

committee for not giving any reasons in support of the abstract policy of constructing the line, said that was a charge that could be readily met, the whole question having been gone into last session, when it was admitted on all sides that the work was a desirable one. Besides that, the question of the abstract policy of the line had not been submitted to them at all: the question they had to consider was whether this was a feasible method of constructing the railway. The Colonial Secretary said it was better that all these Government railways should be constructed out of loan. As a matter of fact, if they accepted the present offer, it would be tantamount to constructing this line by loan; but the reason why the committee considered the present offer would be a better means of getting the railway built than having it constructed by the Government out of a Government loan was that the committee knew, as a matter of fact, that it would be an utter impossibility for the Government to construct it at anything like so reasonable a cost. The promoters did not anticipate making profit on the work but upon their timber. The Colonial Secretary spoke about bad times, and talked about "a policy of desperation and despair," while, in the same breath, the hon. gentleman asked them to invite the Government to construct this very desirable work. As to ways and means, he was perfectly certain, if the Government would only take advantage of the great opening which was now manifesting itself before them, in the opening up of our goldfields, they would very soon find themselves in possession of ways and means. The hon. member for the Greenough spoke rather disparagingly of the influence of the Governor in this matter, so far as the Secretary of State was concerned. Unfortunately, that was quite contrary to the experience of those who had had any long experience in the working of this constitution, and it was only in having the Governor on their side that they had any chance of influencing the Secretary of State in this matter; and he hoped that a representation of the strong views entertained by the House on the subject might induce His Excellency to take a favorable view of the matter. As to the form of the address, which the hon. member for Green-

ough wished to alter, he really thought that was quite unnecessary. This was the usual form of these addresses.

The House having divided upon the motion, the numbers were—

Ayes ...	...	...	13
Noes ...	...	...	5

Majority for	...	8
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AYES.	NOES.
Mr. Coughdon	Hon. J. Forrest
Captain Fawcett	Mr. Randell
Mr. A. Forrest	Hon. C. N. Warton
Mr. Harper	Hon. J. A. Wright
Mr. Hensman	Hon. Sir M. Fraser
Mr. Layman	(Teller.)
Mr. Marmion	
Mr. Parker	
Mr. Pearce	
Mr. Richardson	
Mr. Scott	
Mr. Venn	
Sir T. C. Campbell, Bart.	
(Teller.)	

The address was then put and passed.

The House adjourned at a quarter to twelve, midnight.

## LEGISLATIVE COUNCIL,

*Tuesday, 17th April, 1888.*

Mail service between Roebourne and Cossack—Mining Bill: second reading; in committee—Reappropriation Bill, 1888: second reading; in committee—Repairs to Roads in the Greenough District (Message No. 11)—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

ROEBOURNE-COSSACK MAIL SERVICE.

MR. VENN, in the absence of Mr. Richardson, asked the Colonial Secretary whether it was the case that the mail service between Roebourne and Cossack was still carried by mail-cart tri-weekly, notwithstanding that the tram, or tramcars, were running daily between those two towns?

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): Yes, it is, at a cost of £52 10s. a year. The contract will expire on the 31st of July next, after which the mails will be conveyed by tramway.

## MINING BILL.

THE ATTORNEY GENERAL (Hon. C. N. Warton), in moving the second reading of the Mining Bill, said it had been introduced at the desire of a great number of persons, principally those connected with mining speculations, and more particularly those who were anxious to form mining companies, upon the "no-liability" principle. He believed the feeling was in favor of the House availing itself of the legislation in Victoria on the subject. The bill before the House was very little more than a transcript of the Victoria Act, with a few modifications rendered necessary by the different circumstances of this colony. The chief difficulty had arisen with respect to the constitution of the mining courts, but he was afraid we would have to do as well as we could with our own Supreme Court.

MR. MARMION said it had been understood that it was desirable to have this bill, and it seemed to him unnecessary to discuss, at that stage, the general principles of the bill. The hon. member asked that the clauses might be read, when they went into committee on the bill.

MR. SCOTT said the most important thing was to bring about the most speedy and effectual way of settling mining matters, and this effectual method, it was found by experience, the Victoria Act gave. In the bill before them they were told, however, that in these matters they would have to go to the Supreme Court. They all knew what that meant in these matters—a good deal of delay, and he hoped that the Government and the House would be able to find some more speedy and effectual method than going to the Supreme Court.

