

THE HON. G. W. LEAKE: I now move that clause 1 be struck out.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I do not desire to detain the House any further, except to say that after conference with my colleagues we came to the conclusion that it was advisable this Bill should pass. I said that it was thought that the £400,000 just raised would be amply sufficient for 1893; but it may be that such will not be so. The country and the Legislative Assembly are urging on the Government to a speedy prosecution of the works they are authorised to construct, and it may be that more works will be performed than the amount recently raised will satisfy. Under these circumstances the Government think it well to possess the power to raise money by Treasury bills, although with the hope that the occasion will never arise for its use. I repeat again that the Government will not use this power except as a last resource. The fact of the Government having this power may also have a good effect in expediting the action of their agents at Home. Under these circumstances I must ask hon. members to allow the Bill to pass.

Question—That the clause be struck out—put.

The committee divided, with the following result:—

Ayes	7
Noes	3

Majority for ... 4

AYES.				NOES.	
The Hon. G. Glyde				The Hon. T. Burges	
The Hon. M. Grant				The Hon. E. Hamersley	
The Hon. J. W. Hackett				The Hon. S. H. Parker	
The Hon. R. W. Hardey					(Teller).
The Hon. E. T. Hooley					
The Hon. J. Morrison					
The Hon. G. W. Leake					
(Teller).					

Clause struck out.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved, That the chairman do now leave the chair.

Question—put and passed.

Bill withdrawn.

ADJOURNMENT.

At 8 minutes past 5 o'clock p.m. the Council adjourned until Tuesday, 6th December, at 3 o'clock p.m.

Legislative Assembly,

Friday, 2nd December, 1892.

Attack upon the town of Wyndham by Natives—West Australian Trustee, Executor, and Agency (Private) Bill: first reading—Perth Gas Company's Act Amendment (Private) Bill: in committee—Industrial and Reformatory Schools Bill: in committee—Safety of Defences Bill: Message from the Legislative Council—Adjournment.

The SPEAKER took the chair at 2.30 p.m.

PRAYERS.

ATTACK UPON THE TOWN OF WYNDHAM BY NATIVES.

MR. A. FORREST: I should like to ask the Premier, with leave, without notice, whether any reports have reached him, by wire, from Wyndham as to the natives having taken possession of the town?

THE PREMIER (Hon. Sir J. Forrest): No; I have not heard of any report of the kind. A telegram was received a few days ago by the Colonial Secretary, from the Government Resident, to the effect that some natives—an armed body of natives—had come into the town at night, and had threatened to spear, or almost had speared, the Sergeant of Police. It also stated that the residents were somewhat alarmed.

MR. R. F. SHOLL: How many residents are there?

THE PREMIER (Hon. Sir J. Forrest): I have no information at the present moment; if the hon. member will give notice of his question I will find out. The Government, however, have no fear that any harm will come to the good people of Wyndham. The natives are very bold in that part of the colony, and it is a common practice with them to come into the town at night to steal boats to go over to the islands. Several boats belonging to the people of the town and also to the Government have been stolen in this way by natives. I suspect that these other natives were on the same errand, and probably on their way they met the Sergeant of Police. However, I have no definite information, beyond what I have stated; but I have no doubt the Government Resident at Wyndham will take all necessary steps to protect the lives and property of the people living there.

WEST AUSTRALIAN TRUSTEE, EXECUTOR, AND AGENCY COMPANY (PRIVATE) BILL.

Introduced by Mr. LOTON, read a first time, and referred to a select committee, consisting of the Attorney General, Mr. A. Forrest, Mr. DeHamel, Mr. Monger, and the mover.

PERTH GAS COMPANY'S ACT AMENDMENT (PRIVATE) BILL.

This Bill passed through committee, *sub silentio*.

INDUSTRIAL AND REFORMATORY SCHOOLS BILL.

The House went into committee on this Bill.

Clauses 1 to 5:

Agreed to, without comment.

