

that the bill shall only apply to two Municipalities. The bill was a permissive bill in all respects, except as to the hours of polling, and the drippings from the roofs of houses being declared a nuisance. With regard to clause 11, however, he still thought it would be better to leave it out. The clause referred to the individual liabilities of Mayors and members of Town Councils, but, as he had before pointed out, it was only in their corporate capacity that they were liable, and it was only the property of the corporation that would be liable to be seized. If the Council was acting in its lawful capacity, as a corporation, no one would think of interfering with the body of the Mayor or of any of his councillors; and, as to indemnification, nothing was said as to who was to indemnify him. He could not see the object of the clause. If Mayors and councillors had been liable to all these penalties before, it was strange that no one had discovered them. The clause went to the very root of the liability of a corporation, and, as it was admitted that it had not been very carefully worded, he would move that it be struck out.

MR. RANDELL said he was quite willing to accept the suggestion: the clause perhaps was not of much importance. He did not suppose that any Mayor in the execution of his lawful duty was likely to be subjected to any very serious penalties. The clause was in the South Australian Act, and the Fremantle Municipal Council most emphatically approved of it. But he had no wish to press it.

The clause was then struck out.

MR. WITTENOOM said that after the explanation given by the Attorney General as to the operation of the bill, he would not press for the introduction of his own new clauses.

Bill reported.

The House adjourned at a quarter past one o'clock, a.m.

LEGISLATIVE COUNCIL,

Thursday, 17th September, 1885.

Federal Council (Adopting) Bill: first reading—Loan Act, 1884, Amendment (Re-appropriation) Bill—Election of Finance Committee—Mr. Waddington and his Railway Scheme—Church of England Collegiate School Bill: in committee—Public Works Loan Schedule, etc. (Messages Nos. 11 and 23): further consideration of—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

FEDERAL COUNCIL (ADOPTING) BILL.

THE COLONIAL SECRETARY (Hon. M. Fraser), with leave, without notice, moved the first reading of a Bill to bring into operation, in respect of the colony of Western Australia, an Act of the Imperial Parliament, entitled an "An Act to constitute a Federal Council of Australasia."

Motion agreed to.

Bill read a first time.

LOAN ACT, 1884, AMENDMENT (RE-APPROPRIATION) BILL.

THE COLONIAL SECRETARY (Hon. M. Fraser) moved, with leave, without notice, the first reading of a Bill for the re-appropriation of certain moneys appropriated for the purposes of a Telegraph from Roebourne to Derby, and for certain miscellaneous purposes.

Motion agreed to.

Bill read a first time.

ELECTION OF FINANCE COMMITTEE.

THE COLONIAL SECRETARY (Hon. M. Fraser) moved, in accordance with notice, for the election by ballot of four unofficial members of the House to form the Committee required under the 16th section of "The Audit Act, 1881."

Hon. members having delivered to the Clerk the list of members to serve on this Committee,

THE CLERK reported to Mr. Speaker that the following members had received the greatest number of votes,—Mr. Marmion, Mr. Shenton, Mr. Burt, and Mr. Parker.

MR. WADDINGTON AND HIS RAILWAY SCHEME.

MR. STEERE, in accordance with notice, moved, "That an humble ad-

"dress be presented to His Excellency the Governor, informing His Excellency that the Council is of opinion that the proposal of Mr. John Waddington to construct a railway on the land grant system between Guildford and Greenough should not be allowed to remain in abeyance for an indefinite period, and that Mr. Waddington should be informed that unless the contract for the construction of this railway, on the terms agreed to by the Legislature, be signed, and the deposit of £10,000 be paid before the 1st day of July, 1886, his proposals should be considered as terminated so far as this colony may be held to be bound by them." The hon. member said he thought the House would agree with him that it was very undesirable that the proposals made to us for the construction of railways should after they were accepted, be left hanging over by the gentlemen who made them, without an effort on their part to carry out the schemes into fruition. After perusing the correspondence which had passed between Mr. Waddington and the Colonial Secretary, he did not think it would be considered that they were asking too much when they asked that gentleman to sign the contract and pay his deposit on or before July, next year. In fact, he considered himself that they were extending the time too far, and that they ought to insist upon the matter being settled long before then. So long ago as the 14th November last Mr. Waddington wrote to the Colonial Secretary stating that he would take it as a favor if he would kindly use his efforts in expediting the framing of the contract, as—so he said—he was very anxious to avoid delay, having already made arrangements to proceed with the work at once. That was nearly a year ago; and, if that was the case, it was a very strange thing that the contract had not yet been signed. He understood this was not the fault of this Government, but attributable to the dilatoriness of the contractor.

The motion was agreed to *sub silentio*.

CHURCH OF ENGLAND COLLEGIATE SCHOOL BILL.

The House went into committee on this bill.

Clause 1—Dissolution of corporation:
Agreed to, without discussion.

Clause 2—Vesting of land, etc., in Standing Committee of the Synod:

Agreed to, without comment.