SIR T. COCKBURN-CAMPBELL said the hon. member for Fremantle had said he supposed the clauses of the bill would be read, in committee. Really he thought it might be expected that hon. members would take the trouble to read a bill before they went into it. It was contrary to Parliamentary practice to read the clauses of a bill in committee, hon. members being supposed to have read the provisions through. With regard to the bill before the House, he had been given to understand by a gentleman who had had some experience in mining in Victoria that the Victoria Act was almost perfect, as far as Victoria was concerned. He

believed that, in order to make it, in their opinion, applicable to our own circumstances, the Government had made certain alterations in several of the clauses, and the clauses which had not been altered he believed the House would approve. Reference had been made to one of the objections to the bill. In Victoria it was thought desirable to facilitate affairs by leaving the county courts to deal with all matters connected with mining. These powers, he understood, the Government had placed in the hands of the Supreme Court. That would, he thought, make the bill perfectly useless so far as that portion of it was concerned, and that was the principal question they had to consider when they went into committee. The rest of the bill was, so far, as perfect as could be made.

The bill having been read a second time, the House went into committee, when clauses 1 to 56 were passed.

Clause 57.—When and how companies may be wound up:

THE ATTORNEY GENERAL (Hon. C. N. Warton), in reply to Mr. SCOTT, said that clause 3 (the interpretation clause) provided that wherever the word "court" occurred it meant the Supreme Court. The winding up of a company was a very serious business, and could not very well be done by an inferior court. In England it was done by the High Court of Chancery.

MR. SCOTT said he should certainly move, at the proper time, that the bill be recommitted, as he felt that the whole principle of the bill would be affected by having to go to the Supreme Court to settle these matters. If the County Courts were found sufficient in Victoria, he thought they could not do better than work on the same principle here, and give these powers to our local courts.

MR. MARMION was of opinion that it would be a great mistake to ask companies to come down from Kimberley to Perth to the Supreme Court, and that it would prove a stumbling block, if that Court was to be the only Court for settling these mining disputes. He thought the difficulty might be got over by constituting minor courts at a certain stated distance from the capital.

MR. RICHARDSON said it appeared to him that the object of the Act was so to simplify matters in mining that

any intelligent man having it before him could judiciously deal with all matters coming before him. He really did not see why any intelligent Magistrate having had experience in these things should not be able to adjudicate upon these matters, and it must always be remembered he could communicate by telegraph with the Attorney General, if he felt the necessity arise for so doing.

**THE ATTORNEY GENERAL** (Hon. C. N. Warton) said his sympathies were a great deal more with what had fallen from hon. members than might appear from the bill, as regards giving jurisdiction to the Local Courts in respect of mining disputes. But he must object to such jurisdiction being extended to the winding up of companies, which he did think ought to be a matter for the Supreme Court. He sympathised to a great extent with the desire expressed that in other respects jurisdiction should be given to some minor court. After all the real object of the bill, although it was a very large bill, was simply to introduce the "no-liability" principle.

**MR. VENN** said they found that the Act had worked very well in the other colonies, and they had not yet found it necessary there to have resort to these high tribunals. He thought if Victoria, with its important mining interests, was satisfied with the jurisdiction of a minor or inferior court, there was no necessity here to resort to the cumbrous and expensive machinery of the Supreme Court.

**MR. SHENTON** said he was fortunate enough not to have had much personal experience of the Supreme Court, but he understood that it generally proved rather a severe strain upon the pockets of litigants; and, as this Act had worked so well in the other colonies, without having resort to the higher courts, he thought we could not do better than adopt the same procedure here, and make it as simple as possible, and also cheap. He presumed if anyone felt aggrieved, he would have the right of appeal to the Supreme Court. He would suggest that the committee should now run through the clauses of the bill formally, and that a conference should be held between those members who took an interest in the bill, and the Attorney General, with a view to substituting some other tribunal for the Supreme

Court, wherever that court was mentioned in the bill.

**THE ATTORNEY GENERAL** (Hon. C. N. Warton) said he would have no objection to the hon. member's suggestion.

The remaining clauses of the bill, and the schedules, were agreed to, *pro forma*, on the understanding that the bill should be recommitted.

Bill reported.

