

the explanation of the Colonial Secretary at all satisfactory.

MR. RICHARDSON moved that progress be reported, and leave given to sit again.

Agreed to.

Progress reported.

The House adjourned at midnight.

LEGISLATIVE COUNCIL,

Tuesday, 27th March, 1888.

Loan Estimates, 1888—Municipal Footpaths Bill: first reading—Estimates (Revised), 1888: further considered in committee; recommitted—Beverley-Albany Railway Contract Confirmation Bill: second reading—Repairs to Police Barracks: Adjourned debate—Victoria Public Library Bill: in committee—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

LOAN ESTIMATES, 1888.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser), in moving the House into committee for the consideration of the Loan Estimates for 1888, said it was not necessary that he should make any general statement; the various items would be discussed, *seriatim*, in committee, and his hon. friend the Director of Public Works would explain each item, in detail, if necessary.

IN COMMITTEE.

Harbor Works and Jetties, £10,151 17s. 5d.:

MR. SHOLL asked what it was proposed to be done with the £16,282 10s. 6d. standing to the credit of "Harbor Works, Fremantle?"

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright): Nothing at present. There's the motion of the hon. member for Toodyay to expend it in extending the jetty.

MR. SHENTON said as these Loan Estimates had only been placed on the table last night, there had been no opportunity for members to consider them. There were some large items involved, and some of them would require considerable explanation, and probably give rise to a great deal of discussion. He would move that progress be reported, and leave given to sit again.

Agreed to.

Progress reported.

MUNICIPAL FOOTPATHS BILL.

MR. SHENTON, in accordance with notice, moved for leave to introduce a bill to extend the powers of Municipal Councils, and to promote the paving of footpaths in Municipalities, and for other purposes.

Leave given.

Bill read a first time.

ESTIMATES (REVISED), 1888.

The House went into committee for the further consideration of these Estimates.

Miscellaneous, £26,076 (adjourned debate):

MR. HENSMAN, resuming the discussion on the item "Stationery for Public Offices, £2,400"—which he had moved to reduce by £400—said the explanation given them the other night was that the stock of stationery had been allowed to get so low that this large vote was necessary to replenish it. If it was allowed to go so low, why was £900 out of the vote for last year allowed to lapse, instead of being spent? He thought in these days of retrenchment it seemed strange that they should be asked to increase this vote by £600. If stationery was wanted, why could it not be supplied in a little more moderate way?

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) again explained the necessity which had arisen for the vote now asked for. The requisitions for stationery did not necessarily go home in the year for which a vote was taken, and last year a sum of £900 was allowed to lapse. Instead of asking for this £900 to be added to this year's vote, the Government only asked for £600 extra. The Government Storekeeper was satisfied that the amount now asked for would be required to meet the requisitions that

had been sent home. Hon. members might rest assured there was no extravagance in connection with this vote, which, in addition to the stationery consumed in the public offices throughout the colony, also included the enormous consumption at the Government Printing Office.

The motion to reduce the vote by £400 was negatived.

MR. SHOLL, referring to the item "Destruction of Wild Dogs, £1,200," said he noticed this was £100 less than the vote for last year. Did the Government anticipate it would be enough? He had a great objection to the Finance Committee voting these deficiencies?

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said that there was every ground for believing that the number of native dogs was diminishing, and it was considered that the sum asked for was sufficient.

MR. RICHARDSON thought that, as these native dogs become scarcer, the necessity would arise for increasing the reward, otherwise they might find that people would relax their efforts to destroy them, and the result would be that the dogs would increase in number, and become as great a pest as ever.

MR. SHOLL, referring to the item "Reward, Gold Discovery, £3,000," asked how it was proposed to deal with this money?

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said it was impossible to say at this date whether any portion of this reward would have to be distributed this year or not. Applications had been made for the reward in connection with the Kimberley goldfields, and these applications or claims would have to be adjudicated upon before the 19th May, this year. But whether the claimants could prove that the conditions entitling them to the reward, or to any portion of it, had been fulfilled, was a matter for consideration, and remained to be seen. Apart from these Kimberley claims there might be others put forward during the year, under the new Goldfields Act, in other divisions of the colony.