Clause 3—Power to make rules and regulations:

Agreed to, *sub silentio*.

Clause 4—Power to lease and mortgage:

MR. BURT said hon. members were aware that the bill had been referred to a select committee who had recommended that this clause be struck out, and another clause substituted in lieu of it. The select committee in their report upon the bill gave their reasons for making this recommendation, and said: "Your committee, in the course of their inquiry, ascertained that a sum of £1,400 had been expended by the Bishop of Perth, the chairman of the governors, in erecting additional buildings upon and in repairing and otherwise improving the lands the subject of the bill: and further that these moneys had been expended under the authority or with the consent of the governors of the said Collegiate School. Under these circumstances, it appeared only reasonable to your committee that the Standing Committee of the Synod, in whom the School will be vested by this bill, should have power to raise money upon the school premises, in order to repay the Bishop the moneys so expended: but your committee are not prepared to advise your honorable House to grant the said committee any further borrowing powers." He therefore had to move that Clause 4 be struck out, and the following new clause inserted in lieu of it: "And whereas the Right Rev. Henry Hutton Parry, Bishop of Perth, the chairman of the said governors, has with the sanction of the said governors expended certain moneys in building upon, repairing, and improving the said lands, tenements, and hereditaments, and it is deemed expedient to authorise the said Standing Committee to raise, by mortgage of the said lands, tenements, and hereditaments hereby vested in the said committee, sufficient funds for the repayment to the said Bishop of the moneys so expended by him as aforesaid, with the interest due thereon: Be it further enacted that it shall be lawful for the said Standing Committee to mortgage the said lands

"tenements, and hereditaments, or any part thereof, in fee simple or for any term of years, for any sum of money not exceeding the sum of fourteen hundred pounds, in such manner as the said committee shall think fit, and to assure the said lands, tenements, and hereditaments, or any part thereof, to the mortgagee or mortgagees thereof, his, her, or their heirs and assigns, either with or without a power of sale and leasing respectively, in case of default being made in the payment of the principal or interest moneys by such mortgage secured at the time or times therein appointed for the payment thereof respectively, and with such other powers and provisions as shall be deemed expedient; and to give receipts for the money so to be advanced: and the said lands, tenements, and hereditaments shall be held and enjoyed by the mortgagee or mortgagees thereof, his, her, or their heirs and assigns, freed and absolutely discharged from the trusts to which the same may for the time being be subject."

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said the clause commenced with a recital that the Bishop had expended a sum of money. As a general rule, clauses following upon a preamble were merely enacting clauses, but this was a statutory statement that this money had been advanced. He did not know whether the committee had taken sufficient evidence upon that point to justify the House in making this statutory declaration. The clause did not state the amount of the money that had been expended. Of course he was not suggesting for a moment that the money had not been advanced, but he would draw attention to the fact that this clause would stop anybody from disputing this statement hereafter. The bill gave distinct legislative sanction to the declaration herein made, and it could not be questioned in the future.

MR. BURT said the committee had ascertained from the minute book of the governors of the school, and by an examination of the Bishop and the Dean, that a sum of £1,400—and, in fact, more—had actually been expended by the Bishop in building and other improvements. The committee ascertained that

as a fact, and there could be no dispute about it.

The new clause was then put and passed.

MR. BURT moved the following new clause, as drafted by the select committee, to stand as Clause 5: "The said Standing Committee shall, with and out of the moneys so to be raised by mortgage as aforesaid, repay to the said Bishop the moneys so expended by him upon the said lands and premises as aforesaid, together with such interest as shall then be owing thereon."

THE ATTORNEY GENERAL (Hon. A. P. Hensman): Would it not be as well to provide, in order to clearly show the intention of the clause, that the money has been proved to the satisfaction of the Committee to have been expended as alleged?

MR. BURT said he had no objection, and the clause was amended accordingly, the amendment being treated as a clerical omission.

The clause as amended was then put and passed.

MR. BURT moved the following new clause, to stand as Clause 6, as recommended by the select committee: "Until the said Standing Committee shall deem it expedient to carry out the trusts upon which the said lands, tenements, and hereditaments are hereby vested in the said Committee, the said Committee may from time to time demise the same lands, tenements, and hereditaments, or any part thereof, to any person or persons, for any term of years not exceeding seven years, at such rent or rents and under such covenants and conditions as the said Committee may think fit."

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said he understood this Committee was to carry out the original trusts as soon as possible, and why should they not do so at once, and not when they "shall deem it expedient?"

MR. BURT said the hon. and learned gentleman's objection might be met by striking out the words at the commencement of the clause, making it read as follows: "The said Standing Committee may from time to time demise the said lands, tenements, and hereditaments, or any part thereof, to any person or persons, for any term of years not exceeding seven years, at such rent or

"rents and under such covenants and conditions as the said Committee may think fit."

THE ATTORNEY GENERAL (Hon. A. P. Hensman): That would do.

The clause, as amended, was then agreed to.