#### RE-APPROPRIATION BILL, 1888.

**THE COLONIAL SECRETARY** (Hon. Sir M. Fraser), in moving the second reading of a bill to re-appropriate certain unexpended balances of the 1884 Loan, said the schedule of the bill had already been considered by hon. members, and, generally, the items had been agreed upon. The principle of the bill—that it was desirable, under existing circumstances, to re-appropriate these balances—had been confirmed, and it only now remained for the House to decide finally how the money should be spent. It was therefore unnecessary for him to say any more. He presumed hon. members would wish the discussion upon the schedule to take place, when the bill was committed.

The motion for the second reading was then agreed to, and the bill was committed.

#### IN COMMITTEE.

Clauses 1 and 2:

Agreed to, without comment.

#### SCHEDULE.

1st Column.	2nd Column.	3rd Column.
(1) Harbor Works, Fremantle ...	£ s. d. 1022 10 6	Further extension of Fremantle Jetty 10000 0 0 Improved Custom House arrangements in connection therewith ... 622 10 6
(2) Geraldton Jetty Extension and Goods Shed ...	1885 0 7	Public Works at Geraldton.
(3) Government House and Domain, Additions	2500 0 0	Public Offices, Perth.
(4) Mandurah Breakwater ...	981 11 7	Public Buildings, Pinjarrah.
(5) Steam Launch, Fremantle ... Steam Launch, Marine Survey	1422 14 4 500 0 0	
Together amounting to ...	1922 14 4	Improvements, Fremantle Lunatic Asylum.

MR. SHENTON moved that the 3rd column of the first item be amended, by striking out the words, "Improved Custom House arrangements in connection therewith, £6,282 10s. 6d.," and that the whole of the unexpended balance (£16,282 10s. 6d.) be appropriated to the further extension of Fremantle jetty. The hon. member said this matter had already been so thoroughly discussed by the committee, when the various items were under consideration before, that it was hardly worth while taking up the time of the committee any longer. It was generally considered that the most desirable way of spending the whole of this balance was upon the jetty. There was only one condition that he would urge upon the Government, and that was that the piles of the jetty and all the timber liable to the action of the waves should be of jarrah; but for the decking and other portions not subject to submersion, he firmly believed karri to be superior to jarrah. He also thought a large work of this kind should be thrown open to public competition. One gentleman had informed him that he thought the contract would be undertaken at 20 per cent. less than the price mentioned by the Director of Public Works. If so, that would leave them about £3,500 more money available.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said the hon. member's wishes as regards the timber to be employed should be carried out. He would stipulate that the whole of the piles should be of jarrah, and the top portion of karri, and the work should be thrown open to public competition. He saw no reason why karri should not have as fair a trial as jarrah, for we possessed some magnificent timber of the former kind, and he believed himself we should be satisfied with the experiment.

MR. SHOLL said that, looking at the state of the public finances, the question arose whether these Custom House improvements were absolutely necessary, for, if they were, he did not think they would be justified in appropriating the whole of the money to the extension of the jetty, and, next year, have the Government come down for a vote out of general revenue for Custom House improvements. He wished to state that he was strongly opposed to the whole of this

balance being spent on the jetty if these improvements in connection with the Customs were necessary improvements.

MR. RICHARDSON said if, as was conjectured, they were likely to have the contract for the jetty extension taken at 20 or even 10 per cent. less than the estimate there would be a considerable surplus, which, in his opinion, should not be expended on the jetty, but devoted to providing the improved accommodation said to be required in connection with the Custom House. Probably they would have £1,000 or £1,500 in this way for expenditure upon some kind of shed for the sheltering of goods. As to the relative value of the two timbers proposed to be employed, he believed karri to be thoroughly useless for marine works, or jetty construction—except perhaps for the top planking. He hoped the Commissioner would take care that no karri was used, not only where it was exposed to the action of the water but also to any strain. He did not think, himself, that karri was to be mentioned in the same street as jarrah for submarine works.

MR. VENN was sorry to hear the hon. member for the North speak so disparagingly, and so decidedly, against karri. He thought such a statement coming from any hon. member, in his place in that House, must carry considerable weight, and was calculated to do much injury to a timber which ought to form one of the most important industries of the colony. If we had had sufficient experience of karri to justify us in speaking authoritatively as to the relative merits of it and jarrah, it would be a different thing. But he thought it was premature, at any rate, to pronounce such a sweeping judgment against it, even for submarine works; and he thought it would be very damaging if they were to place it on record, as the deliberate opinion of the Legislature, that it possessed no value for such works. He thought at any rate they ought to give it a fair test before condemning it; if they did so, he believed with the Director of Public Works we need not fear the result.

