

WESTERN AUSTRALIA.

PARLIAMENTARY DEBATES.

FOURTH SESSION OF THE SECOND PARLIAMENT.

OPENING OF PARLIAMENT.

The Fourth Session of the Second Parliament under Responsible Government was convened for the despatch of business on the 11th March, 1897.

Parliament was opened by His Excellency the Governor.

Legislative Council,

Thursday, 11th March, 1897.

Opening of Parliament—Acting President: election of—Governor's Speech—Colonial Passengers Act Amendment Bill: first reading—Address-in-Reply—Chairman of Committees: appointment of—Suspension of Standing Orders—Supply Bill: first reading; second reading; committee; third reading—Australasian Federation Enabling Act Amendment Bill: first reading; second reading; committee; third reading—Esperance Bay Mail Service: motion for adjournment—Boating Fatalities on Swan River, prevention of—Adjournment.

OPENING OF PARLIAMENT.

The Council met pursuant to proclamation, which was read by the Clerk of Parliaments as follows:—

"Western Australia, }
"to wit, }

"GERARD SMITH,

"(G.S.)

"Proclamation by His Excellency Lieut.-Colonel Sir Gerard Smith, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over the Colony of Western Australia and its Dependencies, &c., &c., &c.

"Whereas under the provisions of 'The Constitution Act, 1889,' it is made

"lawful for the Governor of Western
"Australia for the time being to fix the
"place and time for holding the first
"and every other Session of the Legisla-
"tive Council and Legislative Assembly:
"Now therefore I, Lieut.-Colonel Sir
"Gerard Smith, K.C.M.G., Governor of
"the said Colony, in exercise of the
"powers so vested in me, and of all other
"powers enabling me in that behalf, do,
"by this my proclamation, announce and
"proclaim that the Fourth Session of the
"Second Parliament of Western Aus-
"tralia, to be holden under the pro-
"visions of the said Act and 'The Con-
"stitution Act Amendment Act, 1893,'
"shall be holden for the despatch of
"business on Thursday, the eleventh day
"of March next, at the hour of three of
"the clock p.m.: the Session of the
"Legislative Council to be holden in the
"Legislative Council Chamber, in St.
"George's Terrace, in the City of Perth,
"in the said Colony: and the Session of
"the Legislative Assembly to be holden
"in the Legislative Assembly Chamber,
"in Howick Street, in the City of Perth,
"in the said Colony; and the members
"of the Legislative Council and the mem-
"bers of the Legislative Assembly are
"hereby required to give their attend-

"ance at the said time and places
"accordingly.

"Given under my hand and the Public
"Seal of the said Colony, at Perth,
"this 25th day of February, 1897.

"By His Excellency's Command,

"JOHN FORREST.

"God save the Queen!!!"

PRESIDENT (ACTING)—ELECTION OF.

THE CLERK OF PARLIAMENTS
(Mr. C. Lee Steere): I have to report
that the Hon. the President has availed
himself of the leave granted to him at
the last session of Parliament, and is now
absent from the colony.

THE MINISTER FOR MINES (Hon.
E. H. Wittenoom): I move that the Hon.
S. H. Parker be appointed President of
the Council during the temporary ab-
sence of Sir George Shenton.

Question put and passed.

THE HON. S. H. PARKER: I have
to thank hon. members for having elected
me, and I hope I shall fill the position to
their satisfaction.

THE ACTING PRESIDENT (Hon.
S. H. Parker) then took the chair.

THE GOVERNOR'S SPEECH.

His Excellency having entered the
Chamber delivered the following speech:—

"MR. PRESIDENT AND HONOURABLE
"GENTLEMEN OF THE LEGISLATIVE
"COUNCIL,—

"MR. SPEAKER AND GENTLEMEN OF
"THE LEGISLATIVE ASSEMBLY,—

"As it has been considered advisable
"to postpone the meeting of the Parlia-
"ment to be elected under the Constitu-
"tion Act Amendment Act, 1896, till
"after the close of the Financial Year, I
"have summoned you for the special pur-
"pose of enabling you to pass temporary
"supplies for the use of the public
"service during the months of July and
"August next.

"MR. SPEAKER AND GENTLEMEN OF
"THE LEGISLATIVE ASSEMBLY,—

"The finances of the Colony are in a
"satisfactory condition, and the Estimated
"Revenue for the Financial year is
"expected to be more than realised.

"MR. PRESIDENT AND HONOURABLE
"GENTLEMEN OF THE LEGISLATIVE
"COUNCIL,—

"MR. SPEAKER AND GENTLEMEN OF
"THE LEGISLATIVE ASSEMBLY,—

"The early meeting of the Federation
"Convention has necessitated an amend-
"ment of the Act passed by you last
"Session providing for the representation
"of Western Australia at the Convention,
"and a Bill will be submitted to you for
"the purpose.

