

"shall commence to unload such cargo
"or shall proceed to Perth without
"having delivered to the Landing Waiter
"at Fremantle his permit or boat-note,
"and receiving from such Landing
"Waiter, permission to unload or proceed
"as aforesaid, shall on conviction thereof
"be liable to a penalty not exceeding
"Fifty pounds:"

MR. SHENTON pointed out that this clause might operate very harshly in many cases, as boats often had to take advantage of the wind to start from Fremantle to Perth, and this might happen when the landing waiter was not on duty. He would suggest that progress be reported at the present stage, and leave given to sit again for the further consideration of this clause.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) said he had no objection, and progress was reported accordingly, leave being given to the Committee to sit again on Thursday, 27th June.

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

LEGISLATIVE COUNCIL,

Wednesday, 26th June, 1878.

District Roads Boards Audit Act, 1871, Amendment Bill, 1878: first reading—Public Roads of the Colony: proposal to raise a loan of £50,000 for expenditure on—New Supreme Court House—Wild Cattle Nuisance Act, 1871, Amendment Bill, 1878: re-committed—Foreign Seamen Offences Bill, 1878: second reading—Kangaroo Ordinance, 1853, Repeal Bill: third reading—Adjournment.

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

PRAYERS.

DISTRICT ROADS BOARDS AUDIT ACT, 1871, REPEAL BILL.

MR. CAREY, in accordance with notice, moved for leave to bring in a Bill to amend the "District Roads Boards Audit Act, 1877."

Leave given. Bill read a first time, and ordered to be printed.

PUBLIC ROADS OF THE COLONY— DESPATCHES RELATIVE TO IM- PROVEMENT OF, BY LOAN.

IN COMMITTEE.

MR. BROWN, in accordance with notice, moved that the despatches between His Excellency the Governor and the Secretary of State, relative to borrowing £50,000 for the improvement of the roads throughout the Colony, be now considered. In supporting the proposal submitted by His Excellency, he did so in the belief that in no other way could the expenditure of this sum of money prove so beneficial to the Colony. Hon. members would observe from His Excellency's despatch that, strongly impressed with the important influence which good and bad roads have on the interests of a country, this was naturally the first point to which he had directed his attention on arriving in this Colony; and having now travelled through most of the settled portions of the country, His Excellency had been deeply impressed with the necessity of adopting some steps to improve the condition of our main roads. Merely to increase the present annual grant by a few thousands a year would not, in His Excellency's opinion,—an opinion that must be shared by everyone practically acquainted with the subject—allow of any really useful improvement. It appeared to him (Mr. Brown) that it would be very proper on the part of that House to approach the consideration of this subject on the broad principle that it was a work of national rather than of local importance. He need not dwell upon the advantages which good roads afford to settlers in transporting their produce; hon. members were too practically acquainted with the disadvantages and the drawbacks attendant upon bad roads, and therefore it would be superfluous for him to dilate upon the converse of the proposition. The Colony had now at the head of the Government a gentleman who had all his life made roads his study, and the present was therefore a most desirable time for carrying the proposed scheme into execution. His Excellency, it would be observed, suggested that, for the purpose of controlling the expendi-

ture of the money, a Central Road Board should be created, with the Governor as its president, the Colonial Secretary, Surveyor General, Director of Public Works, and a few members of the Legislative Council. This suggestion was one which no doubt would commend itself to the favorable consideration of the House, for it appeared to him it would be very inexpedient that the control and distribution of this £50,000 should be left with the existing district boards. If that were done, the only way in which the distribution could be regulated would be *pro rata*, in accordance with the population of each district, which would obviously be a very unfair distribution, as the roads in the immediate vicinity of the centres of population were in a comparatively good state of repair as compared with the roads in the interior. Under the supervision of a Central Board, which would be actuated by no local prejudices, the money would be expended on such roads as would prove most advantageous to the country. He could not, however, agree with His Excellency that the present number of district roads boards was in excess of what was desirable or necessary, and he would be sorry to see their number reduced, as proposed in the Governor's despatch. These district boards would doubtless place themselves in communication with the Central Board, and lay before that board the claims of their respective districts, which no doubt would receive careful consideration. He observed from the reply of the Secretary of State to His Excellency's despatch that "he should not consider so large an outlay as the proposed sum desirable, unless the charge could in some way be met by tolls or other contributions from the districts specially benefited." This was a proposal which he (Mr. Brown) could in no way support—the establishment of tolls would condemn the whole scheme, and he regretted to find the Secretary of State did not give His Excellency that amount of latitude in dealing with such a scheme as the Governor, when acting in accord with the Legislature, was entitled to. Without dilating further on the scheme submitted by His Excellency for the consideration of the House, beyond pointing out that, unlike a loan for railway purposes, the

