

LEGISLATIVE COUNCIL,

Friday, 18th August, 1882.

Consolidation of Statutes—Reformatory at Rottneſt: Detention of Juvenile Offenders—Collie and Brunswick Bridges—Eastern Railway Extension Bill: second reading—Bills of Sale Act Amendment Bill: third reading—Card Cheating Bill: in committee—Scab Act Amendment and Consolidation Bill—Adjournment.

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

PRAYERS.

CONSOLIDATION OF STATUTES.

MR. BURT, in accordance with notice, asked the Attorney General, "For what reasons the Government had abandoned their suggestion to the House, to consolidate the Statutes?" From the report laid on the Table, it appeared the so-called Revision Committee had confined their labors entirely to revising the statutes, and had done nothing in the way of consolidating them.

THE ATTORNEY GENERAL (Hon. A. C. Onslow): Before I answer the hon. and learned gentleman's question, I would wish to point out that the Revision Committee have really done all which the hon. and learned gentleman himself wished them to do. When the vote for reprinting the statutes was under discussion last Session, the hon. member said (*Hansard*, p. 406): "All we want printed will be the revised edition, from which a large amount of matter will have been eliminated; and it strikes me it will be a very long time before the labors of the Commission will be concluded, and the statutes ready for printing, in a consolidated form." It will thus be seen that what the hon. and learned member himself suggested had been carried out. My official reply to the hon. member's question is this: "The Commission appointed by the Governor not having been vested with such powers as were given to the Laws Revision Committee in England, with regard to the repeal of obsolete and the consolidation of existing statutes, the work has been confined mainly to the revision and re-arrangement of the statutes. The work has been carefully done, and will be found to be of much use to the legal profession and public; and it fulfils to

"a very great extent the intention which the Government has had in view from the outset, at a minimum cost."

ROTTNEST REFORMATORY: DETENTION OF JUVENILE OFFENDERS.

MR. SHENTON, in accordance with notice, asked the Honorable the Colonial Secretary, "Whether it is the intention of the Government to take such steps as may be necessary to allow youthful male offenders to be imprisoned at Rottneſt Reformatory, and detained there under the same conditions as is provided for in the 38th Vic., No. 11, sec. 9?" At present, boys who were sent to the Reformatory were only detained there for a short period—not long enough to produce any lasting impression upon them, and he thought it would be as well if the Government were to take the necessary steps for placing the Reformatory in the same category as other institutions were placed under the Industrial Schools Act. He was supported in this view by the report of the Superintendent (Mr. Jackson), who said: "The boys being sentenced only for a few months cannot make material progress in the shop and the school. They nearly all show a great aptitude and good will to learn the trade of carpenter, but their sentences are so short that they cannot gain much profit from the instructions of Mr. Watson. Therefore I have the honor to recommend that the juvenile prisoners, such as Durning and Bracken, who have been several times reconvicted, and other boys of the same class, may be sentenced to be kept in the Reformatory to terms that would detain them long enough to learn a trade, and to be instructed at school, to eradicate, if possible, their youthful vices—say till they are 17 or 18 years of age—then there would be a chance for them to turn out good and useful members of society; at the same time, by keeping them a few years in the Reformatory, their work for the Public Works Department would partly repay the Government its expenses; but if they are only sent here for a few months, there is not time enough to make a good impression on them or get any benefit from their labor before they are discharged, and a few days out in the streets undoes all the good

"that has been instilled into them." Hon. members were aware that, under the Industrial Schools Act, it was competent for the Governor, whenever any youthful offender is convicted and sentenced to be imprisoned for a longer term than three days, to direct such offender to be sent to any of the institutions registered under the Act for a period of not less than two, and not more than five, years; and he thought it would be very desirable that the Reformatory at Rottneest should be available for the reception of this class of offenders, rather than they should be sent to gaol to mix with confirmed thieves.

THE COLONIAL SECRETARY (Lord Gifford) said the Government had considered the question referred to by the hon. member, and were quite prepared to bring in a Bill to meet his views. Such a Bill, in fact, had already been drafted.

COLLIE AND BRUNSWICK BRIDGES.