MR. RICHARDSON, referring to the item "Interest on Deposits in Savings Bank, £1,250," said he noticed an increase of £350 in this vote as compared with the vote for last year. Were there

any reliable data for supposing that this large increase in the amount of deposits would take place this year? If there were, it was as good an index as we could have of the prosperity of the middle and lower classes, and he thought the House and the country might be congratulated upon the fact that it was considered necessary to provide this additional amount to meet the interest on the savings bank deposits. It was a refreshing gleam of sunshine amidst the surrounding gloom and depression.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said he entirely agreed with what had fallen from the hon. member. He thought it was most gratifying to find, according to the requisition of the Postmaster General, that it was considered necessary to increase this vote by one third of the amount for last year. It showed the existence of a large amount of thrift, and was among the most gratifying features in these Estimates.

MR. SHOLL said he was glad to notice that £200 was put down as a gratuity to that very deserving officer, Mr. H. S. Carey, who had been ill for some time. He would have liked to have seen Mr. Carey given half pay instead of a gratuity.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said that Mr. Carey had done excellent work for the colony, but unfortunately he had always been paid out of loan monies, and was, therefore, not on the permanent staff. The Government, therefore, had no alternative but to give a gratuity to Mr. Carey, who was unable to undertake employment.

MR. RICHARDSON asked how the seed corn for the Greenough farmers, to be purchased at a cost of £500, was to be distributed.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said that the funds privately subscribed had been placed in the hands of the Government Resident at Geraldton for distribution. He did not know of a better course to pursue in respect to the seed corn. He would, however, like to have the opinion of the House upon the matter.

MR. RICHARDSON said they all knew Mr. Maitland Brown, and he was certain that they could not do better

than place this corn in his hands for distribution.

MR. SHENTON suggested that the seed corn should be imported from Adelaide. One of the most successful wheat-growers in the colony attributed his success to the fact that three years ago he had imported seed corn from South Australia. The crops at Greenough during the past few years had gradually become very inferior, and no better method of improving them could be adopted than by getting a supply of the best seed corn obtainable in Adelaide.

MR. SHOLL called into question the item "Upkeep Government House and Domain—wages in lieu of twelve prisoners, £320," which he condemned as excessive. The vote for Government House was yearly increasing. In 1883 it was £537, and now it was £1,513, or nearly three times the amount. Surely four gardeners would be enough to do the work that used to be done by this party of convicts. He would undertake to do the work with two good men. At any rate, four men at £6 a month he thought would be quite enough, and he thought, therefore, that the vote might well be cut down.

CAPTAIN FAWCETT said he would move to strike out the item. He had quite as large a garden as the Governor, and he had only one man to look after it.

MR. LAYMAN thought the vote was excessive, especially at times when they were trying to retrench. The prisoners who used to go there only went there to pass away their time, but he took it that the paid men would go there to work, and hence a much smaller number of men would do.

MR. PARKER: Perhaps the Colonial Secretary will tell us how many gardeners it is intended to keep?

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said that it must be remembered that it had always been one of the emoluments of the office of Governor to have prison labor, and it was part of the arrangement when the centralisation of prisoners at Fremantle was agreed upon that the Governor should not suffer by the arrangement. Hon. members talked about retrenching, but unless this item were passed it would be depriving His Excellency of one of his

privileges, and he was sure hon. members would not do that.

MR. SHOLL said he was prepared to be liberal in the matter. He failed to see why four gardeners were required, but he would take it that they were wanted. These, at £90 a year each, would mean £270 for the nine months, and he would therefore move that the item be reduced by £50.

CAPTAIN FAWCETT thought it should be reduced by one-half.

MR. A. FORREST said that the Governor had always been entitled to so much labor and it ought not now to be taken away from him. If Governors were to be deprived of this it should be done when a new man came, and not now. He would, however, support Mr. Sholl, as he thought four gardeners at £90 each were sufficient.

MR. SHENTON thought that when the next Governor came it should be understood that a grant of £500 should be made to include forage, gardeners, and other things, which were now allowed.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said that appeared a fair proposition with regard to any future Governor, but it would not be right to attempt to interfere with the allowances of the present Governor, with a view to curtail them. Seeing that the proposal made by the hon. member for the Gascoyne only made a difference of £50, he thought it was hardly worth while for the hon. member to press it.

MR. HENSMAN said it must be borne in mind that the salary of the present Governor had been raised £500 since he came here; and, if the public had to pay for the upkeep of these gardens, they might claim the right of going there.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said as it was on the distinct understanding that free labor should be supplied in lieu of the prison party, that the Governor consented to give up this party, no one would say that the proposed arrangement was unreasonable. He believed it was intended to employ four gardeners and a boy.