"I now declare this Session open."

COLONIAL PASSENGERS ACT AMEND- MENT BILL.

THE MINISTER FOR MINES (Hon.
E. H. Wittenoom): In order to claim
our rights I move, by leave, without
notice, the first reading of a Bill intituled
an Act to amend the Colonial Passengers
Act, 1896.

Question put and passed.

Bill read a first time.

ADDRESS-IN-REPLY.

THE HON. D. K. CONGDON: It
affords me great pleasure to propose an
Address-in-Reply to the speech which
His Excellency the Governor has just
delivered to this House. As hon. mem-
bers may have observed, the speech is a
short one, but it contains matter of con-
siderable importance. Hon. members
are all aware of the circumstances in
which we have been called together earlier
than otherwise would have been the case.
The leader of the Government is about
to proceed to England to assist in a
demonstration in connection with the
long reign of Her Majesty, and this
would prevent Parliament meeting at its
usual time. Then we have the Federal
Convention about to take place, and, in
order that delegates from this colony may
attend, it is necessary there should be a
slight alteration in the existing law. I
am sure I am only voicing the opinion of
the Council when I say that we are pleased
to hear that the finances are in so flourish-
ing a condition, and that the Estimates
will be more than realised at the end of
the financial year. With regard to the
legal and constitutional aspect of voting
supplies at the present time, I may say I
am not sufficiently versed on the subject
to give an opinion. I now move that the

following reply be presented to His Excellency the Governor:—

"May it please Your Excellency,
"We, Her Majesty's loyal and dutiful
"subjects, the members of the Legislative
"Council of Western Australia, in Parlia-
"ment assembled, beg to assure Your
"Excellency of our loyalty and affection to
"our Most Gracious Sovereign. We thank
"Your Excellency for the speech you have
"been good enough to address to us, and
"shall give it our most careful considera-
"tion and attention."

THE HON. E. McLARTY: I have much pleasure in seconding the motion of the hon. member, and in doing so I do not think it necessary to detain the House by making many remarks. The object of this session is to enable such arrangements to be made as will permit of the Premier visiting England to take part in the celebrations which will be held in connection with Her Majesty's long reign. I believe the feeling that the Premier should visit England is very general throughout the colony, and on this account I congratulate the colonists on their spirit of patriotism and loyalty. I am pleased to learn that the estimated revenue will be fully realised. With these remarks I beg to second the motion.

Question put and passed.

THE ACTING PRESIDENT (Hon. S. H. Parker) then left the chair until 7:30 o'clock p.m.

On resuming,

CHAIRMAN OF COMMITTEES— APPOINTMENT OF.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I move, by leave, without notice, that during the present session of Parliament the duties of Chairman of Committees be performed by the Acting President, Hon. S. H. Parker.

Question put and passed.

STANDING ORDERS—SUSPENSION OF.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I move, by leave, without notice, that so much of the Standing Orders as relate to the passage of Bills through the House be suspended during the present session.

Question put and passed.

SUPPLY BILL (£750,000).

This Bill was received from the Legislative Assembly, and was read a first time.

SECOND READING.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): As hon. members are no doubt aware, the object of this Bill is to place the Government in funds to carry on the business of the colony over a certain period. This action has been necessitated by the desire on the part of the people that the Premier should accept the invitation of the Secretary of State for the Colonies to visit England on the auspicious occasion when the long reign of Her Majesty will be celebrated. It is contemplated that the Premier will be away for two or three months, and consequently Parliament cannot well meet at the usual time. It is fortunate, perhaps, that the Premier will be able to pay a visit to England at this critical time, because he will be able to represent the exact condition of the colony, especially in regard to mining matters. In these circumstances I have much pleasure in moving that this Bill be now read a second time.

THE HON. F. M. STONE: It gives me much pleasure to be able to support the Hon. the Minister in carrying this Bill through the House. When we pass it we shall have done away with one of the difficulties which have encountered the Premier in his desire to meet the wishes of the people with regard to visiting England. I am sure I am only echoing the feelings of everyone when I say that the Premier while in England will represent us in an able and suitable manner. We all feel, notwithstanding our political differences, that he will well and truly represent this colony. There may be constitutional questions in connection with this Bill, but in my opinion this is not the time to raise them. We should rather let the Premier leave without feeling that he has left any trouble behind. If we permit him to go with a free hand we may be sure that the colony will have the benefit of his best energies.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): Before the question is put I should like to place on record my appreciation of the action of hon. members in allowing this Bill to pass with-

out opposition. I recognise thoroughly the merits of the speech of the Hon. Mr. Stone, for his remarks show that, whatever may be his views in opposition to the Government, he possesses patriotic sentiments, and that when the interests of Western Australia are at stake he will sink all differences and come forward as one who belongs to the colony. There may be constitutional objections to this Bill, but it is a source of gratification to think that hon. members are prepared to waive them when the real interests of Western Australia are at stake.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

The Bill was then considered in committee, agreed to without amendment, reported, and the report adopted.