MR. RICHARDSON said it was simply as an amateur that he had ventured to express an opinion as to the value of karri for submarine purposes. We knew the value of jarrah from test and ex-

perience, but as regards the other it was problematical to say the least; and the question was whether we could afford to undertake experiments of this kind. It was well known that in the other colonies karri, when used for submarine works, was always sheathed.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) referred to the report of the Commission appointed by the Government some time ago to report on the relative value of karri and jarrah for the construction of public works, particularly for submarine operations. The conclusion arrived at by the Commission was that there was not much to choose between the two timbers, as regards some of their properties; but that, as regards karri, it could scarcely be regarded as having passed the experimental stage for marine works, and the Commission suggested that a series of experiments be made with both timbers, under exactly similar conditions, careful inspection being made from time to time, and true records kept. It appeared to him the colony was to be congratulated on the possession of two kinds of timber which, from all the evidence they could find, were so equal in goodness and quality as to make it a question, even with experienced men, which to prefer. His own opinion was that karri was the stronger and more reliable wood; but, as to its durability under water in comparison with jarrah, time alone would prove. In order to test the question he was having experiments and notes taken in all new works that were undertaken; and, in the last extension of the jetty at Fremantle, both karri and jarrah piles were driven side by side, and they had been carefully marked and recorded, so that here we should be able immediately to have a reliable comparison. As to the statement that, in the other colonies, karri was always sheathed with metal when used for submarine works, the same remark applied to jarrah, which the South Australian Government likewise sheathed with muntz metal when used for piles and other works below water.

MR. SHOLL said there was this to be considered—whether if they specified any particular timber, the tenders would be as favorable as if left to the option of the contractor. As to jarrah being impervious to the attacks of the *teredo*, he

knew of many instances at the Nor'-West where it had been riddled.

MR. MARMION said it was a well known fact that the attack of the *teredo* diminished, generally, with the temperature of the water, and, although it might be that jarrah had not successfully resisted it in the more tropical climate of the North, that was no reason why it should not resist it in the cooler temperature of Fremantle. He thought it behooved us to protect ourselves by using timbers the virtues of which were beyond dispute, and thoroughly established. With reference to this particular work, he had washed his hands from all responsibility in connection with it. He had done his best to prevent the diversion of this money, and he was tired of fighting the question in the face of so much determination to spend the money at any cost. He saw no good in fighting it any longer; the House had made up its mind it should go; and all he could do now was to endeavor to see that it was expended in the best interests of the shipping at Fremantle. He thought it would be better to expend the whole of the available balance upon the jetty, so as to accommodate the larger vessels, than to separate it into two portions, some for the jetty and some for Custom House improvements. But it must always be borne in mind that in winter this jetty, although they extended it as proposed, would still be useless, except for steamers. He was informed that in consequence of the dulness of trade, and the consequent competition there was likely to be, that the contract was likely to be taken from 15 to 20 per cent. lower than the present schedule rates; if so, the surplus might be applied to providing moorings, which would be necessary. Finally, he must once more protest against the idea that the proposed extension of this jetty would remove the stigma that attached to the port of Fremantle, as a harbor. Nothing could do that until they were in a position to expend large sums of money upon proper harbor works, extending over a number of years, in the direction indicated by Sir John Coode. As in previous Re-appropriation Bills, where the money had been diverted from the harbor works loan, a clause was inserted providing that the money should be restored out of the next loan which the colony contracted, he

saw no reason why it should not be done in this case. A sum of £79,500 had already been re-appropriated out of this fund, but special provision was made that every penny of it should be recouped, and he thought it was only fair to the one great national undertaking that was included in the 1884 Loan schedule, that provision should be made that the money set apart for it, but which had since been frittered away, notwithstanding many protests on his part, should be restored, as was the original intention, when the first diversion was made. At the proper time he should move the insertion of a clause in the present bill to the same effect. He thought with regard to the proposed Customs improvements, it would be a more legitimate use to make of the steam launches' money (the 5th item on the schedule) than apply the money to the proposed improvements at the Fremantle Lunatic Asylum, with regard to which he would again point out they had neither plans nor specifications.

MR. LAYMAN objected to a provision being inserted in the bill to the effect that this money should be repaid out of next loan to Fremantle harbor works, as he considered that the money spent on this jetty was spent in improving the harbor. It was a very different thing when a portion of the harbor works money was devoted to the construction of a telegraph in the Kimberley district.

