Excellency also stated that a Government storekeeper was much required, and recommended the House to provide for such an officer a salary of £175 a year. Through some inadvertence, no provision had been made on the Estimates at the proper time (when the Estimates were recommended) for either of these appointments, and the only way in which the omission could be rectified was by a resolution. He would therefore move: "That the Council, having had under consideration His Excellency's Message No. 19, of the 30th August, beg to state in reply that they concur in the views therein expressed, and, should His Excellency think proper to introduce the contemplated changes at once, they will sanction the necessary expenditure for the purpose."

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the omission to provide for these services on the Estimates was to a certain extent a reflection upon himself, but he might state that, in reality, the amounts required were purposely omitted, in view of other changes contemplated, and which he thought might have been effected without making any further provision on the Estimates for these sums.

The resolution was agreed to, without further comment.

**FREE RAILWAY PASSES TO MEMBERS
OF COUNCIL.**

MR. VENN, in accordance with notice, moved the following resolution: "That in the opinion of this House members of the Legislature of this Colony should be granted the privilege of free passes upon the railways of the Colony, such privilege having been extended to the members of the different Legislative Assemblies of the other Australian colonies, within those colonies." The hon. member said he submitted the resolution with a considerable amount of diffidence, for some people might be uncharitable enough to say that it was introduced with a view to insert the thin end of the wedge for payment of members; but he did not think it would be regarded generally in that light. At all events nothing was further from his intention. The privilege of free railway passes was granted to members of Parliament in the other colonies, and he failed to see why the same privilege, so far as it went, should not be conferred upon those holding the same position here. He thought that the position of Legislative Councillor was one which ought to carry with it some little privileges, and he considered that this was one of them.

MR. BROWN said he would be uncharitable enough to oppose the motion. He did so, not precisely on the same ground as the hon. member who brought it forward was apprehensive of its being regarded by some people, as the thin end of the wedge towards the introduction of another institution adopted in some of the other colonies—payment of members. He did not think there would be much chance of the motion being carried, if hon. members regarded it in that light. The elected members of that House had never yet thought of asking for or receiving any monetary consideration for the services which they endeavored to render to the public, and he hoped this state of things would continue. But if this resolution were carried, it could no longer be said that hon. members were prepared to serve their country solely for their country's good. The monetary value of the privilege now sought was a mere bagatelle—not worth consideration, but there was a principle involved, and a great

deal would be made of it in some quarters. It would afford a handle for depreciatory comments on the part of some people, who would probably regard it as a very great privilege indeed. There could be no doubt that, so far as the principle involved was concerned, if it was right and proper that members of Council should have this privilege, it would be right and proper that they should be paid for their services, as in the other colonies; and he thought it would lead to that eventually—if not to actual payment of members, at any rate to a strong effort to secure it. Once they introduced a system of monetary consideration for the services of a legislator, the result would be the same here as it had been wherever the same principle had been affirmed elsewhere. We should have a class of what he might call professional politicians introduced into public life, men who, failing, in the ordinary vocations of life, to earn an honest livelihood, turn to politics as their means of subsistence. For this reason he felt induced to oppose the motion. It might be said that the privilege could not be availed except by those members who resided in the locality of a railway, but he did not object to the resolution on that ground, but as one in which an important principle was involved.

MR. RANDELL would follow in the lead of the hon. member for Geraldton in this instance. He was very sorry to find such a motion brought forward in the House, for he could hardly think that the hon. member who submitted it was very earnest in the matter, or that, in fact, he cared at all about the privilege, which in reality—notwithstanding any protest to the contrary—was the first step towards a more direct system of payment of members. He thought that, considering the railway was not yet completed, it looked as if hon. members were in too much of a hurry altogether—he would not say that they exhibited indecent haste, but he thought the House would lay itself open to a charge of being in too great a hurry altogether to vote this privilege for its members. It was true that the same practice as was here proposed to introduce already existed in the other colonies, but this Colony stood on a very different footing com-

pared to the others as regards being able to afford to lose any source of revenue, however small. As it was necessary to exercise the most rigid economy in husbanding the public funds, he did not think the Legislative Council should set an example to the contrary, and that hon. members should be the very first to put their hands in the public purse for the purpose of defraying their travelling expenses. It could not be denied that the receipts from the railway would be lessened if this resolution were affirmed, and he did hope hon. members were not in earnest in asking for this privilege, at a sacrifice of the public funds. Perhaps the proposition might be considered thus far—that members should travel free by rail during the Session of Council, paying their fares in the first instance and having the amount refunded afterwards by the Treasury, as in the case of public officers travelling on duty. Taking into consideration that the members of that House were, if not wealthy men, at any rate men who certainly could not be regarded as standing in any need of these free passes, he hoped the House would not lend itself to any proposal calculated to diminish the receipts of the railway, which he apprehended would not be very heavy at best. He begged to move, as an amendment upon the original motion: "That in the opinion of this House, members of the Legislature of this Colony should be granted the privilege of travelling free by rail during the Session of Council, paying, however, their fares in the first instance in cash, and recovering the same from the Treasury, as in the case of public servants travelling on duty."