THIRD READING.

The Bill was then read a third time and *passed*.

AUSTRALASIAN FEDERATION ENABLING ACT AMENDMENT BILL.

This Bill was received from the Legislative Assembly, and was read a first time.

SECOND READING.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I propose that this Bill be now read a second time. The object of it is to reduce the time between certain acts which have to be done under the original Act. Hon. members are aware that under the Act passed last session an interval of 15 days must elapse between the date of nomination and the date of election. Unless this interval is altered it is obvious this colony cannot be represented at the Convention. It is proposed by the Bill now before hon. members to reduce the 15 days to three days, and thus allow the delegates from this colony to take part in the proceedings of the Convention. I move that the Bill be now read a second time.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

The Bill was then considered in committee, agreed to without amendment, reported, and the report adopted.

THIRD READING.

The Bill was then read a third time, and *passed*.

ESPERANCE BAY MAIL SERVICE— MOTION FOR ADJOURNMENT.

THE HON. F. M. STONE: I beg to move the adjournment of the House in order to draw attention to a serious matter. We have learnt lately of a series of accidents which have happened on the steamer Macgregor which carries Her Majesty's mails. Within a very few days a very serious one occurred through the bursting of a rocket, and from evidence which has come to light there appears to have been culpable negligence on the part of the owners in not supplying proper rockets. Since this we have heard that the vessel is leaking badly, and I should like to know whether it is the intention of the Government to allow the Macgregor to carry the mails any longer. I am told that the steamer is totally unfitted for the work, and in these circumstances I think the existing contract should at once be put an end to. I move that the House do now adjourn.

THE HON. S. J. HAYNES: I endorse everything that the Hon. Mr. Stone has said.—

THE HON. J. W. HACKETT: I rise to a point of order. Under Standing Order 122, a motion that the House do now adjourn must be moved and seconded without discussion. I draw attention to this so that if the Standing Order is unreasonable it may be altered, and that if it be reasonable it may be enforced.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I hope some latitude will be allowed on this occasion.

THE HON. J. W. HACKETT: By permission of the House the hon. member may, of course, make his statement and get a reply.

THE ACTING PRESIDENT (Hon. S. H. Parker): It certainly appears by Standing Order 122 that a motion for adjournment must be moved and seconded without discussion. I may say that I know it is the practice of all Legislative Assemblies and of the House of Commons to move the adjournment of the House when it is desired to call attention to some grievance. Of course, we are bound by the Standing Orders, and as a

motion for adjournment cannot be spoken to, there is no object in making it.

THE HON. F. M. STONE: By leave of the House I withdraw the motion.

Motion, by leave, withdrawn.

THE HON. F. M. STONE: I now move, by leave, without notice—"That, in the opinion of the Council, the contract at present existing between the Government and the owners of the s.s. Macgregor for the conveyance of mails between Albany and Esperance Bay should be cancelled."

THE HON. S. J. HAYNES: I second this motion with regret, because the people at Albany considered when the Government gave them this steamer it would be suitable for the trade. The Wairalla was the first steamer put on, and it was afterwards succeeded by the Macgregor. Since then there has been nothing but a chapter of accidents, and those who know the vessel feel that she is thoroughly unseaworthy. I once travelled in her myself, and my experience was far from satisfactory. I left Albany at 6 o'clock in the evening, and after steaming about for half-an-hour the machinery broke down, and we had to come back to the jetty. When some repairs had been effected, we started again, and went ahead at the rate of about three miles an hour. In the last accident one man has lost his life and two have been seriously injured, besides the Bishop of Perth having had a very narrow escape. Since then I believe there has been a fire on board. Altogether, the vessel seems to be a perfect Jonah. An inquiry is being held, the result of which, I believe, will be that the vessel will be condemned. I trust that in the interests of the travelling public the present contract will be cancelled, and that a more seaworthy boat will be put on, otherwise we shall have many valuable lives lost.

THE MINISTER FOR MINES (Hon. E. H. WITTENOOM): I am extremely obliged to the Hon. Mr. Stone for having brought this matter forward. There is no doubt that a good deal of dissatisfaction has been expressed recently as to the steamship Macgregor. I believe I was instrumental in procuring the services of a steamer to run between Albany and Esperance, and we had some difficulty in finding one of the exact class required. We made inquiries of the Chamber of

Commerce at Albany, and it was considered that it would be most advantageous to obtain a vessel of light draught, so that she might call in at all the intermediate ports. I happened to go round to Victoria at about the time tenders were called, and I know that great difficulty was experienced in finding a vessel small enough to undertake the work in consequence of the shallow depth of water at some of the ports. This limited the tendering to one or two companies. The result was that the Wairalla was accepted, and I can distinctly remember the pride with which the inhabitants of Albany pointed to the vessel as she lay alongside the wharf. I do not know what the tonnage of the Wairalla was; perhaps the Hon. Mr. Haynes can inform me.

