

should be found that such a course was consonant with the intention of the Governor in the matter.

The Bill was then passed through Committee and reported to the House.

PERTH WORKING MEN'S ASSOCIATION MORTGAGE BILL.

Read a third time and passed.

APPROPRIATION BILL FOR 1881.

Read a third time and passed.

The House adjourned at half-past ten o'clock, p.m.

LEGISLATIVE COUNCIL,

Wednesday, 8th September, 1880.

Appropriation Bill for 1880: recommitted; third reading—Salaries of Public Officers—Messages, Nos. 25, 26, 27, 28, 29—Prorogation.

THE SPEAKER took the chair at eleven o'clock, a.m.

PRAYERS.

APPROPRIATION BILL FOR 1880.

The Order of the Day for the third reading of this Bill being read,

MR. RANDELL moved that the Order be discharged, and the Bill be recommitted in order to embody in it the vote agreed upon for granting a bonus to the members of Mr. A. Forrest's exploring party.

Agreed to.

IN COMMITTEE.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) moved the insertion of the words "Bonus to A. Forrest's Party, £250."

Agreed to.

Bill, as amended, agreed to.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) moved that it be now read a third time.

Motion adopted, and Bill read a third time and passed.

SALARIES OF PUBLIC OFFICERS.

MR. STEERE, with leave, without notice, moved, "That an Humble Address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the Table of this House, at its next Session, a Return showing the total amount of salary which each officer in the Public Service is in the receipt of, and from what source such salary is derived." The hon. member said he believed that the late Governor (Sir Harry Ord) had promised that such a return should have been furnished this Session, but apparently, the promise, if made, had been forgotten.

The motion was agreed to, *nem. con.*

MESSAGES FROM HIS EXCELLENCY THE GOVERNOR.

MR. SPEAKER reported the receipt of the following Messages from His Excellency the Governor:

MESSAGE (No. 25): BILLS.

"The Governor informs Your Honorable House that he has this day assented, in Her Majesty's name, to the undermentioned Bill passed by the Legislative Council during the present Session of the Legislature:—

"10. *An Act to make provision for the better Administration of Justice in the Supreme Court of Western Australia.*

"The Bills entitled 'An Act to facilitate Mortgages to Benefit Building Societies under 'The Transfer of Land Act, 1874,' and to further amend the said Act;' and 'An Act to repeal 'The Real Property Limitation Act, 1878,' the Governor has thought it advisable to reserve for the consideration of Her Majesty's pleasure thereon.

"Government House, Perth, 7th September, 1880."

MESSAGE (No. 26): RE AUDIT BILL.

"1. The Governor has the honor to acknowledge the receipt this morning

"of the Address of Your Honorable Council in reply to his Message withholding his assent from the Audit Bill.

"2. Your Honorable Council dissents from the Governor's opinion that in the direct responsibility of the Governor to the Secretary of State the country possesses as full and ample security for the proper and economical expenditure of public money as would be provided by the Audit Bill, and in support of your opinion you refer to the unauthorised expenditure which has been incurred during the last few years. In the Governor's opinion the overdrafts alluded to, except in so far as they were incurred in connection with public works of an urgent character, were to a great extent due to the practice referred to in his Opening Speech, of framing the Estimates on an insufficient scale, thus leaving it to the Governor to issue on his own authority Supplementary Warrants, which had to be legalized by subsequent legislation. That they were not due to extravagance on the part of the Government will be seen on reference to the Report of the Select Committee on the Over-expenditure for 1878—which considerably exceeded the average—in which Report it is stated that 'due regard to economy was as a whole observed by the Government.'

"3. Undoubtedly a rigid view should be taken of what constitutes such an emergency as justifies the Governor in spending money in advance of Legislative authority. Your Honorable Council have apparently somewhat misunderstood the Governor's meaning on this point. The Governor's argument is that where an Audit Act expressly states that in case of emergency the Governor may incur unauthorised expenditure, the Governor must be, as he is now, the judge of the emergency, and that therefore his sense of right and his responsibility to the Secretary of State furnish, under the existing Regulations, as ample security against extravagant or improper expenditure as would exist under the provisions of an Audit Act.

"4. The Governor cannot concur with Your Honorable House that the Treasurer did wrong in representing to the Governor that his evidence had been

"inadequately reported. His communication was, under the circumstances, a proper one, and furnished the Governor with information which it was important he should have before him in arriving at a just decision on the Audit Bill.

"5. In proof of the inefficiency of the present system of keeping the accounts, Your Honorable Council allude to the time recently consumed in the preparation of certain financial returns. The Governor has elsewhere remarked that the want of a competent Book-keeper in the Treasury has been partly responsible for the delay which has sometimes occurred in arriving at a clear view of the state of your financial affairs. Other causes, which need not here be detailed, have also contributed to that delay; and though the Governor is neither prepared to assert that the present Regulations are perfect, nor (as you are aware from his former Message) unwilling to endeavour to improve them, he believes that the system in itself is in the main a good one, and that, as Your Honorable Council have now wisely provided for a Book-keeper in the Treasury, it will be found to work satisfactorily in the future.

"6. As requested by Your Honorable Council, the Governor will forward to the Secretary of State a copy of Your Address under reply, as also a copy of this rejoinder.

"Government House, Perth, 8th September, 1880."

MESSAGE (No. 27): ADDRESSES.

"The Governor has received the Addresses of Your Honorable House Nos. 46 and 48, which shall receive due attention.

"Government House, Perth, 8th September, 1880."