The committee divided on the motion to reduce the vote, the result being—

Ayes	8
Noes	13
Majority against			5

AYES.
 Captain Fawcett
 Mr. A. Forrester
 Mr. Harper
 Mr. Hensman
 Mr. Layman
 Mr. Scott
 Mr. Venn
 Mr. Sholl (Teller.)

NOES.
 Mr. E. H. Brockman
 Mr. Congdon
 Hon. J. Forrest
 Mr. Marmion
 Mr. Morrison
 Mr. Parker
 Mr. Pearce
 Mr. Richardson
 Mr. Shenton
 Hon. J. G. Lee Steere
 Hon. C. N. Warton
 Hon. J. A. Wright
 Hon. Sir M. Fraser
 (Teller.)

The vote for "Miscellaneous" was then put and passed.

Estimates reported; and, on the motion of Mr. SHOLL, *recommitted*.

MR. SHOLL moved that the item "Easter Encampment, £250," under the head of the Volunteer Vote, be struck out. He did so because he found that although there was £200 voted for an encampment last year, there was no encampment held, except a small affair at Champion Bay. Yet it appeared the whole of the vote, with the exception of some £40, had been expended; in addition to which he found that on the 1st January last year there was a sum of £161 3s. 6d. placed to Suspense Account, making a total of £317 3s. 6d. When he asked the Colonial Secretary what had become of the £200 voted last year for the encampment, he was told that it had been returned to revenue. In that, it appeared, the hon. gentleman—who was only quoting from memory at the time—was mistaken, and the money had been expended. Had he been aware of that at the time the Volunteer Vote was under discussion the other day, he should then have moved that this item of £250 for an Easter Encampment this year should have been omitted. It might be said that it was now too late to do so, as the necessary arrangements had, he believed, been made for holding the encampment; but he maintained that the Government had no right to authorise this expenditure until the Appropriation Bill had been passed. He knew that many of the Volunteers themselves were opposed to the holding of an encampment.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) reminded the committee that he particularly called attention to the Volunteer Vote when the Estimates were being gone through, and, in view of the near approach of Easter, and the necessity for making arrangements for the encampment, if one was to be held,

he asked the committee to pass over other votes in order that they might come to the Volunteer Vote, so that the Commandant and the Volunteers might know what sum would be placed at their disposal. The committee agreed to this proposal, and the Volunteer Vote was passed upon the strict understanding that this sum would be available. The Government therefore could not be blamed for having informed the Commandant that the House had agreed to the vote. It was upon this information that the Commandant took steps to prepare for the encampment, which would be held in the course of a few days. He thought it would be a sad thing if the House one day agreed to a vote, and next day struck it out, because some hon. member might, upon reflection, change his opinion.

MR. RICHARDSON said though there had been an inclination to strike out this item when the Volunteer Vote was under discussion, it was allowed to remain, as it was understood at the time that this encampment would be popular with the men and the officers, and that there would be disappointment if it was not held. Now, it appeared that with some of the officers and the men the encampment was not viewed with favor at all. They said the vote was not sufficient for the purpose, and that they were put to a lot of private expense which they could ill afford in these times.

MR. PARKER thought they ought not to look at this vote simply in the light of whether it was popular with the men or with their officers. It appeared to him they were spending £3,000 a year for keeping up a Volunteer force that would be of some use; and what they had to look at was this—was it worth while keeping up the force at all, unless it was prepared to submit to such disciplinary teaching as those responsible for its efficiency considered necessary? He had been told by several of the officers that nothing had tended so much to teach the force that disciplinary routine and military exercises so necessary for its efficiency as these encampments. If so, it was their duty to encourage them, whether they were popular with the men and with every officers or not. It was perfect nonsense for the Volunteers to tell that House that they did not like to undergo these camp exercises, and that

the House should be asked to vote £3,000 a year out of public funds in order to allow the Volunteers to strut about in uniform and to fire a few shots. If they did not care to have a taste of the real work of soldiering, the sooner they left the service the better, whether they be officers or men in the ranks. The country did not want to spend its money in keeping up the force simply in order to let them strut about the streets in uniform, or to attend balls. The country expected them to be ready to do some real work, and to submit themselves to disciplinary rule, when their superior officer considered it necessary; and if the Volunteers were not prepared to do so, the sooner the whole vote was struck off the Estimates the better.