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) would support the amendment. The original motion had been brought forward with an air of diffidence, which the hon. member submitting it concealed under the expression of a hope that no one would be so uncharitable as to consider him guilty of coming down to the House with the intent of inserting the thin end of the wedge for the introduction of payment of members. He felt certain that every member would acquit the hon. gentleman of any wish to insert the thin end of the wedge or of any other weapon with that object in view. If he did entertain

such an idea, he had been most gallantly met by the opportune appearance on the scene of what he might call a special constable in the person of the hon. member for Geraldton, who was now assisted by the hon. member Mr. Randell, who suggested a way out of the difficulty. The principle involved, however, was one which, carried out to its logical conclusion, would land them in a position which he did not think would meet with the approbation of any hon. member. If the principle of free passes was going to be affirmed as regards their railways, he failed to see why it should not be carried somewhat further. If hon. members claimed the right and privilege of travelling free upon the railways which were constructed entirely out of public money, why should they also not have free passages by the steamers plying on the coast, subsidised, as they were, out of public funds? Why should they not travel free of charge in the Royal Mail vans? Was the hon. member who brought forward the resolution prepared to extend the principle this far? As for the suggestion being entertained for a single moment, that the hon. member had come to the Council Chamber with a view of securing anything else than a mere trumpety privilege for himself and his fellow-members, that was out of the question. No one seriously thought for an instant that this motion was the first step in the direction of payment of members, for, in our financial position, it would be simple madness to propose such a thing, and if it were proposed he hardly thought it would be carried. Was there a single member in that House, possessed of a single spark of virtue, that would accept it? He thought not. And he also thought it was equally premature to secure for hon. members so petty a privilege as was contemplated in the resolution before the House. He would ask members to continue to exercise a little self-denial,—at all events to the extent of supporting the amendment, rather than the original motion.

MR. CROWTHER said the principle involved in the question under consideration had already been recognised in connection with the Law and Parliamentary Library, which was free to the members of Council, whereas those who were not

members had to pay their annual guinea for the privilege of admission.

MR. MARMION said it was possible he might be accused of something akin to selfishness, by supporting the resolution before the House, but he did not care for that. He felt that he had at all events sufficient self-respect to deter him from doing anything that was dishonourable or of taking any improper advantage of his position as a member of that House. The hon. member for Geraldton said that the fact of hon. members being permitted to exercise this privilege would be regarded by the outside public with a certain amount of jealousy. He (Mr. Marmion) thought that was one reason why the privilege should be granted, for he considered that the position of a member of that honorable House was one that should be viewed, not perhaps with a jealous or envious eye, but should carry with it a certain amount of distinction, and bring with it certain privileges not attached to positions of less importance and less honor. No doubt the privilege would be a greater boon to members residing in the immediate locality of the railway, but he would remind those hon. members who resided in the country that if the position of a member of that Council carried with it its honors and its distinctions, it also, at times, carried with it its burdens and responsibilities. And if, during the parliamentary recess, any advice were needed, if any Commissions or Boards should be appointed for the purpose of advising the Government, who were the members that were called upon, often at a sacrifice of their time and their means, to sit upon these Commissions? Was it not those members who resided within easy distance of the seat of Government? The privilege here sought to be conferred upon the members of our local Legislature was a privilege granted to the same class in all the other colonies, and he could see no reason why it should not be extended to the members of this House.

MR. CAREY said he also failed to see any valid reason why Western Australian legislators should not, in this respect, enjoy the same privilege as members of Parliament in the sister colonies.

The amendment was then put, and a

division was called for, with the following result—

| | | | |
|------------------|-----|-----|----|
| Ayes | ... | ... | 7 |
| Noes | ... | ... | 10 |
| Majority against | | | 3 |

| AYES. | NOES. |
|----------------------------|--------------------|
| The Hon. R. T. Goldsworthy | Mr. Burt |
| The Hon. G. W. Leake | Sir T. C. Campbell |
| Mr. Burges | Mr. Carey |
| Mr. Hamersley | Mr. Crowther |
| Mr. Randell | Mr. Grant |
| Mr. Stone | Mr. Higham |
| Mr. Brown (Teller.) | Mr. Marmion |
| | Mr. S. H. Parker |
| | Mr. Steere |
| | Mr. Venn (Teller.) |

The amendment was therefore negatived.

The original resolution was then put and passed.

MUNICIPAL INSTITUTIONS ACT, AMENDMENT BILL: ADJOURNED DEBATE.

IN COMMITTEE.