whole of this money would be expended in the Colony, and would give employment to the ordinary laborer with his pick and shovel as well as to the small farmer with his team, he now commended the proposal to the consideration of the House. He would be glad if this first progressive measure laid before the House by His Excellency the Governor received the cordial support of the majority of hon. members—indeed, he would like to see the resolution he was about to propose, affirmed by the unanimous vote of the House. That resolution was: "That this Council cordially approves of the proposal submitted by His Excellency the Governor to Her Majesty's Secretary of State for the Colonies, in his despatch of the 27th December last, to raise by loan the sum of £50,000, for expenditure upon roads in the manner indicated in the said despatches; and resolves that an humble address be presented to His Excellency the Governor, praying that he will be pleased to take such steps as may be necessary to give effect to the above proposal."

MR. MARMION regretted very much that he could not support the proposal to borrow £50,000 for the purpose of road improvements; he regretted it particularly because it was the first suggestion of a public character that had emanated from His Excellency Governor Ord, and one which His Excellency no doubt considered would tend to the advantage and advancement of the Colony and to the development of its resources. But it appeared to him (Mr. Marmion) that the raising of this sum, as proposed, by means of a public loan, would be a mistake. He thought the attention of the Colony at the present time should be directed to the construction of railways and tramways, wherever it was practicable to do so, and which in his opinion, would be found in the end to be quite as cheap as making and maintaining ordinary roads, while at the same time they would tend a great deal more to the advancement and prosperity of the Colony. He did not think there were many hon. members present who had two opinions on that point. Therefore he would say, rather than commit the country to an expenditure of £50,000 of borrowed capital on

road improvements, let them go in for tramways, if not railways, wherever it was possible to have them. It appeared to him that £50,000 was altogether too small a sum to accomplish what was contemplated, and he said this with all due deference to His Excellency's experience as an engineer. A sum of £50,000, what was it after all, for such a purpose? At the present time they were expending £10,000 or £11,000 annually on the roads of the Colony, and with what result? Let His Excellency speak for himself: "The condition of the roads may be inferred from a few facts. The main thoroughfare from King George's Sound, where the Peninsular and Oriental Company land the European Mails, to Perth, the capital, is 260 miles in length. The mail contractor brings up the mail in a light van, drawn by four horses, travelling night and day, and he is allowed, and always takes, 72 hours for the journey, thus averaging rather over $3\frac{1}{2}$ miles an hour. The plan of the city of Perth shows miles of streets and terraces laid out and named; with the exception of the three thoroughfares parallel to the river, and their cross communications, all these are sand tracks, in one of which my carriage was nearly upset the first time I tried to drive through it. From Perth to Geraldton, in the Champion Bay district, is 300 miles, and gentlemen coming down usually occupy 8 to 10 days on the journey." Here they had the result of the expenditure of, he might say, hundreds of thousands of pounds, and in view of that result he would ask what could they expect from the expenditure contemplated by His Excellency? If £11,000 a year was not sufficient to maintain existing roads in a state of passable repair, how far would £50,000 go in making new roads; and when those new roads were made how much would the annual expenditure be, in order to keep them in repair? If they took into consideration contingent expenses, which would be inevitable in connection with the expenditure of the proposed loan, the whole amount would only be four years' expenditure at the rate of the present grant for roads. Yet this loan would entail additional taxation to the extent of something like £3,000. It did appear