MR. SHENTON said he quite agreed with the hon. member for Perth, that if the officers of the force could not fall in with the arrangements made by their Commandant for the benefit of the force, the best thing they could do was to send in their resignation at once. The House did not vote this large sum every year for the purpose of enabling the Volunteers to sport their uniform. All over the world it was the custom to hold these encampments, and in England the regulations were most strict, and the camp exercises were considered of the greatest value to the men. If the officers here did not approve of it, let them tender their resignation, and this amount would be saved to the colony.

MR. LAYMAN said he was not in the House when the vote was taken the other day, and he should support the hon. member for the Gascoyne. It appeared to him they were spending a larger amount than they were justified in "playing at soldiers." We had a Government supporting horse-racing, a Government supporting Volunteering, and a Government supporting various other movements. He thought we were too extravagant altogether.

MR. HENSMAN thought there could be no two opinions that until the Appropriation Act was passed the Government was not authorised in spending any of these votes. The circumstances connected with this particular vote were certainly exceptional, it having been obtained on purpose to enable the preparations for the Easter Encampment to be

made. He agreed that these affairs should be made as serviceable as possible, and not for mere purposes of display. We should either do away with the force altogether or endeavor to make it efficient. It was not a question of what any particular officer or any particular section of the men might wish; the question was whether this encampment should be regarded as a real piece of work, that would improve the men, or whether it was simply to be regarded as a picnic or a holiday. His own idea as to the nature of a rifle volunteer's duty was that their first object should be to make him a good shot—make them good sharpshooters. These military parades would be of no service in actual war.

MR. PARKER pointed out that if the Government had delayed taking any action with regard to the Easter Encampment this year until the Appropriation Bill was passed, the probability was there could be no encampment at all. The committee had recognised that fact, when it agreed to take the vote earlier than it otherwise would have done if it had in its sequential order.

MR. RICHARDSON said though he intended to support the hon. member for the Gascoyne in his motion, he did not go to the extent which the hon. member did in protesting against the Government authorising this expenditure before the Appropriation Bill was passed, for he regarded the vote as a special vote, and, if anything would justify them in spending the money before it was duly appropriated, it was the fact that it was voted for the specific purpose of enabling the necessary preparations to be proceeded with. But as the hon. member had brought the matter forward he should support it, because he did not think this vote was a good one in its present form. He believed these encampments ought to be put on a different footing altogether, and be held in the neighborhood of the principal towns, so that the Volunteers might, during certain hours of the day, attend to their business vocations, and at the same time enjoy all the benefits of camp drill and camp life.

MR. MORRISON said he should vote for the retention of the item. If they were going to pass a vote one night, and come there the next day and strike it out, it would be simply waste of time,

and they would make themselves look ridiculous. As for the Volunteers preferring not to have an encampment, he had been assured by Capt. Gardiner that so far as he was aware the men took a great interest in it. There might be a few who didn't, preferring to enjoy their Easter holiday in some other way; but the majority of the men, he believed, were in favor of the encampment. He thought the committee would be showing a great amount of vacillation to pass the vote one day and throw it out the next, especially as it was clearly explained at the time that the object of taking the vote then was to enable preparations to be made for this encampment.

MR. MARMION hoped the hon. member for the Gascoyne would withdraw his motion. To a certain extent the hon. member might be right in his contention that until the Appropriation Bill was passed, the spending of this money might be regarded as a straining of the law. But when the Government had asked them to sanction it specifically for this purpose, he thought it was rather too much to turn round and accuse them of having acted illegally, or of having a desire to act illegally. With reference to these encampments themselves, he thought, if anything, they did good. But even assuming they were only a holiday for the Volunteers, he thought these men, who gave up their time to military drill throughout the year, deserved an occasional holiday, especially when the holiday was combined with instruction of practical utility.

MR. PEARSE said it was his intention to oppose the motion to strike out the vote. He considered, after what took place the other night, that the House was pledged to vote this money. He thought these encampments were good things for the men, and, so far as he had heard, they were popular. If this Volunteer movement was worthy of support at all, it was worthy of this vote for an encampment, which provided the men with a kind of training which they could not get under other conditions.