Clause 5—In which Mr. Steere, when the Bill was previously under discussion (Aug. 30), moved an amendment, providing for the election of the first Mayor, instead of enacting that the present Chairman should occupy that position, *ex officio*—was reverted to.

Mr. STEERE again said he did not think it was right that the House should usurp the privilege of the ratepayers as to the election of their first Mayor, and he thought the present Chairman of the City Council would himself regard it a greater honor to be elected by the suffrages of his fellow-citizens than if he were appointed to office by a legislative enactment. He would therefore move, as an amendment, that the latter part of the clause be struck out.

Mr. STONE failed to see how the clause could be said to interfere in any way with the rights and privileges of the ratepayers. The present Chairman had been duly elected by the ratepayers, and, as it was not proposed in any way to confer upon the office any greater powers or privileges than were now attached to it, but simply altering the title, he failed to see any necessity for a fresh election. If that House resolved to alter the title of the "Speaker" to that of "President," surely it would not be contended for a moment that there would be any necessity

to re-elect the present occupant of that office, who already was president *de facto* though not *de jure*.

Mr. MARMION would support the clause as printed, and, in doing so, he believed he would be in accord with the feelings of the majority of the citizens of Perth. If the House were to accept the proposed amendment, and the present occupant of the civic chair thereby forfeited his present position, who would be the gentleman whom the ratepayers would be most likely to elect as their first Mayor? He ventured to say it would be this very same gentleman. Under these circumstances, he thought it was a very small compliment indeed which the House proposed to pay the present Chairman by enacting that he shall be the first Mayor of the City, seeing that they might fairly assume that, in the event of an election, he would be the very person whom the ratepayers themselves would select for the position.

Mr. RANDELL said he also would support the clause as it stood. The objections raised to it seemed to him to be something like bidding for popularity under the guise of protecting the rights and privileges of the ratepayers. It had been clearly shown that the duties of the office under the new title would be identically the same as the duties attached to the office now; nor would the powers or privileges of the occupant of the mayoral office be increased in any way. He therefore failed to see the slightest reason why there should be a fresh election.

Mr. CROWTHER said he would support the clause for the very reasons urged by the hon. member who had just sat down.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said, inasmuch as the principle of the Bill had been affirmed, he thought it would be a pity that there should be anything but unanimity on a trifling matter of detail like this. He had occasionally heard it said that "a rose by any other name would smell as sweet," and he did not think the name of the present Chairman of the City Council (Mr. Shenton) would be less odious to his fellow citizens if he were styled a Mayor. It was a mere change of title—nothing more. It was not as if there was any additional social

dignity or privileges attached to the new title: it would not add an inch to the Chairman's stature: it wouldn't enable him to wear a gown, a gold chain, or a gilt collar: it wouldn't entitle him to give himself any pompous airs: he would not dub himself "worshipful"—he would simply be the Mayor of Perth instead of Chairman of the Town Council. The new title sounded a little rounder in the mouth but it was the merest shadow. Why, therefore, should not the present holder of the office continue therein during the term of his election, simply because he was henceforth to be styled Mayor instead of Chairman? One would think from the amendment submitted by the hon. member for the Swan, that he was apprehensive of the acquisition of some additional dignity accruing to the Mayor under the new title—that the holder of it was likely at least to be knighted, or possibly called to the Council of his Sovereign. On the contrary, it was not even contemplated that the Mayor should be, *ex officio*, a magistrate: the present occupant of the office was already one. He thought it would be—he would not say a slight, for they did not generally indulge in personal reflections, nor were they actuated by personal motives in the discussion of measures in that House; but he really thought that on this occasion if the amendment were adopted, it would be offering something like an unworthy opposition to the ratification of a claim that had been really well earned.

The amendment submitted by Mr. Steere, on August 30, was then put and negatived on the voices, and the clause as printed was ordered to stand part of the Bill.

Clause 6.—“Whenever in any Act, law, or statute, or other public document or notice, or in any proceeding of what kind, nature, soever, the Chairman of the City Council has been or is referred to or is mentioned, such reference or mention shall be taken to signify and mean the Mayor of Perth.”

Agreed to, *sub silentio*.

Clause 7.—“The Council by contract or otherwise, as they may deem proper, may cause the several streets, thoroughfares, squares, and public places within the said City of Perth, or such of them as they shall think fit, to be lighted

“with gas, oil, or otherwise during such times as they may deem requisite; and in like manner may provide such lamps, lamp posts, lamp irons, gas pipes, and other works and materials, as may be necessary for that purpose.”

MR. STONE said he would like to see the provisions of this clause extended to Fremantle as well as Perth, and to that end he would move “That after the word ‘Council,’ in the first line, the letter ‘s’ be added, and that after the word ‘Perth’ the following words be inserted,—‘and town of Fremantle respectively.’”

Amendment agreed to, *sub silentio*, and clause, as amended, agreed to stand part of the Bill.