MR. CAREY, in accordance with notice, asked the Colonial Secretary "To lay upon the Table of the House the following documents:—1. The original specification furnished by Public Works' Department, in January last, to Resident Magistrate, Bunbury, of timber required for repairs of Collie and Brunswick Bridges. The Bunbury Jarrah Company's tender for same. And the Acting Director of Public Works' letter of 4th February, notifying acceptance of tender. 2. The Superintendent of Roads' second specification, of 27th March, for same works, as furnished to the Bunbury Jarrah Company. 3. The whole of the correspondence that has taken place to date, between the Government and the Bunbury Jarrah Company, relative to the above specifications and payment for timber supplied. 4. The Resident Magistrate's report of his examination of the bridge near Trigwell's, Preston, for which the Public Works' Department advertised for tenders to execute repairs, &c., in January last."

THE COLONIAL SECRETARY (Lord Gifford) replied:—"1. There is no special objection to furnishing the House with a copy of this particular specification, but the Government con-

sider it very impolitic to do so while the work is in progress, more especially when disputes have arisen. 2. No second specification has been furnished to the Bunbury Jarrah Company. Questions 3 and 4 are of a nature which makes it necessary for an Address to be presented to His Excellency before they can be produced."

EASTERN RAILWAY EXTENSION BILL.

THE COLONIAL SECRETARY (Lord Gifford) moved the second reading of a Bill to authorise the further extension of the Eastern Railway from Chidlow's well to York. He thought this Bill, at any rate, would meet with the cordial support of every member in the House, and be received with satisfaction by the Colony at large, for it was obvious that until the railway is carried through to the agricultural districts, which it was destined to open and develop, it could not be expected to accomplish, to anything like a full extent, the object which the Government and the Legislature had in view in constructing the line. As hon. members were aware, it was proposed, in accordance with a resolution adopted by the House last Session, to deviate from the direct route originally proposed. The arguments in favor of this deviation *via* Spencer's Brook were, as pointed out in His Excellency's Despatch to the Secretary of State, unanswerable, and it was estimated that the increased earnings of the longer line, as compared with the direct line originally proposed, would be not less than £12,000 per annum, on account of the close proximity of the line, as now intended to take it, to the Northam and Newcastle Districts. Not only that, although the direct line would have been shorter, the cost of construction would have been considerably greater per mile than the line *via* Spencer's Brook, on account of the very steep gradients to be encountered. In fact there could be no doubt that the best interests of the Colony would be served by adopting the Spencer's Brook route, as a much greater number of settlers will thus be brought into closer communication with the capital and the port. By this route, he expected, nearly the whole of the Newcastle traffic would be secured, as the

line would go within about twenty miles of that township,—indeed, at the nearest point, it would not be more than about twenty miles from the Toodyay District, while Northam would not be more than six miles distant from the line. Hon. members would observe that the third clause of the Bill rendered it lawful for the Commissioner of Railways to deviate from the line as described in the schedule, to the extent of two miles on either side, instead of one mile, which was all he was empowered to do under the Railways Act. This extension was necessitated by reason of the fact that the final survey had not yet been made. The question of where the terminus at York should be had also not yet been finally settled upon, and this was a question which the House would have to consider—the only question, he might almost say, which would require consideration in connection with the Bill. In the schedule attached to the Bill it was proposed to take the line close to Mr. Monger's house at this end of the town, and the question remained whether it would be the wish of the House that the terminus should be in a more central position, somewhere at the back of Craig's hotel. This, however, would involve considerably more expenditure by way of compensation for property resumed for the purposes of the railway. It was not impossible, should there be a saving in this direction, that there might be a balance left out of the loan, for connecting Newcastle with the railway; but this was a matter which they could not deal with at present, as their first consideration must be the extension of the line to York. With these few remarks he now moved the second reading of the Bill.

MR. SHENTON expressed his satisfaction at seeing this important Bill brought before the House. Before, however, the House had done with it, he thought there were one or two matters in connection with the proposed railway extension which would have to be considered. First of all, as to the amount of compensation which ought to be paid to the owners of land through which the railway would run. He thought a clause would have to be introduced into the Bill, providing that wherever the line ran through unimproved lands, the com-