MR. SHOLL said a great deal had been made of the fact that no exception was taken to this vote the other night, but he protested against the Government having taken a vote last year and afterwards holding no encampment, but

spending the money in another way. So far as he was concerned, he had no feeling in the matter, beyond that he thought it was a waste of public money. If it was so necessary to instruct the Volunteers in camp drill, why did they not have an encampment last year, when the commanding officer had money at his disposal for the purpose? If that officer considered these encampments indispensable, he must have neglected his duty last year. He noticed that out of the whole of this vote of £3,385 for the Volunteers, no less a sum than £725 was for salaries; and if he should be in the House next year, he should certainly vote for a reduction in the vote.

THE SPEAKER said he wished to say a few words, with reference to the statement which had been made by the hon. member for the Gascoyne as to the illegality of spending votes before the Appropriation Bill was passed. He did not think it was altogether illegal—at any rate it was quite in accordance with Parliamentary practice. As soon as the House, in committee of supply, agreed to a resolution for the expenditure of money, that money was legally available; and he could see that it was absolutely necessary for the exigencies of the public service that it should be so. Only one Appropriation Act could be brought in during the year; you could not bring in an Appropriation Act in respect of every item agreed to, and it might be absolutely necessary that the Government should be able to spend the money in the meantime. The House of Commons, for instance, might agree to a vote of money for some specific purpose shortly after assembling in March, but the Appropriation Act might not be passed for six months afterwards; surely it could not be contended that the Government could not spend any of that money for six months. It might be a vote for war purposes, or for some purpose of immediate necessity, and it would paralyse the action of the Government if they were not at liberty to expend the vote until the Appropriation Act was brought in, months afterwards. He thought it was very desirable that this should be understood, and that it was the practice of Parliament.

MR. HENSMAN said he did not feel inclined to quarrel with the way in which

His Honor the Speaker had put the matter—that as soon as the House had voted funds it could hardly be wrong for the Government to appropriate the money; at the same time, the Appropriation Act was, eventually, the only legal authority which the Government had for spending the money; and, pending the passing of that Act, it was always open for the House to reconsider its action in committee, and the Government spent the money at its risk. He could hardly think, however, that the Government deserved any blame in this instance for having acted upon the resolution of the committee, when it was remembered that the vote was brought forward earlier, for the specific purpose of enabling the Government to act upon it.

THE CHAIRMAN OF COMMITTEES said with regard to the Parliamentary custom he might say—following up what His Honor the Speaker had said—that he noticed, only last year, that in the House of Commons the Ministry kept the House sitting until two or three o'clock in the morning, working against obstruction, in order to obtain a vote in committee of supply which they were bound to spend the very next day.

MR. SHOLL said after the discussion that had taken place, he should not divide the House on the subject, but let the motion be settled on the voices. He had been under the impression that the Government had no legal authority to spend this money; but, after the explanation of His Honor the Speaker, he found he was in the wrong.

The motion to strike out the item was negatived.

MR. SHENTON, reverting to the item "Seed Corn, etc., £500," for the Greenough farmers, impressed upon the Government the advisability of communicating with the Royal Agricultural Society of South Australia, for the purpose of ascertaining the varieties of wheat which they found most suitable for that colony, and that these varieties should be obtained for the Greenough farmers. He thought it would be a great boon to the district to have a change of seed. He believed there were three or four varieties, and it would be both interesting and instructive to the farmers who received this seed

wheat if they kept a record of the respective yield of each kind, so as to ascertain which was the most suitable for the district. The cost of carriage from Adelaide would be very little more than it would be from the Eastern Districts to Geraldton. No doubt the Adelaide Steamship Co., if applied to, would convey the wheat at a reduced rate, under the circumstances.

MR. HENSMAN thought it would be better not to tie the hands of the Government as to where they should procure this seed wheat. He believed that a certain amount of seed had already been sent to the district, through the liberality of private donors in various parts of the colony. No doubt it was desirable that the farmers should have a fresh variety, but, as it was necessary to act with promptitude in the matter, he thought it would be better to leave it to the discretion of the Government as to where they obtained the seed.

MR. RICHARDSON suggested that some of the farmers on the Flats should be communicated with. They may have experimented, and ascertained the kind of wheat that was most suitable to the district. He presumed that barley and oats would be supplied as well as wheat, and possibly it was not necessary that all should be imported.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said that as the Government Resident (Mr. Brown) was then in Perth, he would communicate with him without delay, and endeavor to meet the wishes of hon. members.

The matter then dropped.

THE CHAIRMAN reported that the committee had reconsidered the Estimates, and agreed to certain supplies.