Clause 8.—“Power to levy a lighting rate.”

MR. STONE moved some verbal amendments in this clause, so as to bring it in consonance with the previous clause, as amended. (*Vide* “Votes and Proceedings,” page 132.)

The amendments were adopted, and the clause agreed to.

Clause 9.—“Power to grant hawking licenses.”

MR. STONE moved some verbal amendments which were approved, and the clause, as amended, ordered to stand part of the Bill.

MR. BROWN moved the insertion of a new clause, giving power to the Council of any Municipality to make by-laws for regulating the manner and mode of keeping and depasturing goats within the limits of their respective municipalities.

The clause was accepted without discussion, and ordered to be inserted in the Bill.

MR. STONE moved that the following new clause be added: “The fourth section of this Act (relating to cart fees to be imposed by Municipalities) shall not come into operation till the first day of January, 1881.”

Agreed to, without discussion.

Preamble and title agreed to, and Bill reported.

MESSAGE (No. 21): STEAM SERVICE TO NICOL BAY.

A Messenger from His Excellency The Governor being announced, the Speaker

reported the receipt of the following Messages from His Excellency The Governor:—

"In reply to Message No. 26, the Governor forwards, for the information of the House, a copy of the existing contract between the Government and the owners of the steam ships 'Rob Roy' and 'Otway.'

"The Governor is now endeavoring to negotiate a fresh arrangement with the owners of the steamers, which shall provide for the extension of the service to Nicol Bay. The details of such arrangement, when completed, will be submitted to Your Honorable Council in due course.

"Government House, Perth, 2nd September, 1880."

MESSAGE (No. 22): THE AUDIT BILL.

"1. The Governor has had under his consideration the Bill passed by Your Honorable Council entitled 'An Act to regulate the Receipt, Custody, and Issue of the Public Moneys and to provide for the Audit of the Public Accounts.'

"2. The leading feature of this Bill is the proposal to make the Auditor General responsible to the Legislative Council, by enacting (clause 1) that he shall not be removed from office unless upon the Address of that Body. The principle here introduced—which is apparently regarded by the chief supporters of the Bill as absolutely essential to its usefulness—is undoubtedly a very important one, and calls for the most serious and impartial attention on the part of the representative of the Crown.

"3. The danger desired to be guarded against is, in so many words, the possibility of the Auditor being compelled to yield to improper instructions under pain of dismissal by the Governor, or of the Auditor improperly consenting, under like pressure, to a deceptive classification of the accounts.

"4. Assuming for the sake of argument that a Governor could be found who would be guilty of so grave an irregularity, it must be borne in mind that in all cases of suspension an appeal lies to the Secretary of State, without whose approval no officer of high rank can be finally dismissed; and the Governor therefore considers that the

"danger proposed to be guarded against is far too remote to call for serious attention. The Auditor General, in common with all other public officers, is amply protected by the Standing Regulations of the Service—which have stood the test of years—if not by the impartiality of those who have to administer them, and so long as he does his duty he has nothing whatever to fear. In illustration of this it is only necessary to refer to the Governor's Instructions from the Queen, in which the formalities to be observed before an officer can be suspended are prescribed in the following words:—

'And whereas We have by Our said Letters Patent authorized Our said Governor upon sufficient cause to him appearing, to suspend from the exercise of his office within Our said Colony any person exercising the same under or by virtue of any Commission or Warrant granted or to be granted by Us, or in Our name or under Our authority: Now We do charge and require Our said Governor that, before proceeding to any such suspension, he do signify, by a statement in writing, to the person so to be suspended, the grounds of such his intended proceeding against him, and that Our said Governor do call upon such person to communicate to him, in writing, a statement of the grounds upon which, and the evidence by which the officer suspended may be desirous to exculpate himself, which statement and exculpation Our said Governor will lay before Our Executive Council; and having consulted the said Council thereupon, Our said Governor will cause to be recorded in the Minutes of the said Council whether they, or a majority of them, do or do not assent to the said suspension; and if Our said Governor thereupon proceed to such suspension, he is to transmit both of the said statements, together with the Minutes of Council, to Us, through one of Our Principal Secretaries of State, by the earliest conveyance: But if in any case the interests of Our service shall appear to Our said Governor to demand that any person shall cease to exercise the powers and functions of his office instantly, or before there shall be time to take the proceedings herein directed, Our said Governor shall then interdict such person from the exercise of his powers and functions; preserving to him, however, until such proceedings shall have been taken, the emoluments and advantages of his office.'