MR. PEARSE said he must again protest against the expenditure of £16,000 upon this jetty, for the purpose of accommodating four or five ships, during a few months in the year. He thought it was monstrously out of proportion with the value of the result that would be attained. Fully three-fourths of the vessels visiting Fremantle were well accommodated already, with the recent extension of this jetty, and the further extension would only permit of the small balance coming alongside during the summer months. What they wanted at Fremantle was protection for what they already possessed; and if this money were expended as proposed by Sir John Coode, it would be of far greater benefit to the shipping than extending the jetty as now proposed. Of course, he knew the House was determined to spend the money in this way, and that it was useless for him and his

hon. colleague to protest, and he did so simply in order that his protest might be on record. He certainly thought provision ought to be made in the bill for restoring this money from the next loan, as had been done in previous bills, for he could not at all agree that the money was being spent in improving the harbor accommodation.

MR. SHOLL had always thought until that evening that the members for Fremantle were proverbial for their modesty, but that idea had been exploded by the cool proposal that this money spent in enlarging the jetty, and providing increased facilities for the shipping visiting that port, should be given back again out of our next loan to provide further harbor accommodation. On previous occasions when portion of the harbor works money was diverted it was diverted for purposes altogether outside the original object, and it was only right that provision should be made that it should be restored. That, he said, was a fair and reasonable condition. But this was an entirely different thing. This expenditure was intended for the purpose of improving the harbor accommodation at that port, and it certainly was rather cool, this proposal that Fremantle should have the benefit of it again, out of another loan.

The amendment submitted by Mr. SHENTON—that the whole amount be expended on the jetty—was then put and passed.

MR. SHENTON asked whether the Geraldton people had been consulted as to the proposed diversion of the jetty extension money (Item 2) being devoted to other works, and whether they had agreed as to what those works should be?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said the idea he had in view was, that as no practical benefit would be derived from the expenditure of this small balance of £1,385 in the extension of the present jetty, or in building a new one, it was a pity that the money should be locked up, and the district get no benefit from it at all, when very probably there were other local works which might be required at Geraldton. It was proposed to consult the authorities of the town as to how the money should be expended. He had no particular public work, at the present

moment, in his own mind; but he knew there were jetty repairs required, and lightkeeper's quarters, and certain harbor improvements. Nothing definite had however been settled, nor would it be settled until the people of Geraldton had been consulted in the matter.

MR. SHOLL asked whether it was intended that this money should not only be released, but also placed at the disposal of the Government to expend on any work they might think fit? He had no objection to the former proposal, but he certainly had a strong objection to the latter, for they might find this money expended upon some work which that House would never have approved of, and possibly in some other part of the colony altogether. He thought it should be thoroughly understood that if there was any desirable work which this money would carry out in the district, it should be spent there.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright): That is exactly what is intended.

MR. SHOLL said he should have liked to have known what the works were, before voting away the money.

MR. SHENTON said if it was distinctly understood that the money should not be spent without the consent of the House, and the people of Geraldton being consulted, there could be no objection to the money being re-appropriated.

The item was then agreed to.

Items 3 and 4 were agreed to, without comment.

MR. SHENTON moved that the 5th item—which contemplated the re-appropriation of £1,922 14s. 4d. (the unexpended balances of two sums voted for steam launches) for carrying out certain improvements at the Lunatic Asylum—should be separated, and that £1,000 be devoted to these improvements, and the remainder (£922 14s. 4d.) be applied to providing a goods shed, in connection with the Customs, at Fremantle. As the greater portion of this money was originally appropriated for providing a steam launch for the harbor, he failed to see how they could consistently spend it on the Lunatic Asylum. He was not opposed to the accommodation at this Asylum being improved, but he did not think they had sufficient information before them as to the nature of the pro-