THE HON. S. J. HAYNES: About the same as the Macgregor.

THE MINISTER FOR MINES (Hon. E. H. WITTENOOM): The hon. member says the tonnage was about the same, and, therefore, if the people were satisfied with the Wairalla, they should also have been satisfied with the Macgregor.

THE HON. S. J. HAYNES: Nothing of the kind. The tonnage of the Macgregor is all right, but what is complained of is her unseaworthiness and faulty equipment.

THE MINISTER FOR MINES (Hon. E. H. WITTENOOM): At any rate, the people were satisfied with the Wairalla, which is a similar boat to the Macgregor. Now it seems that owing to the large demand there is for cargo space the people are no longer satisfied. I only wish to point out that in obtaining the services of a vessel the Postal Department endeavoured to meet the wishes of the people of Albany; that the people were satisfied with the Wairalla, and that the Macgregor being of about the same tonnage they should still be satisfied. I am convinced, however, that the Macgregor is altogether unsuitable for the trade. Recognising this, tenders, which will be due on March 15, have been called for the services of a larger boat. In the meantime, owing to the Macgregor having been practically condemned—although I do not think that because a rocket went off and nearly blew up a bishop we should say a vessel is unseaworthy—the Government has issued

orders that the Flinders shall be engaged at £100, or more if necessary, to make a trip pending the acceptance of a tender. We recognise that a growing place like Esperance deserves a good service. The Government did not want a small boat, but endeavoured to meet the wishes of the people of Albany in the matter. I am glad the hon. member has brought this matter forward, because it has enabled me to give this explanation.

THE HON. F. M. STONE: The remarks of the hon. the Minister are very satisfactory. I am pleased he is glad that I have brought the matter forward, because hitherto he has not been satisfied with motions I have deemed it necessary to put before the House. I trust that when this House sits again he may be in the same pleasant mood in which we find him to-day. I beg, by leave, to withdraw the motion.

Motion, by leave, withdrawn.

BOATING FATALITIES ON SWAN RIVER—PREVENTION OF.

THE HON. F. M. STONE: Last session, consequent upon some boating fatalities which had occurred, a motion was carried in this House that life-saving appliances should be placed along the banks of the river, and that a police boat should be obtained. I should like to know whether anything has been done in this matter.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): Recognising the interest the hon. member took in this subject, I feel certain that something must have been done, but what it is I cannot exactly say. At present I am not prepared to give a definite answer, but I will make inquiries.

THE HON. F. M. STONE: We know that some time ago, when a motion was carried in this House in favour of the placing of beacons about the river, nothing was done; and a similar course seems to have been taken with regard to the motion which I brought forward last session. I draw attention to the matter now, because I am not prepared to bring forward motions in this House without following them up.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I have every sympathy with the hon. member, and I may say that when the resolution was agreed

to it was sent on to the proper quarter. I will inquire into the matter, but I feel sure that if nothing has been done it is through an oversight or pressure of work on the part of the department concerned.

ADJOURNMENT.

The House, at 8:20 o'clock p.m., adjourned until Friday, 12th March, at 3 o'clock p.m.

Legislative Assembly,

Thursday, 11th March, 1897.

Meeting of the Assembly—Message: Opening of a Session Extraordinary—Paper: Lands and Mining Regulations Amendment—Question: Electoral Claims and Registration—Message: Supply—Question: Perth Water Supply and Analysis—Emergency Motion: Compensation Claims re Losses by Fire—Election of Acting Chairman of Committees—Suspension of Standing Orders—Committee of Supply: Objection to Procedure; in Committee of Supply; in Committee of Ways and Means—Supply Bill, £750,000; all stages—Speech of the Governor: Address-in-Reply—Australasian Federation Enabling Act (1896) Amendment Bill; all stages—Question: Steamship Macgregor and Danger to Life—Message: Concurrence in Bills—Adjournment.

MEETING OF THE ASSEMBLY.

The Legislative Assembly met at 3 o'clock p.m., pursuant to Proclamation by His Excellency the Governor, which Proclamation was read by the Clerk.

MESSAGE—OPENING OF A SESSION EXTRAORDINARY.

A message from His Excellency the Governor was delivered at the Bar by the Usher of the Black Rod, requesting the immediate attendance of the Speaker and members of the Assembly, in the Chamber of the Legislative Council.

Accordingly, Mr. Speaker and Members of the Assembly proceeded to the Legislative Council Chamber, where His Excellency delivered a speech, formally opening the Fourth (an extraordinary) Session of the Parliament. [*Vide* report of Council's proceedings, *ante*.]