"5. Mr. Courthope has stated in evidence before the Select Committee that he does not think 'that the Auditor

“General is in a sufficiently strong position under the present Colonial Office Regulations to place him in an independent position.’ Nevertheless, a careful perusal of his evidence, and that of his predecessor Mr. Knight, shows conclusively that if the Auditor knows and does his duty he is to the full as independent of Government control as it is necessary that any officer under this constitution should be; and the solitary instance which Mr. Courthope cites of the Colonial Secretary having required him to alter the classification of a particular amount is proof, not that the present system is bad, but that the Auditor gravely neglected his duty in carrying out what he considered an improper order as to classification instead of applying to the Governor (as is usual in all such cases) to decide the point in dispute. His predecessor states that he once resisted pressure being brought to bear upon him by the Colonial Secretary to alter his books in a manner which he did not think right, and though he adds that he resisted at considerable risk, he does not state what that risk was, nor does he appear to have suffered in any way for honestly doing his duty.

“6. In so far as the proposed alteration in the position of the Auditor is intended as a check on unauthorised expenditure, it may not be out of place to refer to the following paragraphs of the Governor’s Opening Address, in which this subject is alluded to:—

‘You are aware that during the last few years the Legislature has authorised, by Resolutions, the expenditure of considerable sums on services for which no provision was made in the Estimates. I cannot but think that this practice—imprudent at any time, but doubly so when the public resources are straitened—is to some extent to blame for our difficulties; and I would strongly urge on you to sanction in the future no items of Expenditure but such as are included in the Estimates.

‘The Government, on the other hand, should adhere strictly to the Appropriation Act. I do not for one moment say that any items of Expenditure—large as they have sometimes been—which the Government may from time to time have incurred in advance of Legislative authority, were unnecessary. Indeed, I find it stated by the Select Committee on the Over-Expenditure for 1878, which con-

siderably exceeded the average, that ‘due regard to economy was, as a whole, observed by the Government.’ But the practice is equally as faulty as the appropriation of moneys by Resolution, and should certainly not be continued.’

“7. To which it is only necessary to add that in the direct responsibility of the Governor to the Secretary of State the country possesses as full and ample security for the proper and economical expenditure of public money as would be provided by the Bill under consideration. Indeed the Bill expressly enacts that in case of emergency the Governor may, as at present, incur unauthorised expenditure, provided the same be reported to the Legislative Council at its next sitting. In this respect, therefore, there is nothing to be gained by the Bill, while it is indisputable that the Form of Requisition now in use, and the Schedule which is attached to each Warrant before it can obtain the Governor’s signature, furnish complete protection against any overdraft being sanctioned in ignorance of the state of the vote.

“8. In Colonies possessing Responsible Government it is apparently considered desirable that the Auditor General should be protected by Statute from interference on the part of Governments drawn from opposite political parties; and as in such Colonies Ministers are responsible to Parliament, and Parliament only, there is probably nothing incongruous in establishing a check of the character contemplated by this Bill. But here, where the Governor is directly responsible to the Secretary of State—by whom no appeal from the Legislature against extravagance or impropriety on the part of the Governor would be disregarded—such a provision is wholly unnecessary, while the proposal to make the Auditor General responsible to the Legislative Council instead of to the Government, by enacting that he shall not be removed unless upon the Address of the Council, would be in conflict with Her Majesty’s Commission, which places the power of removal in the hands of the Crown, and quite inconsistent with the well known rule that in Colonies such as this all Public Servants appointed by the Queen, or by the Governor in her behalf, hold Office during Her Majesty’s pleasure.

"9. The Governor has next to observe "that the third section of the Bill, which "says that the Auditor shall not be a "Member of the Executive or Legislative "Council, is virtually opposed to the "Royal Instructions, which authorize the "Governor to nominate such Officers as "he may think proper to be Members of "both Councils; and that section four "denies, by implication, the right of the "Crown to make acting and temporary "appointments, and could not there- "fore be approved. This latter clause "is, in fact, in direct opposition to the "principle laid down in the Secretary "of State's Despatch No. 20 of the "23rd March, of which a copy was laid "before Council at the beginning of the "Session.

"10. The remainder of the Bill con- "sists of Treasury and Audit Office "Regulations, which may or may not be "an improvement on those already in "force, but which could not of course be "adopted by Government and made law "without the fullest and most careful "consideration. The Treasurer, in that "portion of his evidence which is attached "to the Report of the Select Committee, "states that 'A better audit could be "obtained for the public accounts under "the present Regulations than under "the Regulations proposed in the Audit "Act;' and in a letter which he has "since addressed to the Governor, repre- "senting that his evidence has been very "inadequately reported, he points out "that in his opinion the Regulations now "in use, which are based on those of the "Imperial Treasury, are far superior to "those appended to the Bill, and that he "does not consider an Audit Act neces- "sary to prevent pressure being placed "on the Auditor in the discharge of his "duties. The late Auditor General states "that he approves of the system of keep- "ing the accounts which was in force "when he was in the Audit Office—a "system which in some respects has since "been altered for the better; while the "present Auditor General (though he "apparently disapproves of some of the "changes recently introduced, and would "like to be placed in a position entirely "independent of the Executive) considers "that the provision made for auditing "after payment is an improvement on the "old Regulations.