posed improvements to justify them in voting this large sum, nearly £2,000, upon this building. It was only last year that the Finance Committee granted a considerable sum of money for improvements at this institution; and it was strange that, if these other improvements were so pressing, no demand was made upon that House when the Government had a large surplus balance on hand. He thought if they voted £1,000 for this Asylum they would do all they could be expected to do, with the information now at their command. The remainder of the money might be advantageously spent in the erection of a plain goods shed, similar to the structure recently erected by Mr. Sandover, in Perth, which would probably not cost more than £750 or £800, and which would provide storage accommodation for the goods now left unsheltered on the jetty or the wharf, when there was no time to remove them, before dark. They did not want an expensive and elaborate building, but a plain, substantial, galvanised iron shed. He thought that £1,000 for the Lunatic Asylum, with the prison labor now available, would go a good way, and would certainly carry them through this year; and should there be any further small sum required, it could be provided out of general revenue, next year.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said no doubt the hon. member for Toodyay was animated by the best intentions, but it was really only trifling with the subject before them. Year after year it had been brought to the notice of the Government the absolute necessity for further improvements at this Asylum. For the last ten years the necessity of the work had been dinned into their ears by the Surgeon Superintendent, but, for some reason or other, the work had been postponed, year after year—unjustly so, he admitted, so far as the claims of that establishment were concerned; and, circumstances having combined this year which were more favorable to the execution of the work, owing to the removal of the prison labor from Perth to Fremantle, it was considered by the Government that this was an opportunity that should not be lost. Taking advantage of this prison labor now available, it was believed that, as only the building material would have to

be provided, and a certain amount of skilled labor, the amount which the House was asked to re-appropriate would enable them to carry out some of the most pressing improvements recommended by the Surgeon Superintendent.

Mr. A. FORREST said he should support the Government in this instance, for he believed this Lunatic Asylum was in a very bad state. The hon. member for Toodyay, no doubt, knew a great deal about harbor matters, and he thought the hon. member ought to be very well satisfied with his £16,000. He thought the present goods shed accommodation at Fremantle would be sufficient for the next twelve months at any rate; there was not likely to be much trade done, if things did not improve. It was well known that the present condition of the Asylum was a disgrace to the colony, and it was quite time the disgrace should be wiped out.

Mr. MARMION asked whether the shed shown on the plan on the table was to form part of the proposed jetty extension?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said it was intended to be so when the jetty was extended to its full length, but the money available now was not sufficient for that, and, if they were to build this shed out of the jetty vote, they would have to curtail the jetty proportionately.

Mr. SCOTT said that the Lunatic Asylum, unfortunately—or fortunately, in one sense—did not touch hon. members' business or everyday arrangements, but rather appealed to the charitable impulses of their nature. He did hope hon. members would not turn a deaf ear to this appeal. He had already pointed out the pressing necessity of these improvements, and everyone who visited the Asylum came away satisfied as to their necessity. He hoped the hon. member for Toodyay would not press his amendment.

Mr. SHENTON said what he complained of was that they had no plans or specifications of the proposed improvements, and no idea what they would cost.

Mr. CONGDON said he should certainly record his vote in favor of the proposal of the Government. Although he realised the necessity of increased accommodation in connection with the Customs, he thought the necessity for increased

accommodation at the Asylum was far greater and more pressing.

Mr. PEARSE thought the time had come when this blot upon our civilisation should be removed. It had been crying out for removal for years past, and he thought the present opportunity should not be lost. As to the employment of prison labor he did not think they would find that they would derive much benefit from that. They might find laborers perhaps just to dig the foundations and quarry the stone, but very little more; and the rest would have to be paid labor.

Mr. HENSMAN said he desired, if possible, to be consistent. He differed from hon. members, as they were aware, as regards these re-appropriations. If they were going to re-appropriate at all, he thought the money ought to be devoted to something akin to the original dedication. It was all very well to say that in the other colonies they did not attach any schedules to their Loan Bills; but, in this colony, we had to send our schedules to the Crown Agents before we could get the assent of the Home Government to our Loan Acts. He could not consistently be a party to any re-appropriation that was not akin to the work for which the money was originally borrowed. This objection did not exist as regards some of the re-appropriations now before them, but to others it did; and he merely desired to record his views on the subject, for the sake of consistency.

Mr. SHENTON said he would withdraw his amendment, but, at the same time, he should wish it placed on record that he protested against the way in which the Government had conducted this business, the House being provided with no plans nor specifications, nor any information as to the extent and nature of the increased accommodation required at this Asylum.

Amendment, by leave, withdrawn.

Schedule, as amended, agreed to.

Preamble and title agreed to.

Bill reported.