MR. BURT then moved another new clause, to stand as Clause 7, in accordance with the recommendations of the select committee to whom the bill had been referred, as follows: "The said Standing Committee shall pay, devote, and appropriate the whole of the rents, issues, and profits of the said lands, tenements, and hereditaments, towards paying the interest due upon any money so raised upon mortgage under the power hereinbefore contained, and towards paying off and reducing the moneys so raised, until the said moneys and interest shall be fully paid."

THE ATTORNEY GENERAL (Hon. A. P. Hensman): Supposing it should turn out that the whole of the £1,400 is not required? Would it not be as well to provide that the surplus money shall stand pledged to the trust estate?

MR. S. H. PARKER: There cannot be any surplus if the Committee pay what is due. The Bishop has spent £1,400, and, in fact, more.

The clause was then put and passed.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) moved that the following new clause be added to the bill, to stand as Clause 8: "Provided that nothing herein contained shall be deemed to affect any right, title, or interest of Her Majesty, her heirs or successors, or of any body politic or corporate, or of any other person, save and except such as are mentioned herein, and those claiming by, from, through, and under them." In the Act which incorporated the first governors of the school, and under which they held this property, there was a similar clause to this, saving the rights of the Crown.

MR. BURT said the Crown had no rights at all in this land. When the Act referred to was passed, the colony then was a very strict Crown colony, and the rights of the Crown were reserved in every possible case.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said if the Crown had

no rights in this land the clause could do no harm, but, as they were handing over property from one body to another, it might be desirable to continue this clause which appeared in the original Act.

The clause was then put and passed.

Preamble and title agreed to.

Bill reported.

PUBLIC WORKS, LOAN SCHEDULE, ETC. (MESSAGES Nos. 11 AND 23).

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

Government House and Domain, £2,500:

THE COLONIAL SECRETARY (Hon. M. Fraser) suggested that the recommendation of the select committee with reference to this item be reserved, and that the entrance lodge to Government House be made a first charge upon the vote, instead of a banqueting hall. It was very necessary that whatever was desired to be done should be done without delay. Government House was in a lamentable state of disrepair, and it would probably take £10,000 to put the House and the domain in a proper state of repair.

MR. S. H. PARKER combated the statement in the select committee's report that the erection of a banqueting hall had always been intended to be the first charge on the money set apart for improvements at Government House.

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said that was the impression on the minds of the members of the select committee. It was for the House to say what should be done with the money.

MR. BROWN moved that the recommendation of the select committee be adopted, namely, that the erection of a banqueting hall be made the first charge upon the vote, and that any surplus remaining should be devoted to the erection of an entrance lodge.

MR. BURT said as the money had been voted, or rather appropriated, he supposed it would have to be spent, but it did appear to him that they were spending an enormous amount of money upon Government House. Year after year they were asked to vote something, and thousands of pounds had been expended within the past few years out of general revenue; and now it was pro-

posed to spend £2,500 out of loan money. He almost thought it would be cheaper to build a new house altogether.

THE COLONIAL SECRETARY (Hon. M. Fraser) thought the matter might be left in the hands of the Works Department, after consultation with His Excellency; and he would move, as an amendment, "That, with regard to this item, it is desirable that the works for which the sum of £2,500 is available should be carried out without delay."

This amendment, upon being put, was negatived, and the original motion adopted.

MISCELLANEOUS: *Steam Launch, Fremantle*, £1,500; *Steam Launch, Marine Survey*, £500; *Boring for Water*, £3,000:

These items were agreed to without discussion.

Telephone Exchange, £2,000:

MR. S. H. PARKER asked when it was proposed to establish this exchange?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said the committee had advised that the Government should introduce a bill to provide for the establishment and working of the telephone system in Perth and Fremantle, but he was afraid it was too late to bring in the bill this session. That, however, would not in the slightest degree prevent the system being started, as soon as an approximate estimate of the revenue likely to be derived, and the number of subscribers, had been ascertained.

MR. MARMION: Has the hon. gentleman any idea as to whether the amount set apart for the work will suffice to cover the necessary expenditure?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) said he was quite unable to say whether it would or not, until he could find out, approximately, how many persons would subscribe, and the number of wires and instruments that would be required.

MR. PARKER pointed out that the select committee recommended that the Government, in the first place, should be requested to bring in a bill to legalise the establishment and working of the telephone, but the Commissioner now proposed to proceed with the work in the absence of such a bill. He failed to see the necessity of special legislation on the subject himself, and he hoped that the non-intro-

duction of the bill would not be made an excuse for delaying this most desirable work for another year.

The item was then put and passed.

Railway from Bunbury to the Timber Ranges, £40,000:

This item, which had been postponed, pending the decision of the House as to whether the railway should be constructed on the land grant system, was now dealt with.