MESSAGE (No. 28): ASSENT TO BILLS.

"The Governor informs Your Honorable House that he has this day assented, in Her Majesty's name, to the undermentioned Bills passed by the Legislative Council during the present Session of the Legislature:—

"11. *An Act further to amend 'The Municipal Institutions Act, 1876.'*

"12. *An Act to enable the Perth Working Men's Association to raise Money on Mortgage.*

"13. *An Act to appropriate the sum of One Hundred and Sixty-eight Thousand Eight Hundred and Ninety-four Pounds Thirteen Shillings and Tenpence out of the General Revenue of the Colony for the Service of the year One thousand eight hundred and eighty-one.*

"Government House, Perth, 8th September, 1880."

MESSAGE (No. 29): ASSENT TO BILLS.

"The Governor informs Your Honorable House that he has this day assented, in Her Majesty's name, to the undermentioned Bill passed by the Legislative Council during the present Session of the Legislature:—

"14. *An Act to appropriate the sum of Four Thousand and Twenty Pounds Two Shillings and Sixpence, in addition to the sum of One Hundred and Seventy-six Thousand Two Hundred and Fifty-six Pounds Four Shillings and Eightpence, out of the General Revenue of the Colony for the Service of the year One thousand eight hundred and eighty.*

"Government House, Perth, 8th September, 1880."

PROROGATION.

HIS EXCELLENCY THE GOVERNOR shortly afterwards entered the Council Chamber, and delivered the following Speech:

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

"In relieving you from further attendance in Council, I have to thank you for the supplies which you have voted for the use of the Public Service, and to assure you that they shall be carefully administered.

"2. I am gratified to find that you have passed the Estimates without much alteration. The close attention which you have bestowed upon them, and on Financial affairs generally, will have satisfied you that the Government have been mindful of economy, and of the necessity of replacing our finances on a sound and satisfactory basis.

"3. I am glad that you have voted a sum of £6,000 for Steam Communication on the coast, and that you concur with me that the service should, if possible, be extended to Nicol Bay. I am now in communication with the owners of our Coastal Steamers upon the subject, and hope to be able to carry out the arrangements desired.

"4. I have had under my consideration your resolutions regarding the raising of a further loan for public works, and will forward them to the Secretary of State as soon as I obtain from the Works Department the information which His Lordship will require in considering the proposal to extend the Eastern Railway to York. It would not be consistent with my duty to bring in a Bill to raise by loan so large a sum as £310,000 without previous reference to Her Majesty's Government. But I would point out that my inability to meet your wishes in this respect will cause no material delay, for if the Secretary of State approves of your proposals a Special Session will be immediately called for the passing of the necessary measures, and therefore there seems no sufficient reason why I should even appear to anticipate the decision of the Secretary of State on a question of so great importance. I shall rejoice if the Secretary of State should take so favorable a view of your financial affairs as to feel justified in meeting your wishes in this matter.

"5. I have duly considered your Address on the subject of the expenditure of the Roads Loan, and suggesting that the District Roads Boards shall be responsible for, and shall have full control over the expenditure of all moneys allotted them, together with complete supervision over the roads. In my Opening Speech I stated that my predecessor having informed the Secretary of State, before the Loan was raised, that the expenditure would be controlled by a Government Committee, it would now be out of the question to transfer the control of the expenditure to Boards which are not responsible to Government; and I fear that I cannot depart from the decision then expressed.

"6. Various measures of considerable importance have received your careful

"attention. The principal measure of
"the Session is the Ordinance to make
"provision for the better Administra-
"tion of Justice in the Supreme Court,
"which has for its object the assimilation
"of our procedure to the rules and regu-
"lations of the English Courts. The
"Jury Amendment Act is also an im-
"portant measure, while the Act to
"amend and consolidate the laws relating
"to the licensing of public houses and
"the sale of spirituous liquors is a valu-
"able piece of legislation.

"7. In an Address which I have this
"day received from Your Honorable
"House, reference is made to a Memorial
"which you have decided to present to the
"Secretary of State on the subject of the
"Audit Bill. Should the Secretary of
"State, in reply to that Memorial, be
"pleased to authorise me to assent to a
"measure of the character of the Bill
"disallowed, I need probably hardly as-
"sure you that I will cheerfully acquiesce
"in such decision. Although I have
"myself no power to depart from the
"principles laid down for my guidance in
"the Royal Instructions, it is open to the
"Secretary of State, in his discretion, to
"authorise me to do so, and therefore
"Your Honorable Council have adopted

"a proper constitutional course in bring-
"ing your views by Memorial to the
"notice of Her Majesty's Government.
"Indeed had I been aware that such a
"Memorial was about to be brought for-
"ward the night before last—that is to
"say if it had been published in the
"usual way in the Notice Paper—I would
"for obvious reasons have requested
"those Government Members who are
"still in attendance in Council not to
"oppose it. There was really therefore
"no need for departing, either in the
"spirit or in the letter, from the rules
"which are wisely laid down by Parlia-
"ment for the purpose of guarding
"against surprise, and for more reasons
"than one I personally deeply regret that
"the promoters of this Memorial should
"have thought it necessary to do so.

"8. Mr. Speaker and Gentlemen, I
"thank you for the careful attention
"which you have bestowed upon your
"Legislative duties, and now prorogue
"this Council to Wednesday, the 8th
"December next."

HIS EXCELLENCY, having handed
a copy of the Speech to Mr. Speaker,
retired from the Council Chamber, and
the Session closed.