Clause 6. — "What children to be deemed 'neglected:'"

MR. TRAYLEN said that sub-section 6 of this clause (defining who shall be deemed neglected children within the meaning of the Act) read as follows: "Any child under fourteen years of age "habitually absent from school, and whom "his parent declares to be beyond his "control." He had to move that this sub-section be amended, by making it read as follows: "Any child under fourteen years of age, certified in writing by "the chairman of the District Board of "Education to be habitually absent from "school." Those who had sat on these District Boards had occasionally found parents admitting they could not control their children, as an excuse for not sending them to school; but his impression was that if these parents were brought before a magistrate they would not be so ready to make that confession, or to make the declaration contemplated by this sub-section. The result would be that very few children would be brought under the operation of the section. He therefore proposed to amend it, so as to empower the chairman of the District Board of Education to certify.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) could not help thinking this would be rather a dangerous power to give the chairman of a District Board. There might be some valid excuse for a child playing truant, or habitually absenting himself from school, and it would be rather hard if that child

were to be sent to an Industrial School without the parents having any voice in the matter.

THE ATTORNEY GENERAL (Hon. S. Burt) said the hon. member who had moved the amendment had spoken to him a few minutes ago, and he was inclined to think at the time that his amendment would be an improvement on the original clause; but, upon further consideration, he could not help thinking that it went a little too far. He thought the hon. member's object would be accomplished if he altered the wording of his amendment, by adding the words "and to be beyond the control of his parents." The amendment would then read: "Any child under fourteen years of age, certified in writing by the chairman of the District Board of Education to be habitually absent from school, and to be beyond the control of his parents." That would maintain the intention of the section.

MR. TRAYLEN said he would be very glad to accept the Attorney General's suggestion.

MR. SIMPSON thought that the introduction of the chairmen of the District Boards of Education into this clause would be inoperative, for he was advised that, since the recent elections, there was no legally constituted District Board in the colony.

THE PREMIER (Hon. Sir J. Forrest) said it appeared to him that the clause as it originally appeared was far more reasonable than the amended clause. Parents certainly had reported to magistrates that they were unable to control their children, and, in such a case, this clause would apply. If a boy's only offence was playing truant, he hardly thought that would justify the chairman of a District Board in sending him to an Industrial School. If parents did not send their children to school they could be fined.

MR. TRAYLEN said that unfortunately there was no machinery in the Act to compel the payment of the fines. But there were children in Perth who not only did not go to school, but who did not go home for nights together, and, if interfered or remonstrated with by their widowed mother, perhaps, would throw a brick at her. These children were altogether beyond their parent's control, yet

he ventured to say that, in very few cases, if the parent were asked to make a declaration to that effect in order to have the child sent to an Industrial School, would the parent be willing to make such a declaration.

Amendment—put and passed.

Clause, as amended, agreed to.

Clauses 7 and 8:

Put and passed.

Clause 9.—“Whenever any child shall “be convicted of any offence punishable “by law, either upon information or “summary conviction, it shall be lawful “for the Judge or Chairman of the Court “before which, or for any two or more “justices by whom such child shall be so “convicted, in lieu of any sentence that “might but for this Act be passed as a “punishment for the said offence to “direct that such child be sent forthwith “to any Reformatory School, to be there “detained for not less than two years “not more than seven years, and no child “not so convicted as aforesaid shall be “sent to or maintained in any Reformatory School:”

MR. SOLOMON said that under the old Industrial School Act of 1874 the Governor in Council had the sole right of sending a boy to the Reformatory School at Rottneest; but this clause empowered any two justices to do so. Would not the two Acts clash?

THE ATTORNEY GENERAL (Hon. S. Burt) said it was not proposed to repeal the existing Act, because there were many children now in these reformatory institutions—the orphanages at the Swan and at Subiaco—who had been sent there under the provisions of that Act, and it would not do to repeal it. The present Bill allowed magistrates, instead of convicting a child brought before them under this Bill, to send him at once to a Reformatory School. The existing Act only empowered the Governor to send a child to a Reformatory School after he had been convicted. A magistrate would have no jurisdiction at all under the old Act. He did not think the two Acts would clash in any way—certainly not so far as magistrates were concerned.

Clause—put and passed.

Clauses 10 to 35:

Agreed to, without comment.

Clause 36.—Short title and commencement:

THE ATTORNEY GENERAL (Hon. S. Burt) moved to report progress, as he had some new clauses to add.

Agreed to.

Progress reported.

SAFETY OF DEFENCES BILL.

MESSAGE FROM THE LEGISLATIVE COUNCIL.

The following Message was received from the Legislative Council:—

Mr. Speaker,

The Legislative Council acquaints the Legislative Assembly that it has agreed to a Bill intituled “An Act to prevent the unauthorised Disclosure of Information relating to the Defences of Western Australia,” subject to the amendment contained in the Schedule annexed; in which amendment the Legislative Council desires the concurrence of the Legislative Assembly.