BEVERLEY-ALBANY RAILWAY CONTRACT CONFIRMATION BILL.

THE COMMISSIONER OF RAILWAYS (Hon. J. A. Wright), in moving the second reading of this bill, said the preamble of the bill set forth generally the purposes for which it had been introduced, the main object being to legalise the assignment of the contract for the construction of the line, from the original concessionaire (the late Mr. Anthony Hordern) to the W.A. Land Company. The bill also contained a complete sched-

ule of the lands through which the line passed between Albany and Beverley.

The motion was agreed to, *sub silentio*.

Bill read a second time.

REPAIRS TO POLICE BARRACKS, PERTH.

ADJOURNED DEBATE.

On the order of the day for the resumption of the debate upon the motion of Mr. SHENTON that a sum of £1,500 be expended in repairing the damage done to the Police Barracks, by the recent fire,

MR. SHENTON said the debate had been adjourned in order that they might see whether, after passing the Estimates, there would be any funds available for this work. If the whole of the necessary repairs could not be undertaken, he thought steps should be taken to cover the dismantled portion before the winter set in. A considerable reduction had been made in the Estimates, during their passage through committee, and he thought the Government might find a sufficient sum for this purpose.

MR. A. FORREST thought it was well worth consideration whether the building should not be pulled down and St. George's Terrace continued up the hill. The sale of land that would take place by the adoption of this suggestion would realise a considerable sum of money.

MR. SHOLL thought that this matter should be allowed to stand over at present, as there were many other works of a more urgent character requiring attention, as, for instance, water supply for Carnarvon.

MR. HENSMAN said if they asked the Government to undertake these repairs, and did not provide them with the necessary funds, they would be placing them in an awkward position; and the House, if it passed this motion, would be committed to repairing the building. His own opinion was that it ought rather to be pulled down, for a more hideous structure never defaced the fair street of a town.

The motion was negatived.

VICTORIA PUBLIC LIBRARY BILL.

The House went into committee for the consideration of this bill, providing for the establishment, maintenance, and

government of the Victoria Public Library.

Clause 1—Short title:

Agreed to.

Clause 2—Trustees to be appointed by the Governor:

MR. HENSMAN thought the appointment of these trustees should be vested in the Governor in Council, and not in the Governor personally—although he was not quite sure that it would make much difference, under present circumstances. He observed that in some other clauses the "Governor in Executive Council" was mentioned.

THE ATTORNEY GENERAL (Hon. C. N. Warton) said those clauses related to the alienation of lands vested in the trustees, and the vesting of monies.

MR. HENSMAN said he did not suppose, as he had already said, under present circumstances, it much mattered whether they gave this power to the Governor or to the Governor in Council. But whatever might be the state of things *de facto*, they knew that *de jure*—according to the Royal Instructions—the Governor was bound to consult his Executive Council in all important matters, and it was only right that the Governor should do so. He was not now speaking of the present Governor, or any other particular Governor; but he thought it would be well to provide that this power of appointing trustees should be vested in the Governor in Council. He therefore moved, as an amendment, that the words "in Executive Council" be added to the clause.

MR. SHENTON was inclined to think that the Legislative Council should have some voice in the appointment of these trustees. He thought some of them should be nominated by the Executive, and some by the Legislative Council. That House had voted a large sum of money for the establishment of this Library, and no doubt it would be called upon from time to time to contribute something towards its support. He therefore thought the House ought to have the same right to nominate some of these trustees as it had to nominate some of the governors of the High School.

MR. VENN said he could not agree with the hon. member. In this matter he was altogether in accord with the hon. member for Greenough—that these appointments should rest with the Execu-

tive. He thought the Ministry of the day might be well trusted in this matter, without coming to the Legislative Council.

The amendment, upon being put, was adopted, and the clause, as amended, agreed to.

Clause 3—Trustees to be a corporation:

Agreed to, without comment.

Clause 4—"Whereas the foundation stone of the said Library was laid in and on a certain piece or parcel of land described in the schedule hereunto annexed, and it is intended that the said Library shall be built in and on the said piece or parcel of land; and whereas the said piece or parcel of land is now used as a school reserve: be it enacted that so soon as the said piece or parcel of land shall ceased to be so used, it shall be vested in the said trustees in fee:"

MR. VENN said he observed it was proposed that the Library should be built on a certain piece of land now used as a school reserve—was not this reserve vested in the Board of Education?