MR. BROWN said hon. members were aware he was opposed to this railway being undertaken out of the amount available from loan funds, preferring that it should have been constructed upon the land grant system; but the House yesterday having decided otherwise, he now begged to move that the recommendation of the majority of the select committee be carried out, namely, that the work be taken in hand at as early a date as possible, that the route be taken along the lower line, in the direction of Boyanup, and that the line be constructed on the narrow gauge (2ft.), so as to carry it the greatest distance possible with the funds available. Personally, he still feared that the proposed expenditure upon this work would prove a sacrifice to the colony, and of very little advantage to the people of the district. At the same time, a majority of the House and of the select committee having recommended it, he bowed to their decision.

MR. STEERE asked the Engineer-in-Chief whether he had had any large experience in connection with narrow gauge railways, and whether in his opinion such a line would be sufficient for the traffic requirements of the district for some years to come, or whether he considered that these light railways, as they had been told, were only suitable for mineral traffic. A great deal of the traffic on this line would consist of timber in long piles and heavy baulks.

THE ENGINEER-IN-CHIEF (Hon. J. A. Wright) said that, unfortunately, according to the evidence before the select committee, it would appear there was no traffic at all. The timber stations, they were told, had all ceased operations. So far as he could make out at present—judging from the probable requirements of the district—he thought a light line would answer every purpose for some

years to come. Such a line of course was not the most suitable line for heavy loads; and the narrow gauge had been recommended simply in order to carry the line as far as possible inland, with the money at our command.

MR. WITTENOOM said as he was not in the House last session, when the schedule of these public works was agreed upon, he felt that he was not at all bound by the decision of the House on that occasion. So far as he was concerned, after giving the matter very careful consideration, he did not see how the expenditure of this £40,000 upon this railway was going to be of any use whatever. It was admitted that even with a narrow gauge line it would not go beyond twelve or thirteen miles; and all the witnesses examined with reference to these short lines said they would rather cart their produce right into town than put it on a short line of railway, for ten or twelve miles. He thought it would be simply throwing the money away to spend it on this railway, and that it would be far better to postpone the expenditure until next session, and appropriate the money to some other work in the same district of more utility.

MR. S. H. PARKER said, as he was opposed to a 2ft. gauge, he would move, as an amendment, that the recommendations of the committee be adopted, except as to the width of the gauge specified, and that in the opinion of the House the line ought to be constructed on the ordinary gauge (3ft. 6in.). He thought they were bound to give the Bunbury people a railway, as they had agreed to do last session—though altogether contrary to his own wish in the matter, for he was of opinion then, as he was now, that the line would be of little or no use. But the House having so to speak promised the Bunbury people a railway, he thought they were bound to carry out that promise. The fact of the matter was—there was a desire on the part of the Government, and on the part of the Legislature as well, when this Loan Bill was agreed upon, to give every district in the colony some of the money, and this railway was thrown to the Bunbury district. That was the whole truth of the matter. As to the gauge, so far as the actual cost of construction went, he did not suppose that the cost of

constructing a 2ft. gauge line would be much less than the cost of constructing a 3ft. 6in. line; the only difference would be in the amount of earthwork, the cuttings, and the embankments.

THE ENGINEER-IN-CHIEF (Hon. J. A. Wright) said the general rule as to the width of cuttings was to make them four times the width of the line itself: thus a 2ft. gauge would require an 8ft. cutting, whereas a 3ft. 6in. gauge would require a 14ft. cutting.

MR. PARKER pointed out that the adoption of a narrow gauge line would necessitate an entirely different class of rolling stock from that in use on the other Government lines, so that in fact we should have to keep up two distinct railway establishments. He understood from the Engineer-in-Chief that the reason why he recommended a 2ft. gauge for this line was because the hon. gentleman was told by the witnesses examined that there was no traffic at all. Of course, if there was no traffic at all, a narrow gauge would answer the purpose just as well as a wider gauge. But they looked forward eventually to a large amount of traffic on this line, and to see it connected with other lines, when this 2ft. line would be useless, and would have to be pulled up, necessitating an entirely new line, with fresh rolling stock, wider cuttings, and everything altered.

MR. STEERE said he had been unable to support the proposal to construct this line, when it was placed on the schedule last session, because the intention then was to take it to the timber ranges, where it would only have served one particular industry; but now it was proposed to carry the line in a direction that would tend to develop the resources of the district generally. The hon. member for Perth, with his usual facetiousness, told them he believed that the reason why the Engineer-in-Chief considered a 2ft. gauge sufficient was because some of the witnesses told him there was no traffic at all. But, in select committee, the Engineer-in-Chief told them distinctly that in his opinion such a line would answer the requirements of the district for years to come. As for opposing the construction of the line because it was not likely to pay, he should like to know whether it could be said, or