to him that the benefits likely to be derived were in no way commensurate with such an additional burden on the taxpayers of the Colony. Hon. members would see, from the tenor of his remarks, that his objection to the proposed scheme was that the money would be virtually frittered away, and the £50,000 would be merely adding another weight to the millstone which they were about to place around their necks by way of a railway loan, without any commensurate advantages. Such an expenditure as was contemplated by His Excellency would, in his (Mr. Marmion's) opinion suffice to make good the existing roads of the Colony, but he did not think it would do any more—he did not think it would make a hundred miles additional good roads. He believed, if the money were raised, there would be a great deal of scrambling for it among the various roads boards; and, although no doubt His Excellency would exercise a wise discretion in the appointment of members of the proposed Central Board, he thought His Excellency would fail in pleasing the greater portion of the districts of the Colony, in allotting their share of the loan. He was quite willing to allow all that had been said about the important influence which good and bad roads had on the interests of a country, and was alive to the fact that the expenditure of £50,000 on the roads would afford work to a great number of people, and that an expenditure of this kind would yield a fair return to the pockets of the general body of tax-payers—the money being spent in the Colony—more so, possibly, than would the expenditure of a similar amount for almost any other purpose; at the same time he failed to see the great advantages which the hon. member for Geraldton seemed to anticipate from the scheme, which, as he had already said, he thought was a mistake. He would prefer seeing the £50,000 expended in the construction of twenty miles of tramway, say between Greenough and Geraldton—if no more could be done with it—than have it frittered away upon the roads of the Colony. But he believed good substantial tramways could be made to a much greater extent than between Greenough and Geraldton for the sum proposed to be borrowed. They were not told by His Excellency what

was the intention with regard to the present annual grant of £11,000 for roads, or whether it is proposed to retain that sum on the Estimates in addition to the £50,000.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): It is.

MR. MARMION: That, then, appears to me a still stronger argument against this scheme. I do not know whether hon. gentlemen have given any thought to the question of ways and means; if not, I think it is the duty of this House to do so before it assents to this expenditure, for we must bear in mind that when we assent to the principle involved in this question we must be prepared to provide the necessary ways and means to carry the scheme into effect, and to provide for the interest and sinking fund in connection with this and the proposed loan for railway construction, and the further loan required for the Geraldton and Northampton line. Hon. gentlemen may be prepared with some scheme for increasing taxation; I have often thought how we are going to do so, and what are the items from which this increase is to be provided, and I must say it has puzzled me—I don't know whether it has the occupants of the Government benches. I think the House should hesitate before it affirms the principle involved in the proposal under discussion, until at any rate hon. members are placed in possession of some further information as to ways and means for the forthcoming year.

MR. SHENTON thought it would be wise at the present stage of the debate to report progress: the motion before the House had taken him, and he believed other members, somewhat by surprise. He was not aware the subject was going to be discussed that evening, until he entered the House, and he thought a further opportunity might be afforded hon. members to consider the matter, which was one of very grave importance.

MR. CAREY concurred in this opinion. As a matter of expediency he might be prepared to support the scheme, but he thought the sum proposed to be raised was altogether inadequate, and should be doubled. There were about 1400 miles of recognized main roads in the Colony, and the proposed loan would only give about £34 per mile. Hon.

members knew how far that would go. He thought there were grave objections to the creation of a Central Board as contemplated by His Excellency, the general opinion being that, under the control of such a board, the money would be principally expended in the neighborhood of Perth and Fremantle, and that the outlying districts would get but a very small share indeed. He was also opposed to reducing the number of the present district roads boards, as proposed by His Excellency. The House would also observe that it was in contemplation to create a new department, with a surveyor to be employed to carry out the orders of the Central Board—all of which would entail a good deal of expense, and prove an additional burden upon the public.

MR. BROCKMAN said he would not be following out the wishes of his constituents if he did not rise to express his opposition to the proposed scheme. The Colony was about to borrow a large sum of money for railway construction, with the idea of borrowing still more for the extension of the line to the agricultural districts eastward, and he did not know whether the credit of the Colony was unlimited—whether we could borrow as much as we liked. At any rate, he was opposed to borrowing money for the purpose referred to in His Excellency's despatch.

MR. MARMION said it might be supposed that being the representative of a town constituency, he was opposed to the scheme under discussion because in all probability a great part of the money would not be expended in the immediate vicinity of the towns, but rather in the rural districts and upon country roads. Such an idea, however, had never entered his head. He opposed the scheme purely on the principle that out of any loans raised for public purposes the country should derive some solid and substantial advantages. It was with very great regret that he felt compelled—acting on this principle—to oppose the motion before the House.