THE ATTORNEY GENERAL (Hon. C. N. Warton): Just for the moment; that's all.

MR. VENN said if the land now belonged to the Board of Education, and the Board did not choose to give up their title to it, in what position would this Library committee be then? Did the Government propose to confiscate this land? Had the Board of Education been consulted at all?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said the Board had been consulted, and had given their consent to the foundation stone of the Library being laid upon this land, and to the appropriation of the land itself for the purposes of this Library. There was another piece of land which was intended for a Boys' School in James Street, upon a portion of which the Girls' School now stood; and when the new Boys' School was built the present school reserve would be taken from the Board and handed over to the trustees of the Victoria Public Library.

MR. SHENTON said that, as a member of the Board of Education, he might state that this matter had been brought before the Board, and the Board had

consented to the transfer upon the terms mentioned by the Director of Public Works. The Board had not got the title to the land—it was not vested in them; it was vested in the Government. The Board considered that the site of the present Boys' School was not a central nor desirable one, whereas the site in James Street was; and the arrangement arrived at was, that when the colony was in a position to build a new Boys' School, the Board would vacate the present school buildings and the reserve, at the will of the Government, for the purposes of the proposed Library. All the other school reserves, with the exception of this one, were vested in the Board; but this one wasn't. In the meantime, it was understood, the Library would be located in the old W.A. Bank premises.

MR. HENSMAN asked upon what terms the Bank premises had been engaged, and whether any rent had yet been paid? He understood there were no books, nor anything to form the nucleus of a Library.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said the Bank premises had been leased for a term of three years, at a rental of £100 a year. Rent had been paid since October last, out of the funds available for the purpose.

MR. SHENTON asked what was the exact amount now to the credit of the Library Fund?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said the original grant was £3,000; the Jubilee expenses in connection with the laying of the foundation stone were not more than £100, and the cost of fitting up the Bank premises as a temporary library and reading room would probably not be more than £100. He did not know what the exact balance was to the credit of the fund.

The clause was then agreed to.

Clauses 5 to 8—agreed to, without comment.

Clause 9—Powers of trustees as to making rules for the management of the Library:

MR. HENSMAN said he did not like the sub-section giving the trustees power to make rules for the "exclusion of the public or any individual from the Li-

brary." Why should the trustees have power to exclude the public from their own library?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright): Surely the hon. member would not allow drunken persons, for instance, to enter the library.

THE ATTORNEY GENERAL (Hon. C. N. Warton) said it might be necessary at times to have the library closed, for the purpose of having it cleaned, or the books rearranged, and it was necessary that power should be given to exclude the public. It was not likely that the trustees would exercise the power arbitrarily, to the exclusion of the public. The very essence of the bill was that the library was a Public Library. The whole scope of the section governing the sub-section referred to pointed out that the institution was primarily intended for the purposes of public education and enjoyment. The clause was copied verbatim from the Melbourne Public Library Act—the finest institution of the kind on the Australian continent.

The clause was agreed to.

Clause 10—"The trustees shall, on or before the 31st day of March in the year 1889, and on or before the 31st day of March in each successive year, report to the Governor the proceedings of the corporation down to and including the 31st day of December then last past, and such report shall contain a full account of the income and expenditure of the Corporation, and a copy of such report and copies of all rules and regulations approved as aforesaid shall be laid on the table of the Legislative Council."

MR. SHENTON moved that after the word "Governor," in the 5th line, the words "in Executive Council" be added, so as to make the clause harmonise with the other clauses.

MR. HENSMAN said he noticed that although the rules were to be laid on the table of the Legislative Council, no power was given to the Council to alter or revise them, or to have any hold whatever over this library. It might be that the trustees—he did not say that they would—but it might be that the trustees and their rules would be altogether out of accord with the Legislature, and the latter would be powerless.

THE ATTORNEY GENERAL (Hon. C. N. Warton) said he quite appreciated the motives of the hon. member; but the hon. member seemed to have it in his mind that this Library was to be subjected to the Legislative Council, or that the Council was to be asked to vote large sums of money for the support of the institution. His (the Attorney General's) own impression was that the Legislature had once for all voted £3,000 for the Library—and a very handsome grant it was, considering the circumstances of the colony—and that the institution would have no further claim upon the Council. The trustees would be gentlemen of discretion, and no doubt would attempt to do the best they could with this money. For the rest, he presumed the institution would mainly depend upon private contributions of money or books; so that it would not be necessary to appeal to the Legislature. Therefore he did not see that it was necessary to give the Legislature any large voice in the management of the institution. He thought £3,000 was a very large sum for this colony to spend on a library, and that the grant was made once for all. The institution, hereafter, like similar institutions elsewhere, would be dependent upon the liberality of the public. When the trustees came to ask the House for assistance there would be time enough to give the House a right to revise the rules.