pensation payable in respect of such land should not exceed 10s. per acre, the present upset price of Crown land. No doubt objection might be taken to such a proposal, but, in his opinion, there was a great deal to be said in favor of it. This railway would cost the Colony a great deal of money, and although it would undoubtedly be a very beneficial work as regards the districts more immediately concerned, still it must be allowed that it would be a source of much greater benefit, in every sense, to the owners of land through which the line ran—by enhancing the value of such lands. He had a letter in his possession from one landowner, the contents of which he had authorised him to make public, and this gentleman came forward in the most liberal and patriotic spirit, offering not only to give such portion of his land as would be required for the line, free of charge, but also as much more as might be required for sidings or other purposes, free of any cost whatever to the Government. If other settlers came forward in the same liberal spirit, there would be a large saving in the amount of compensation money which would have to be paid out of the loan, for land resumed for the purposes of this railway, and probably there would be enough left, after completing the line to York, to construct the branch line to Newcastle. He hoped the House would see its way clear before the Bill was finally disposed of to ask the Government to invite supplementary tenders for the construction of this branch line, at the same time as they invited tenders for the main line to York. Such a course, he was informed, was often pursued in the other colonies, and it appeared to him that a good deal of saving might thus be effected, in the event of there being a sufficient sum left out of the loan to construct the branch line from Clackline to Newcastle.

MR. CROWTHER deprecated the suggestion that, in the event of land being compulsorily resumed for the purposes of the railway, the owners should not be allowed compensation beyond a fixed rate, which, he considered, would be a most arbitrary proceeding. He would be sorry to see an Irish Land Bill introduced into this Colony. He felt quite sure, if the Government had no one

who could decide what the proper compensation should be in the case of land resumed by the Crown, there were plenty of other people capable of doing so.

The motion for the second reading of the Bill was then agreed to.

BILLS OF SALE ACT AMENDMENT BILL.

Read a third time and passed.

CARD CHEATING BILL.

The House then went into Committee for the consideration of the Card Cheating Bill.

Clause 1.—Cheating at play to be punished as for obtaining money under false pretences:

MR. MARMION was afraid the Bill was so stringent that it would defeat its own object, moreover it left immense power in the hands of committing Magistrates. This clause enacted that every person who, by any ill-practice in playing at cards or dice, shall win any money shall be deemed guilty of obtaining money under false pretences, and, as such, would be liable to a long term of imprisonment.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) said a man could not be summarily convicted under the Act: he would have to be tried before a jury. The "ill-practice" must be proved to have been fraudulent to ensure a conviction.

The clause was then agreed to.

Preamble and title agreed to.

Bill reported.

SCAB ACT AMENDMENT AND CONSOLIDATION BILL.

This Bill was further considered in Committee.

The two new clauses, moved by Mr. Steere and the Attorney General, respectively, on August 16th (*Vide* p.p. 154-5 *ante*) were agreed to without discussion.

Preamble and title agreed to.

Bill reported.

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

LEGISLATIVE COUNCIL,

Monday, 21st August, 1882.

Petition: Railway Platform, Dyer street—Railway Department: Report of Commission—Bridge over St. John's Brook—International Fisheries Exhibition—Survey of Route of Railway between Geraldton and Dongarra—Brands Act Amendment Bill: first reading—Dog Bill: second reading—Imported Labor Registry Bill: recommitted—Eastern Railway Extension Bill: referred to Select Committee—Card Cheating Bill: third reading—Adjournment.

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

PRAYERS.

PETITION (No. 2): RAILWAY PLATFORM, DYER STREET.

MR. S. H. PARKER presented a petition from the inhabitants of West Perth, pointing out the advantages of a railway platform in Dyer street.

The petition was received and read.

RAILWAY DEPARTMENT: REPORT OF COMMISSION.

MR. S. H. PARKER, in accordance with notice, asked the Colonial Secretary, "Whether the Government intend presenting the House with the report of the Commission that has recently been sitting at Fremantle, investigating certain charges against some of the railway officials at that place?"

THE COLONIAL SECRETARY (Lord Gifford) said the report of the Commission had only just been received, and no decision on it had yet been arrived at, with regard to the charges referred to. Under these circumstances, the noble lord thought the hon. member would recognise the fact that it was impossible for him to give the hon. member any definite answer at present.

ST. JOHN'S BROOK BRIDGE.

In reply to MR. CAREY, THE COLONIAL SECRETARY (Lord Gifford) said the Central Road Board proposed to carry out the necessary repairs of St. John's Brook Bridge, on the Blackwood and Warren Road, as soon as the season permitted of such repairs being undertaken.

INTERNATIONAL FISHERIES EXHIBITION.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) moved for