"11. The Governor entirely concurs "with Your Honorable House that the "audit should be searching and efficient. "Indeed he may remind you that the "question is one which occupied his "attention immediately on his arrival, "and that he referred to the subject as "follows in his Opening Speech:—

'Papers relating to the strength of the "staff of the Audit Department will be "communicated to you. I found in April "last that the examination of the accounts "was then about seven months in arrear, "and, in view of the great importance of a "prompt and efficient audit, I authorised a "temporary increase of the staff for the "purpose of wiping off arrears and bring- "ing the work up to date. I think you "will agree with me that all accounts should "be audited within three months at the "latest, and I am sure you will readily "assent to the slight permanent addition "to his staff which the Auditor General "says will be necessary in order to enable "this to be done in the future.'

"12. What the Governor now proposes "further to do is to appoint a Commission "to compare the Regulations contained "in this Bill with the Regulations already "in operation, and to report whether "any and if so what improvements could "be introduced in the mode of keeping "and auditing the accounts; and it will "afford the Governor much satisfaction "if the result should be to advance the "object which equally with Your Honor- "able Council he has at heart—namely "the perfecting of the working condition "of all Government Departments under "his charge. The Governor in no way "questions the undoubted right of the "Legislative Council to pass and send up "for his consideration such Bills as they "may think proper. At the same time, "constitutional authorities are agreed "that measures for redressing grievances "or improving the condition of the service "can most conveniently be approached "in the first instance by means of an "Address to the Crown, and had Your "Honorable House adopted this course "on the present occasion the Governor "would have had great pleasure in imme- "diately meeting your wishes, and the "matter might then have been disposed "of during the present Session of Council. "Be this as it may, it is now too late to "do more than to appoint a Commission "whose duty it will be to take the whole "subject into consideration, and whose

"report will, it is hoped, form the basis of useful Regulations for the future.

"13. For the reasons stated in paragraphs 8 and 9 of this Message, and believing as he does that the main principles sought to be established are both inconsistent with his Instructions and unnecessary, the Governor feels it his duty to withhold his Assent to this Bill; though to any measure dealing with the same subject, based on the Report of the Commission which he is about to appoint, and in harmony with the spirit of the Constitution, he will give his willing consideration. In fact, the Governor, subject to the approval of the Secretary of State, will himself bring forward, at the next sitting of Council, a measure which will probably meet the case, and will at all events satisfy the wish of Your Honorable Council to see the Regulations of the Treasury and Audit Departments embodied in legal form.

"14. In conclusion, the Governor would remark that the want of a competent Book-keeper in the Treasury is partly responsible for the delay which has sometimes occurred in arriving at a clear view of the state of your financial affairs. Your Honorable Council having now wisely consented to provide for such an officer, the accounts will in future be classified in the Treasury as well as in the Audit Office, and much benefit may be anticipated from the change. This important improvement, heretofore dispensed with on the score of economy, will moreover relieve the Auditor of some of the great labor now thrown upon him in the preparation of Financial Returns, and allow him more time for the primary duties of his Department.

"Government House, Perth, 2nd September, 1880."

THE SUPERVISION AND EXPENDITURE OF ROAD LOAN.

ADJOURNED DEBATE.

MR. CAREY said he had already moved a resolution on this subject on Wednesday, and the debate was then adjourned. (*Vide* page 317, *ante*.) He did not think he need add anything further at present, for he believed the resolution was one that commended itself

to the favorable consideration of the House, and he had every reason to suppose was quite in accord with the general feeling of the public outside. He hoped a majority of hon. members would be prepared to support it.

MR. STONE said he intended supporting the resolution, for it merely sought to carry out, in principle at any rate, the proposition laid down by Governor Ord in his despatch on the subject to the Secretary of State, namely, that the District Boards should be entrusted with the duty of seeing to the due execution "by contract or otherwise, as might to them seem best, of works approved by the Central Board."

MR. HAMERSLEY also would support the resolution, and expressed a hope that the Government would offer no opposition to it.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the Government certainly would oppose it. In the first place he looked upon it as an attempt to upset what had already been decided upon in the House, namely, that the entire control of the Road Loan expenditure should be vested in the Central Board. It was well known to hon. members that in the opinion of His Excellency the Governor this loan would never have been sanctioned, if the expenditure of the money was to be entrusted to the Local Boards, and not to the Central Committee. The House was also aware that His Excellency had, in furtherance of the wish of the Council, recently appointed to seats on the Central Board, three hon. gentlemen occupying seats in that House, and in whom the country had every confidence. The public he thought might safely rely that the expenditure of the money would be economically controlled by this Board, and spent to the best advantage.