thought for a moment, that any of the works included in this loan schedule were likely to pay, directly? Certainly not. It was only expected that they would benefit the country indirectly, and tend to the development of the districts concerned. If this line were to be constructed on the wider gauge, as suggested by the hon. member for Perth, it would only go such a short distance from town that practically it would be of no use at all; but, by adopting the narrower and cheaper gauge, the line could be carried such a distance that in his opinion it would be of great and immediate use and benefit to the district. Although it was true the timber companies were not now working, still there was a great deal of timber in the district that would be brought down by this line. He thought there was a great difference between the House agreeing to a narrow gauge on this line and agreeing to a narrow gauge on a line that was intended as a branch of a trunk line, such as the branch from the Clackline to Newcastle. As to the claims of Bunbury to consideration in the matter of this expenditure he would point out that the population of the district south of Perth was very nearly one-fourth of the entire population of the colony, numbering, according to the last census, between 7,000 and 8,000; whereas the proportion of loan money proposed to be expended in those districts was only about one-tenth of the amount of the loan; and he would ask the House whether it could with any show of justice oppose this amount proposed to be spent in the Bunbury district. The hon. member for Geraldton suggested that the money might be expended in some other way. In his (Mr. Steere's) opinion, there was no way in which it could be spent that would prove so advantageous to the district concerned as spending it upon this railway, if constructed as now proposed.

MR. BURT said that inasmuch as he did not himself consent, by his voice, last session, to the appropriation of this money, he felt he was perfectly free to make any observation upon it that he thought proper. It appeared, from what the hon. member Mr. Steere said, that the object was simply to have the money spent in the district, totally oblivious of any consideration as to whether the expenditure was likely to be of any per-

manent benefit or do any real good. That, he thought, was a most suicidal policy. It would be better to distribute this money among the people of the district in hard cash than to throw it away upon this railway. As to adopting a 2ft. gauge, that also, he thought, would be a most dangerous policy, either on this line or any other of our Government lines. They were told that this line would not connect with the main trunk line, like the Newcastle branch; but, they were not building their railways for to-day or to-morrow. They looked to the future, and they looked to see this line forming a section of a main trunk line, extending to Albany. Why then should they throw away their money in making a toy line, a line only fit for babies? He should like to refer hon. members to the very able report of the late Commissioner of Railways (Mr. Thomas) upon this question of gauge,—a report written soon after his arrival in the colony, in 1876, in which the Commissioner said that a change of gauge was then out of the question; and, next year, he again reported that the gauge for this colony must be considered to be fixed at 3ft. 6in. At that time there was only one Government railway in the colony, the Champion Bay line; yet the Commissioner considered that any change of gauge would not only be bad policy, but was out of the question altogether. It would be creating, as it were, an entirely distinct railway department; for the rolling stock, the locomotives, carriages, trucks, &c., on one line could never, in case of emergency, be utilised on the other line. It appeared to him that in this matter the select committee had simply made a compromise, as they did with the Newcastle line, in recommending the adoption of this narrow gauge. Western Australia was not a small place like Wales, where they were told there was a 2ft. railway. Western Australia was a great country, or the makings of a great country, and he looked forward to the day when the port of Bunbury would be a magnificent harbor, crowded with vessels of all nations, and the district boasting a population numbering not only thousands but millions. When he was in New Zealand some time ago, the Government of that colony— who had been led into the same mistake as

we were now drifting into, of narrowing their gauge—having found out their mistake were abandoning and pulling up their narrow gauge line, and selling it for a mere song; and that was just what would happen with ourselves. The House unfortunately had agreed to this 2ft. gauge on the Newcastle line, but he beseeched hon. members to pause before they repeated their mistake in connection with this Bunbury line. The hon. member moved, as an amendment upon the proposal to adopt the recommendations of the committee, that this sum of £40,000 should not be spent at all this year, until the House had an opportunity of further considering the question, and was in a position to have a proper railway built. They might as well take these 40,000 sovereigns and share them among the good people of Bunbury, as to fritter it away on a 2ft. railway.

MR. BURGÈS said he had listened very attentively to the arguments in favor of expending this money, and what did they find? Why, that it would only suffice to construct and equip some eight miles of railway,—which could not possibly be of any use. He was surprised that hon. members should vote this money away for such a line, without looking to the future, and see how it was likely to benefit the district. He looked upon the expenditure of this £40,000 as absolutely a dead waste—not that he disapproved of a railway being constructed in the district, but because the amount was so small that really it would be an absurdity to commence a railway in such an important district with it, without knowing how were we going to continue the line. It would be far better if the money were let out at interest, until some means could be found for undertaking and carrying out the work in a proper way.

THE ENGINEER-IN-CHIEF (Hon. J. A. Wright) said no one wished more than himself to have our railways properly constructed and of a proper gauge, and that was the reason why he had voted yesterday in favor of this line being constructed on the land grant system, the money available for it being so small. But the hon. members interested in the district opposed it, and the reason why a 2ft. gauge was eventually recommended was simply because it would enable them

to take the line nearly double the distance and extend it to the cross-road or turn-off, where it would be of some service.

MR. McRAE said he had always been opposed to a railway to the timber ranges, and he still thought that the expenditure of this money, whether upon a narrow gauge line or an ordinary gauge line, would be a shameful waste of public money.