MR. SHOLL said notwithstanding what had been stated by the Attorney General, there could be no doubt that the trustees would be coming to that House, sooner or later, to provide salaries for the servants of that institution; and, although the House would of course have the power to refuse to vote these salaries, still, that was a power that was seldom exercised. Unless the trustees made better use of their money than they appeared to have made in their bargain with the W. A. Bank, he did not think the money would go very far.

HON. J. G. LEE STEERE said if this Library was to depend for its future support, as suggested by the Attorney General, upon private contributions, they need not be discussing the provisions of this bill at all; for, unless the Library be supported by the Government—as, he believed, it had always been intended it

should be—it would soon collapse. The bill itself contemplated that the institution should be assisted out of public funds. The 8th section said that “from and after the passing of this Act all monies appropriated, or to be appropriated, by the Legislative Council, to or for the said Library”—showing clearly that it was intended to ask the Legislature to contribute towards the support of the Library. The Attorney General had referred to the Melbourne Public Library. In Victoria the Legislature, when they had a constitution similar to our present constitution, voted £10,000 towards the erection of that library, and £3,000 for the purchase of books; and from that time to this, the Victorian Parliament had voted hundreds of thousands towards the support of their magnificent Library, and its branches the Museum and National Gallery. Even in that rich colony, the institution was not dependent upon private donations, but was entirely a State-aided institution, as such institutions were in all the other colonies, and as our own Public Library would have to be, if it was ever to be worthy of the name. It would be futile to expect private individuals to support such an institution.

THE ATTORNEY GENERAL (Hon. C. N. Warton) said it would be competent for the Legislature to amend the Act hereafter, if it considered it necessary to have a voice in the management of the Library.

The clause was adopted, with the amendment suggested by Mr. Shenton. Schedule—agreed to.

Preamble:

MR. HENSMAN said he should be glad to know whether the Attorney General had copied this florid preamble from the Victorian Act, or any other Act; or whether it was his own composition. It was such a fine piece of writing that he should be glad to think it was original; it was so fine, in fact, as to be almost laughable in a colony like this. It might be all very true, but he was sorry to see such stuff introduced into an Act of Parliament.

Preamble and title—agreed to.

Bill reported, with amendments.

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

LEGISLATIVE COUNCIL,

Wednesday, 28th March, 1888.

Expenditure on the Steam Dredge—Purchase by the Government of Quartz-crushing Plant—Message (No. 11): Replying to Address to Roads in Greenough district—Message (No. 12): Replying to Addresses re Water Supply at Carnarvon, and protection of banks of the Gascoyne river—Depositions taken at trials of Aboriginal Natives—Allowance to future Governors—Estimates, 1888: adoption of committee's report—Responsible Government: adjourned debate—Adjournment.

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

PRAYERS.

EXPENDITURE ON THE STEAM DREDGE.

MR. MARMION, in accordance with notice, asked the Director of Public Works to lay upon the table particulars of the expenditure upon the Steam Dredge to date; also as to the sum required to complete the repairs; further to ask, out of what vote the sums have been and are to be paid; and where the dredge is to be employed when the vessel is repaired?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) laid on the table the return asked for, and said the expenditure was about £150, which had been paid hitherto out of the votes provided on the Estimates under the head of “Repairs, Steam Dredge.” The vessel, when put in order, would be employed in cutting her way out of the river, by getting rid of the accumulated obstructions at the bar, and afterwards she would be employed in other places about Fremantle, in deepening the water around the jetty. He might state that in order to enable her to cut her way out of the river it would be necessary to have other buckets and appliances. He believed she would then be good for service for several years.

PURCHASE OF QUARTZ-CRUSHING PLANT.

MR. HARPER, in accordance with notice, moved that an humble address be presented to His Excellency the Governor praying that he would be pleased to place the sum of £500 upon the Estimates for 1888 for the purpose of purchasing a small quartz-crushing plant, which might be leased to private individ-