#### REPAIRS TO ROADS IN THE GREEN- OUGH DISTRICT: (MESSAGE No. 11.)

Mr. HENSMAN moved the House into committee to consider His Excellency's Message, informing the House that the unexpended balance of loan



money appropriated to the Greenough Railway amounted only to £53 19s., and that therefore the proposed macadamised road from the Front Flats to the railway could not be undertaken. The hon. member reminded the House that so long ago as July last he asked the Commissioner of Railways a question relating to the proposed road, and that he received a very favorable answer, the Commissioner admitting the necessity of constructing the road for the convenience of the settlers on the Front Flats. Nothing, however, was done in the matter at the time, owing, it was said, to the action of the District Roads Board. This session, again, he brought forward the matter, in view of the recent floods and the consequent distress in the district and the damage done to the railway and the roads, and he moved the following resolution: "That an humble address be presented to His Excellency the Governor, informing him—(1) That it is desirable that the macadamised road to connect the Front Flats with the railway be commenced at once, the cost being defrayed out of the unexpended loan moneys appropriated to the Greenough railway. (2) That it is further desirable that a sum of money should be voted for the immediate repair of the roads in the district which have been destroyed or injured by the floods." He might say that it appeared from a return which he had called for that the unexpended balance of the railway loan on the 1st January last was £720. When he moved that resolution, which the House affirmed, it must have been well-known to the Government what the expenditure required on the damaged railway would be, and what there would be available for the macadamised road. Certainly no one who supported the resolution could have imagined that there was only a balance of £53. The Director of Public Works, speaking to the resolution, again acknowledged the necessity of this road, and, according to the report of his speech in the *West Australian*, said: "This was not the first time that this question had come before the House. The proposal had already been approved by the Government, and might be called a proper appropriation of the balance of the loan"—thus admitting that there was a

balance available for this road. The Commissioner went further than that, and led the House to believe that the Government were prepared to expend £2,500 upon the district, including what had been spent on the repair of the damaged railway. According to the Commissioner's speech, as reported, it appeared that £570 had been expended on the railway, £500 had been placed on the Estimates for the purchase of seed corn, and £500 for the repair of the roads in the district. This would leave £2930 to be spent—on what? Was not the natural conclusion that it would be spent upon this macadamised road from the Front Flats? Of course he was not suggesting that the Commissioner had misled the House—that would be an odious suggestion, but he certainly led the House to believe that there was a sum available for this road, and the only alternative was that he was in complete ignorance of the state of the loan. Had he (Mr. Hensman) thought for a moment, when he moved that resolution, that there was virtually no unexpended balance, he should have asked the Government—and the House would probably have agreed to it—to have placed a sum on the Estimates for this purpose; and it was with the greatest surprise and a shock, after the House passing that resolution, and after the statement of the Director of Public Works that the Government proposed to expend £2,500 in the district, that he now found from the Governor's Message that there was only £53 available, and that therefore the road could not be made. Was it to be wondered, therefore, that he should desire to call the attention of the House to this matter? He also noticed, from the return which he had moved for, that a portion of the Greenough Railway unexpended loan money had been spent on the Chapman Bridge, which he was told was not on this railway at all. He moved that the Governor's Message be considered in committee.

Agreed to.

#### IN COMMITTEE:

MR. HENSMAN said he should be glad to hear some explanation from the Director of Public Works.

THE ATTORNEY GENERAL (Hon. C. N. Warton): What is the question before the committee?

THE CHAIRMAN: There is no question before the committee.

MR. HENSMAN: Then I will formally move the following resolution:—"That this committee regret to find from the Message of His Excellency the Governor, No. 11, that no sum of money remains out of the Loan Moneys of the Geraldton-to-Greenough Railway to make the macadamised road from the Greenough Front Flats to the Railway, as the House was led to suppose by the hon. the Director of Public Works."

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said the hon. member had referred to a newspaper report of what he had stated when the resolution of the hon. member was before the House. The newspaper report upon which the hon. member relied for his figures, and for his insinuation that he had misled the House, was inaccurate, as the context would show. What he did state was that the public had nobly come forward and subscribed about £1,000 for the relief of the district, that the Government had expended £570 on the damaged railway, that they proposed to spend £500 in purchasing seed corn, and £500 upon the repairs of the damaged roads, making a total of about £2,500 to be expended in the district. He had never said anything in the slightest degree to lead the hon. member to suppose what balance there was; he had merely made a plain statement, that he thought the expenditure of this £2,500 in the district would be sufficient for all present purposes, and there was no foundation at all for the hon. member's insinuation.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said if his hon. colleague had erred at all it was an error of omission and not of commission; his hon. friend did not state what the balance on hand was—though, no doubt, if he had been challenged, he would have given every information. But he was not asked. What his hon. friend had now stated was a correct recapitulation of what he had stated on the former occasion, in every respect.