MR. MARMION suggested that the question of gauge should be left to the discretion of the Engineer-in-Chief, after an examination of the locality and an investigation of the probable amount of traffic, and the nature of the traffic. It seemed to him a pity that the district should not derive the greatest possible advantage from the expenditure of this money. They knew when the money was appropriated that it would only construct a very short line, and it would be a very serious blow, and a cruel blow to the people of the district if the House were now to deprive them of what it had led them to expect they would receive, and which they were entitled to receive. No one could gainsay that. The hon. member for the Murray had referred to the report of the late Mr. Thomas, but the hon. member only read such portions of the report as dovetailed with his own views. The late Commissioner, so far from being opposed to light railways in a new country, was quite in favor of them, and in the report referred to he said that as a rule light railways could not only be constructed but also maintained at a less cost than macadamised roads. As to having to take up the lines again, Mr. Thomas pointed out that this was only done generally when these light lines had accomplished their work, and large centres of population had been established, and the country put in a position to pay for more expensive lines. [The ENGINEER-IN-CHIEF: Hear, hear.] These cheap lines had been the means in many cases of creating the very traffic which had necessitated their being superseded by a better class of railway. That was the late Commissioner's opinion; and in this it appeared our present Commissioner concurred. His own idea was, that, in this instance, we should adopt the narrowest gauge compatible with usefulness, and that would be capable of

serving the requirements of the district.

MR. VENN said it had been suggested by some hon. members that the committee who recommended the construction of this line on a narrow gauge did not know what they were about, and that the money would only be thrown away. The committee was blamed by others because it was said that this money would only build seven or eight miles of railway. Most of the members of the committee were also members of that House, last year, when this money was voted, and if it was supposed that those who sanctioned this expenditure were of opinion that it would only build seven or eight miles of railway, ending nowhere, and serving nobody, why, it appeared to him, that those who supposed so must consider the members of that House and the members of the committee a parcel of idiots. For his own part, he had always been an advocate of cheap, light lines, as pioneer lines, and he was very glad indeed to find that in this he was supported by the present Commissioner of Railways. His idea, when this £40,000 was appropriated for this railway, was that the line should be a cheap, light line, which would serve the district very well for the present, and that it would probably give some twenty miles of railway. The country was perfectly level, there was hardly a cutting to be made, and there would be only one bridge. The district was unquestionably entitled to the money, and the sooner it was expended the better.

THE ENGINEER-IN-CHIEF (Hon. J. A. Wright) was afraid the hon. member for the district was a little too sanguine in his expectation that this £40,000 would give him twenty miles of railway. No doubt the line itself, the mere roadway, might be laid for that distance for the sum named, but there would be the plant, locomotives, carriages, wagons, station appliances, and workshops; and he did not think it would be safe to expect—it would not be right that he should afford any ground for such expectation—that this could be provided for £2,000 a mile, or for anything less than £2,500. He hoped they might be able to do it perhaps for that, which would give them about 15 miles. No estimate whatever, it appeared, was made of the

cost of this or any of the other public works mentioned in the schedule, and the idea seemed to have been that the money should be made to go as far as it could be made to go. That was rather a "happy-go-lucky" way of providing for public works; but, if the House left this matter in his hands, he would take care that the money was spent to the best possible advantage.

MR. GRANT said they could all now see that they had involved themselves in a work that for years hence would be a dead loss to the country. Was it prudent on their part to proceed with it? They knew what their other railways, their Great Eastern Railway, for instance, cost them—some £40,000 a year; and if they were going to build more lines, which they knew in their heart of hearts would be a dead loss, they must expect to find their railways costing them, not £40,000, but £80,000 a year. That was a bright prospect to look forward to, two or three years hence. How were they going to meet these heavy charges? There would be nothing for it that he could see but raise more money by means of a loan; but, was it fair towards other parts of the colony, which in no way benefited by this extravagant and wasteful expenditure, to be called upon to bear their share of the heavy burden which it entailed?

MR. LAYMAN said as to the question of gauge he did not think hon. members knew much about it, one way or the other, and they were merely guided by the views of the Engineer-in-Chief. It appeared to him that this money would simply be pitched away upon this railway. It would be far better to hand it over to the municipal council or the road board, and let them spend it as they pleased.

MR. LOTON said this question of gauge was to his mind a very important one, and he thought that upon the decision of the House in that matter depended the question of whether Bunbury was to have a railway at all. It appeared to him that if the amendment put forward by the hon. member for Perth—that the gauge be the ordinary 3ft. 6in. gauge—were adopted, the Bunbury people might bid good-bye to this railway. He regretted, and he thought they all regretted, the small amount of money that was available for this line, and that it was necessary to resort to a narrow gauge line. But they

must deal with circumstances as they found them. If they could not afford a wider gauge, that was no reason why they should not put up for the present with a narrower and cheaper gauge. If a man was not in a position to build for himself a large mansion, that was no reason why he should refuse to reside in a cottage, or, if he could not afford a cottage, why he should not put up with a lean-to. If a man could not afford a carriage-and-pair that was no reason why he should be ashamed to ride in a one-horse trap; or, if a man could not provide himself with a two-horse team, there was no reason at all why he should not be content with a one-horse team. In the same way with this railway. If we could not afford a broad gauge line, it would be better to put up with a narrow gauge line than have no railway at all. For his own part, he preferred a narrow gauge line of our own to a broad gauge line on the land grant system. The narrow gauge line would last as long as the wider gauge, and possibly longer, as it would not have to carry such heavy loads; and when they had the assurance of the Engineer-in-Chief that such a line would answer our requirements, and that probably it would not cost much more than about one half a broader gauge line would cost, he thought the House was bound to endorse the recommendations of the select committee.