GEO. SHENTON,

President.

Legislative Council Chamber,

Perth, November 29th, 1892.

Schedule showing the amendment made by the Legislative Council in “The Safety of Defences Bill”:—

On page 1, clause 1, line 8.—Between the words “forces” and “such” insert “but such permission may be revoked by the Minister at any time.”

C. LEE STEERE,

Clerk of the Council.

29th November, 1892.

Ordered—That the consideration in committee of the Message be made an Order of the Day for Monday, 5th December.

CONSTITUTION ACT AMENDMENT BILL.

THE PREMIER (Hon. Sir J. Forrest) intimated that the select committee appointed the other evening to consider the boundaries of the Electoral Districts under this Bill were going to meet that afternoon; and the committee would be glad, if any hon. member had any suggestion to make with reference to his own district, to call that hon. member as a witness; otherwise the committee would proceed with its work

without calling hon. members, and would take it that members were satisfied with the boundaries of their districts, unless they heard from them to the contrary.

ADJOURNMENT.

The House adjourned at ten minutes past 3 o'clock p.m.

Legislative Assembly,

Manday, 5th December, 1892.

Postponement of Repayment of Midland Guarantee—Scale of Tolls on Midland Railway—Increase of Train Service on Midland Railway—Further Construction of Road at the Greenough—Lengthening of South Jetty, Fremantle—Establishment of Agricultural College and Experimental Farm—Message from His Excellency re Bonus for Shaft-sinking on Goldfields—Safety of Defences Bill: Legislative Council's Amendment—Public Institutions and Friendly Societies Lands Improvement Bill: second reading—Police Act, 1891, Amendment Bill; in committee—Excess Bill, 1891: in committee—Constitution Act Amendment Bill: further considered in committee—Adjournment.

The SPEAKER took the chair at 7-30 p.m.

PRAYERS.

MIDLAND RAILWAY COMPANY: POSTPONEMENT OF REPAYMENT OF GOVERNMENT GUARANTEE.

MR. DEHAMEL: I wish to ask the Colonial Treasurer whether the Government have arranged with the National Bank of Australasia to allow the repayment of the £60,000 advanced by the said Bank to the Midland Railway Company to stand over for six months? And if so—

- (a.) From what date?
- (b.) Upon what terms? and
- (c.) Whether such arrangement (if any) is verbal or in writing?

THE PREMIER (Hon. Sir J. Forrest): The Government has arranged with the National Bank of Australasia to allow the repayment of the £60,000 advanced by the Bank to the Midland Railway Com-

pany, on the guarantee of the Government, to stand over for six months from the 6th November last. The Government has guaranteed the interest at the rate of six per cent. per annum. The arrangement was in writing, and the correspondence is herewith attached:—

Premier's Office,
Perth, 5th November, 1892.

SIR,—With reference to the £60,000 due to your Bank by the Midland Railway Company on the 6th, and for which this Government is guarantee, I beg to inform you that I have been asked by the Midland Railway Company to renew the guarantee "for such reasonable time as will enable the Company to provide for the repayment."*

2. I will therefore be obliged if you will forbear to press for the payment of the amount for a further six months, and in consideration of your doing so the Government will guarantee interest upon the amount at 6 per cent. on the principal amount of £60,000 from the 6th inst.

I have, &c.,

(Sd.) JOHN FORREST,

Premier.

The Manager the National Bank of Australasia, Perth.

*Vide letter of November 3rd, 1892, already in printed correspondence, Par. 3.

The Honorable the Premier, Western Australia.

The National Bank of Australasia,
Perth, 7th November, 1892.

SIR,—I beg to acknowledge your letter of 5th inst., informing me that the Midland Railway Company have asked you to renew the Government Guarantee for £60,000, due 6th inst. to National Bank of Australasia, for a further term of six months. The Guarantee to bear interest at the rate of 6 per cent. per annum from the proposed date of renewal.

In reply, I beg to inform you that this Bank will agree to the extension of the Government Guarantee for the six months, on the above terms.

I have, &c.,

(Sd.) H. R. ENGLAND,
Manager.

SCALE OF TOLLS ON MIDLAND RAILWAY.

MR. LOTON, in accordance with notice, asked the Commissioner of Railways,—(1.) Whether the scale of tolls for the conveyance of passengers and goods on the Midland Railway was approved of by the Government? If so, what were the reasons that induced the Government to approve of a scale of tolls so much in excess of that charged on the