MR. HENSMAN said, as to that—when the House was passing a resolution

in favor of spending the unexpended balance of the loan upon this road—although the Director of Public Works was not asked point blank what that balance amounted to—the conclusion which the House came to was that there was a balance sufficient for the purpose. To allow the House to pass such a resolution, and at the same time to keep back the amount remaining to be spent—seemed to him a very disingenuous way of doing business. It might be considered the proper thing to do by the present Government, but he should have thought the House ought to have been informed that there was no balance available, if such was the case.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) was not surprised that the hon. member for Greenough should make statements that were groundless, but he was sorry the hon. member should base his assertions upon what he read in the penny papers. The hon. member had been led into error on many occasions, and to make assertions against the Government that were thoroughly baseless; and he now presumed to dictate to that bench as to what course, in his opinion, the Government ought to follow. He thought his hon. friend the Director of Public Works had followed a consistent course. He gave the hon. member for Greenough credit for a singular gift of distorting facts.

MR. HENSMAN: I rise to order.

THE CHAIRMAN: The hon. gentleman is not in order in charging another member with distorting facts.

MR. HENSMAN: I shall ask that the words be withdrawn.

THE CHAIRMAN: The hon. gentleman is bound to withdraw.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser): If you say so, Sir Thomas Campbell, I have no objection. I merely rose to say that there is not a shadow of foundation for the allegation against my hon. friend the Commissioner of Railways. I deprecate, in the severest terms, this practice persistently followed by the hon. member for Greenough of rising on every possible occasion to throw dirt upon the Government, the hon. member knowing full well what his intention is. Personally, I take his reflections for what they are worth; I treat them with contempt.

MR. SHOLL thought the remarks of the leader of the Government were altogether uncalled for, and his warmth of feeling altogether unworthy of him. He (Mr. Sholl) was only a young member himself, but the hon. gentleman occupied a position of importance and, from his age and experience, one would expect him to set an example of moderation, which he had not done on the present occasion. So far as the motion before the committee went, he quite sympathised with the hon. member for Greenough in his disappointment at finding that there was no money available for this work. He thought the hon. member had fair and reasonable ground for complaint. He noticed that between £400 and £500 of this Greenough railway money was diverted from that work and spent on the Chapman bridge, which was on the Northampton line—another example of what he had been complaining of, with regard to money appropriated for one purpose being spent for another purpose altogether.

MR. HENSAMAN said he was obliged to the hon. member for the Gascoyne for the words he had uttered. This was not the first time that the leader of the Government had thought fit to attack him personally. So long as the hon. gentleman confined himself to the rules of debate he should not object; at the same time, it was a matter for the consideration of members whether they ought to have an example of such violent and personal words used in the course of debate. It was a pity it should have been suggested that he had said anything as to the intention of the Director of Public Works. He said distinctly, at the time, that he did not think—nor could he be induced to think—that the Director had misled the House, or that he knew at the time that there was not sufficient money available for making this road. If he had known, he was sure the hon. gentleman would have told them. Still he thought the House had ground for complaining that it was not enlightened, when discussing the resolution, as to the actual state of affairs, instead of its being left to the Governor to do so. They knew now that the money had been spent in some way or the other. He had brought the matter forward in justice to his constituents, and he was

quite content that the House should judge him and his intentions. He should leave it to the House to say whether it considered that this was the way it ought to be treated by the Government.

THE COMMISSIONER OF RAILWAYS (Hon. J. A. Wright) explained that the repairs to the Chapman bridge were rendered necessary because the contractor for the Greenough railway was obliged to get all his ballast for that railway from the vicinity of that bridge, there being no other place where suitable ballast could be procured; and it was considered that the cost of strengthening and repaving the bridge might therefore be fairly charged to the Greenough railway.

MR. VENN thought it was much more satisfactory to have these explanations, though he still thought it was hardly right to charge this amount to the Greenough line. But he was more satisfied now than he was before.

THE ATTORNEY GENERAL (Hon. C. N. Warton) said as they had now returned to a calm frame of mind, he trusted the hon. member for the Greenough would withdraw at any rate the latter portion of his resolution, which was a direct imputation upon the Director of Public Works, who, to his mind, had very satisfactorily explained that he had no intention of conveying any wrong impression at the time.

MR. HENSAMAN said he did not propose to cut his resolution in two; he proposed to withdraw it altogether, for this reason—it had served the purpose for which he had brought it on.

Motion, by leave, withdrawn.

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

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