The amendment proposed by Mr. PARKER—that the line should not be constructed on a 2ft. gauge, but on a gauge of 3ft. 6in.—was then put, and a division called for, the result being—

Ayes	...	...	5
Noes	...	...	14

Majority against ... 9

AYES.	NOES.
Mr. Burges	Hon. M. Fraser
Mr. Burt	Hon. J. A. Wright
Mr. Layman	Mr. Brockman
Mr. McRae	Mr. Brown
Mr. Parker (Teller.)	Mr. Grant
	Mr. Harper
	Mr. Loton
	Mr. Marmion
	Mr. Pearce
	Mr. Randell
	Mr. Shenton
	Mr. Steere
	Mr. Wittenoom
	Mr. Venn (Teller.)

The original motion (submitted by Mr. BROWN) was then put, whereupon

MR. BURT moved an amendment, to

the effect that no expenditure of the sum of £40,000 set apart for a railway from Bunbury to the timber ranges be made, before the whole subject was reconsidered by the House, at its next session.

MR. VENN said if the House were to adopt this amendment it would be simply stultifying itself. What question was there to re-consider? The money had been appropriated for the purpose of this railway, and surely it was not proposed to divert it to any other purpose? Was that House going to repudiate its own action? It would be a scandalous shame, and a great injustice to the district which he had the honor to represent, if this amendment were carried, and he hoped hon. members would have nothing to do with it.

MR. S. H. PARKER said the money was originally appropriated for a railway from Bunbury to the timber ranges. They now found it was impossible to carry out the original object, therefore it appeared to him there was nothing inconsistent in the House agreeing to reconsider the question. He did not see how they would be stultifying themselves at all. When the money was voted it was voted for a line to the ranges, whereas now it was not proposed to take it to the ranges at all, but somewhere else; and he thought it behoved that House to hesitate, and to consider whether it would be wise to spend this money as now proposed, or wait and see whether they could not provide a sufficient sum to give the Bunbury people a proper line. The money would not fly away between this and the next session, and he thought, in the interests of the district itself, hon. members would do well to support the amendment.

MR. MARMION hoped hon. members would not allow themselves to be hoodwinked by the plausible argument of the hon. member for Perth.

MR. STEERE said one would imagine from what had fallen from the hon. member for Perth, when the hon. member talked of the route of the line having been diverted, that there was only one timber range in the Bunbury district. The hon. member was mistaken.

MR. MARMION: It seems to me that the hon. member is not only mistaken, but also de-ranged, with reference to this matter.

The amendment put forward by Mr. BURR was then put, and negatived, upon a division, the numbers being—

Ayes	...	...	9
Noes	...	...	10
Majority against	...		1

AYES.	NOES.
Hon. J. A. Wright	Mr. Brown
Mr. Brockman	Mr. Crowther
Mr. Burges	Mr. Harper
Mr. Grant	Mr. Lotou
Mr. Jayman	Mr. Marmion
Mr. McRae	Mr. Pearce
Mr. Parker	Mr. Randell
Mr. Wittenoom	Mr. Shenton
Mr. Burt (Teller.)	Mr. Steere
	Mr. Venn (Teller.)

MR. MARMION then moved that the following proviso be added to the resolution submitted by Mr. Brown—that the recommendation of the select committee be adopted:—"Provided that should the "Engineer-in-Chief, after examination of "the site and investigation of the probable character of the traffic, consider "that it is expedient that the gauge "should be greater than two feet, the "said gauge may be increased at the "discretion of the Engineer-in-Chief."

MR. S. H. PARKER said we should soon have half-a-dozen different gauges, if we went on in this way. We had already adopted a 3ft. 6in. gauge for our main lines. The House had agreed to build the Newcastle line on a 2ft. gauge, and now it was proposed to leave the Engineer-in-Chief to make this line upon any gauge he pleased. He thought we might be content, at any rate, with two different gauges. If the House agreed to this amendment it would be tantamount to saying that the gauges of the railways in this colony must depend entirely upon the amount of money we had to spend upon each particular line. He felt, however, it was no use discussing these matters in the House. No matter what they might say or do, they were bound to be swamped by the members of this huge committee. Every suggestion of the select committee was carried, no matter how often hon. members might point out the error of the committee's ways. There was always that much *esprit de corps* among the members of these committees that it was useless for the House to offer any opposition. So long as they had these large select committees meeting in secret conclave they

might as well give up all attempt at independent legislation.