MR. VENN would cordially support the resolution. It did not go very far, certainly, but, so far as it went, the past history of the expenditure of the Road Loan demonstrated that it was a move in the right direction, and that it would tend to the material prosperity of the Colony if the supervision of the works in each district were entrusted to the Local Boards. The Colonial Secretary said if the House adopted the resolution it would be going contrary to an opinion

already expressed by the House on a former occasion. The hon. gentleman was slightly in error—the present Council had never expressed an opinion on the subject. The opinion referred to was that of a defunct Council, and experience had since demonstrated that the present system of control was a failure. As had been pointed out by the mover of the resolution the other day, only £1,000 had been voted for next year out of the general revenue, for distribution among the 32 District Boards, for expenditure throughout the whole Colony; and it was absurd to expect that the members of those Boards would go to the trouble of meeting to discuss the expenditure of a sum a little over £30. He had very carefully read the correspondence that passed between the late Governor and the Secretary of State on the subject, and he had failed to see anything to support the contention that to entrust the expenditure of the road loan to the District Boards would be any breach of faith with the Imperial Government, so long as the expenditure was controlled, as it was proposed it should be, by the Central Board.

MR. STONE pointed out that in Governor Ord's despatch to the Secretary of State, dated 27th December, 1877, when requesting permission to raise the loan, and sketching out the arrangement under which it was proposed to expend it, His Excellency (referring to the Superintendent of Roads) said "a surveyor should be employed under the orders of the Central Board, to examine and report upon the conditions of such routes as the Central Board should select and to furnish estimates of the cost of putting them in order." That was all that was intended for the Superintendent of Roads to do; and that he had done already, so that in reality, according to the scheme as originally proposed by Governor Ord himself, the services of the Superintendent were no longer required.

MR. CAREY said that, following up what had fallen from the hon. member who had last spoken, he would draw the attention of the House to the Message sent to the House by Governor Ord, on the 11th August, 1879 (*Vide "Votes and Proceedings,"* p. 36), and the return attached thereto, showing approximately

the amounts which it was proposed to appropriate out of the loan on some of the principal main roads, involving an estimated expenditure of £40,000. Of that amount only £1000 was set down for supervision and expenses, from which it was clear that it was not proposed the Superintendent should be employed for more than a couple of years. He might state that he had brought this matter forward in no spirit of opposition at all, but solely with the view that His Excellency might be induced to reconsider the decision he had arrived at with regard to the manner in which this loan money should be expended. The present system, apart from being utterly inefficient, was also a most expensive one; and, unless the House set its face against it, they would soon have a new department created. In order to show the reckless and wasteful manner in which the work was now being done, the hon. member referred to the material used and the labor employed in repairing a portion of the Guildford Road.

The question was then put: "That an Humble Address be presented to His Excellency the Governor, praying that that he will be pleased to take into consideration the question of the Roads Loan, with a view to securing the following adjustment:—

"1st. That the Central Board shall have full power of deciding what moneys shall be expended in each district, and also on what roads the amounts shall be expended.

"2nd. That the District Roads Boards shall be responsible for, and shall have full control over, the expenditure of all moneys so allotted—together with the complete supervision over the said roads."

Committee divided, with the following result—

| | | | |
|------|-----|-----|---|
| Ayes | ... | ... | 7 |
| Noes | ... | ... | 4 |

| | | |
|--------------|-----|---|
| Majority for | ... | 3 |
|--------------|-----|---|

AYES.

Mr. Burges
Mr. Grant
Mr. Hamersely
Mr. Higham
Mr. Stone
Mr. Venn
Mr. Carey (Teller.)

NOES.

The Hon. R. T. Goldsworthy
The Hon. G. W. Leake
Mr. Randell
Mr. Brown (Teller.)

The resolution was then reported to the House.

WORKS AND RAILWAYS DEPARTMENT: COST OF WORKING.

ADJOURNED DEBATE.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) asked the hon. member (Mr. Carey) who had tabled the motion relative to the cost of working the Department of Works and Railways, and the debate upon which was adjourned on Wednesday (*Vide* p. 297, *ante*), to allow the discussion to be further adjourned until Monday, as the Director of Public Works (to whom a transcript of the Shorthand-writer's notes of the hon. member's speech had been submitted) had not yet had an opportunity of looking into the allegations therein contained. With reference to what transpired in the House on Monday evening, the Director of Public Works had furnished him with the following memorandum:

"If I am correctly informed, the following statements were made in the Legislative Council on Monday, the 23rd instant: (1st)—That 'the estimated cost of the Northampton Station' was £400, whereas the actual cost was £2,763. The estimated cost of *post and telegraph offices* placed on the Estimates was £400, but no estimate was ever made of the *station, goods shed, engine shed, &c.* (2nd)—That 'the turn-tables' on the Northern line were rendered 'useless in consequence of the introduction of the Fairlie engines.' The Fairlie engines are for running the mineral trains, and there are two other passenger trains that require a turn-table. (3rd)—That 'the cuttings will have to be made wider, and platforms of stations altered in consequence of the adoption of the Fairlie engines.' The extreme width for the engine is 9 feet, and the recent measurement of cutting show that they average 10 feet 6 inches. In the latter case, if the engine proved too wide, it would only be necessary to shift the rails out a little way, which could be done in half an hour. (4th)—That 'an addition of £500 is already required for the Perth Station, and that the probable cost would be £5,000 or £6,000.' The contract is for £1,980, and I know of nothing whatever that will cause it to be exceeded. (5th)—That 'the retaining wall at Beaufort Street will be a source of danger in

"working the line, and that it is defective in workmanship.' This is not the case."