MR. STEERE said it was absurd to talk of the members of this select committee dominating or swamping the House. There was as much division of opinion among the members of the committee on this very question, as there was among other hon. members, and the chairman himself (the Engineer-in-Chief) had voted against one of the recommendations of the committee.

The House adopted Mr. MARMION'S amendment.

THE COLONIAL SECRETARY (Hon. M. Fraser), referring to the question of gauge, said although he had objected to the adoption of the 2ft. gauge on the Newcastle line, that being a branch of our Eastern Railway, still, as his hon. friend the Engineer-in-Chief had strongly recommended the narrow gauge, as an experiment, in another part of the colony, where there was no other railway, he himself had not opposed the adoption of the narrow gauge on our Bunbury line, though he must say he very much doubted the success of the experiment.

MR. RANDELL said he supported the proposal for a narrow gauge simply on the principle of choosing the lesser of two evils—a narrow gauge railway or no railway at all.

The amended resolution, approving of the recommendations of the committee, but leaving the question of gauge to the discretion of the Engineer-in-Chief, was then put and carried.

Resolutions of the committee reported to the House.

THE COLONIAL SECRETARY (Hon. M. Fraser) moved that the report be adopted.

MR. BROWN moved that the report be amended as follows:—"That the "resolution upon the recommendation, " '*Railway, York to Beverley and Spencer's Brook, Northwards, £160,000,* " (vide p. 292 ante) be amended by striking out all the words after the word " 'That,' and inserting the following:—" "In regard to the recommendation that "the railway from Clackline to New- "castle shall be constructed upon a two- "feet gauge, the desire of the House "is that the Government should be empowered to construct that line upon a "broader gauge, should the funds avail-

"able be sufficient for the purpose, and "for extending the railway from Spencer's "Brook to Northam." As the House had now left the question of gauge on the Bunbury line to the discretion of the Engineer-in-Chief, he thought the same latitude should be given to the Government to adopt a broader gauge than 2ft. for the Newcastle branch.

MR. S. H. PARKER objected to such a resolution as this being sprung upon the House at a moment's notice—a resolution that was in direct opposition to the deliberate decision of the House on the previous day.

THE ENGINEER-IN-CHIEF (Hon. J. A. Wright) said the adoption of the broader gauge was contingent upon their having sufficient money to adopt that gauge—he did not propose to incur any further expenditure than had been appropriated for the work—and also to construct the Northam line. He should be very happy himself if the broader gauge could be adopted, but that entirely depended on the amount of money they had to spend.

MR. BROWN said it appeared that there was no detailed estimate of the probable cost of these branch lines, and it was just possible that there might be sufficient funds to build both lines on the wider gauge. Everyone, he thought, would be glad if that should be the case. He might say that he had done this at the request of the Commissioner of Railways himself, who was anxious to do the best he could for the districts concerned.

The amendment was then put and passed, and the report, as amended, adopted by the House.

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

LEGISLATIVE COUNCIL,

Friday, 18th September, 1885.

Chinese and the Kimberley Goldfields—Urban Tramways Bill: report of select committee—Dredge for King George's Sound—Message (No. 26): Assenting to Bills—Land Regulations (Message No. 3): report of select committee—Electoral representation of Kimberley—Vote for City Temperance League—Extension of Close Season, under Game Act—Gun License Bill: third reading—Municipal Institutions Bill: third reading—Federal Council (Adopting) Bill: motion for second reading—Loan Act, 1884, Amendment (Reappropriation) Bill—Church of England Collegiate School Bill: third reading—A Grievance: Motion for adjournment; excessive tariff, Eastern Railway—Estimates, 1886: further consideration of—Adjournment.

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

PRAYERS.

CHINESE AND THE KIMBERLEY GOLD-FIELDS.

THE COLONIAL SECRETARY (Hon. M. Fraser), replying to Mr. McRae's question of 16th September, said that the Government had at present no intention of taking any steps of the nature indicated, to prevent the goldfields alleged to have been discovered in the Kimberley district from being monopolised by Chinese. There were, he might add, no restrictions on the immigration of Chinese into the neighboring Northern Territory of South Australia.

URBAN TRAMWAYS BILL.

THE ENGINEER-IN-CHIEF (Hon. J. A. Wright) brought up the report of the select committee on this bill, which was as follows:—"Your committee having thoroughly examined the Bill for the construction of tramways, referred to them by your honorable House, beg to submit the same with amendments, which they recommend for your careful consideration and adoption."

The consideration of the report was deferred.

DREDGE FOR KING GEORGE'S SOUND.

SIR T. COCKBURN-CAMPBELL, in accordance with notice, asked the Director of Public Works whether he could furnish any information as to the probable cost of a dredge suitable for the requirements of King George's Sound. Two or three accidents, from grounding, had happened to some of the P. and O. steamers at Albany, and the captains of