MR. CAREY said he was quite willing that the debate should be still further adjourned, to enable the Commissioner to reply to the other allegations made with reference to the department.

Debate adjourned accordingly.

APPROPRIATION BILL.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) introduced a Bill to appropriate the sum of £168,894 18s. 10d. out of the general revenue of the Colony for the service of the year 1881. The hon. gentleman said he understood from what had fallen from the hon. member for the Swan (upon the occasion of his delivering his financial statement) that the House was desirous of some explanation with regard to the various items of estimated revenue for the ensuing year, which subject he did not on that occasion touch upon, beyond referring hon. members to the Speech delivered by His Excellency the Governor at the opening of the Session. As already said the total estimated revenue for the coming year was £192,154, and, in now referring more in detail to the items constituting that amount, he would only glance at those items in which there was a considerable alteration as compared with the present year and the previous one. Commencing with the "Customs," hon. members would observe that the estimated revenue which they hoped to derive from this source was £100,645, which was about £2000 less than this year's estimate. This was accounted for by reason of the large number of men who during the present year had been employed by the contractor on the railway, but who would not be so employed next year, as the railway would then be completed. These men spent a considerable amount of their wages in the purchase and consumption of dutiable articles, and as they would return to the Colony whence they came, on the completion of the work upon which they were now engaged, there would be a corresponding reduction in the consumption of duty-paying articles. Bearing this in mind, it had been thought it would be unwise to calculate upon receiving quite as much

from the Customs next year as they would derive in the course of the current year. The next item to which he need refer was that under the head of "Land Revenue." It would be observed that the Government estimated to receive £36,700 from this source, being £3000 in excess of last year, and a trifle over the estimate for the present year. In this amount was included a sum of £2000 which it was anticipated would be received from the lands in the new Kimberley district. On the whole, he saw no reason, looking at the returns of land revenue for the past year, why they should not anticipate a further increase in the amount received for rents. Hon. members must be well aware that, whilst the receipts from the sale of land were largely on the decrease, the revenue received on account of rents was steadily increasing, and there was no reason to suppose that it would be otherwise next year. There was an estimated increase also under the head of "Mail Van Receipts," from which source the Government anticipated an income of £2,000. Judging from the amount received this year on account of this service, hon. members might be inclined to think that the estimated receipts for the ensuing year were calculated at too high a figure; but he himself did not think so, for the more the present system of conveyance became known and availed of by the public, the more would it be appreciated. There was also a somewhat large increase under the head of "Railway Receipts," which were put down at £7,000, being £5,000 in excess of this year's estimate. He need hardly point out why they expected an increase in this item. The first section of the Eastern Railway would, it was hoped, be opened for traffic early next year, and there was every reason to expect that the receipts on that line would amount to the difference between the estimate for this year and the estimate for the next. This amount had been placed on the Estimates after the matter had been fully discussed with the Commissioner of Railways, and he trusted that the anticipations of that officer would be realised. For his own part he saw no reason to apprehend that they would not. Under the head of "Special Receipts," it was estimated that they might safely calculate upon a considerable

increase over last year's receipts (£344), and also over the estimated revenue for the present year (£1,000). The amount anticipated from special sources during the ensuing year was £2,613. It was thought, it was hoped—in fact, they had no reason to doubt,—that a considerable portion of this would be derived from guano at Shark's Bay. The difference with regard to the other items of revenue was so insignificant as to call for no special remark. On the whole, he saw no reason to doubt that the Estimates laid on the Table, as regards the revenue for the coming year, would be realised. The present year, he might add, had very fairly realised their expectations as regards the majority of the sources of revenue—guano being the principal exception. He did not think he need detain the House with any further remarks, on the present occasion.

The Appropriation Bill was then read a first time.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) then moved the suspension of the Standing Orders with a view to the Bill being passed through all its stages that evening. As this would be his last appearance in the House, he trusted hon. members would comply with his request, and enable him to carry the Bill through its various stages, before he severed his connection with the House.

MR. STEERE: I certainly cannot consent to the suspension of the Standing Orders, under any such circumstances. In fact, it is a matter for serious consideration whether the House will be prepared to pass the Bill at all.

The second reading of the Bill was then fixed for Monday, 6th September.

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