MR. S. H. PARKER said he had not consulted his constituents on the subject, but he knew that the feeling in Perth was that he should vote for anything that would conduce to the progress of the Colony; and as he believed that borrowing this money and expending it

upon the main thoroughfares of the country would tend to promote the welfare and prosperity of the Colony, he would support the resolution of the hon. member for Geraldton. With regard to the motion to report progress, he really failed to see why the matter should not be decided that evening. When His Excellency opened the Session he said expressly that despatches would be laid on the Table on the subject and that he had advocated such a loan as was here contemplated. Those despatches had been before hon. members ever since, and he failed to see how any one could say that he had been taken by surprise in the matter. The question was simply this—should they borrow money to construct roads for the purpose of affording means of communication between the towns and country places, or should they not do so? It appeared to him, it would be most advantageous to do so. For his own part, he did not see why this loan for roads should in any way interfere with the proposed construction of railways. The hon. member for Fremantle said it would prove an additional weight to the mill-stone we were about putting round our necks in the shape of the £100,000 loan for railway purposes; if he (Mr. Parker) thought that that loan was going to prove a mill-stone round their neck he certainly would never vote for it. On the contrary, he thought it would be the means of raising the Colony from the slough of despond which was closing over its head, and place it on the high road to prosperity. There was one part of the scheme, however, which he objected to altogether: he objected to this or any other Colonial loan being raised through the intervention of the Crown Agents, leaving the Colony—out of the £50,000—only about £10,000 for local expenditure on the roads. They had been told by the Government that it was not absolute for the Colony to have recourse to the services of the the Crown Agents in borrowing money, and he would recommend that the House should make it a condition that this loan should be raised without the intervention of those gentlemen. This, at any rate, would be a step in the right direction.

MR. CROWTHER would vote for the resolution on the principle that it was

impolitic to put all our eggs in one basket, or to expend money in the construction of one class of roads only—be they railways, tramways, or plain macadam. As to the present expenditure on roads, it did not amount to more than 3s. or 4s. a mile, which was simply nothing. Many main roads were now useless, because only portions of them were metalled, the remainder being heavy sand which rendered traffic impossible, and one of the recommendations of the scheme before the House was that it proposed to finish these unmade roads, and render communication along them possible, without requiring five or six horses to draw a ton. One thing was very certain, these roads would never be completed out of the present annual grant for road purposes, and he was convinced that £50,000, if properly expended, would be a great boon to the settlers of the Colony. He would therefore vote for the resolution before the Committee.

MR. HAMERSLEY was opposed to the principle of borrowing money for the maintenance of roads, but it had been clearly shown to him that there were portions of the main roads of the Colony which rendered a public loan indispensable, if ever they were to be completed. There were certain details in the scheme put forward by His Excellency which he did not like—such as the creation of a Central Board and the employment of a surveyor under their orders. He thought the manner in which the present district boards performed their work was a guarantee that they did not require the assistance of a Central Board, stationed at Perth. He saw no necessity for the employment of a surveyor for the special purpose contemplated, and failed to see why the expenditure of the money should not be supervised by the present Public Works Department.

MR. MARMION said the hon. member for Greenough had remarked that the present annual expenditure on roads was about 4s. per mile—the parliamentary grant being £11,000. Estimated on the same principle, it would be found that the proposed loan would only give 18s. a mile, from which not much benefit could be expected after all. He did not expect, however, that the money would thus be equally distributed over every mile of road in the Colony, but that the

bulk would be expended in a few favored localities. The whole community would however be taxed, and have to bear their share of the public burden. He would draw the attention of the House to the following paragraph in the despatch of the Secretary of State, which he would particularly commend to the attention of those hon. members whose districts were likely to be specially benefited by the proposed expenditure: "It will be necessary, however," said the Secretary of State, "that the matter should be fully discussed in the Legislative Council, before I could sanction the raising of a loan for this purpose; and, in any circumstances I should not consider so large an outlay as that proposed desirable, unless the charge could in some way be met by tolls or other contributions from the districts specially benefited." He had not heard any hon. member who advocated the proposed loan coming forward with any proposal to give effect to this proviso insisted upon by the Secretary of State. Hon. members would remember that some years ago they passed a District Roads Board Act, the main principle of which was that each district should tax itself in order to supplement the annual grant for roads, made by the House; but he would ask how many districts had recognized that principle and acted upon it? He himself did not know of one that had done so: possibly there might be one or two that had, but certainly not more—a proof, to his mind, that people were very glad to get all they could out of the public funds, but were by no means prepared to tax themselves in order to supplement the Government grant. He was afraid it would be the same here, with regard to the proposal of the Secretary of State that the districts specially benefited by the loan should levy tolls or other contributions towards meeting the charge which the loan would impose upon the general revenue. It might be said that the same principle applied to railways, but there was a great difference between roads and railways. If he travelled by rail he would have to pay for it, and if he sent any goods or produce by it, he would have to pay; but it was very different with regard to a public road, which would yield no revenue.

MR. BURT said that although he intended to vote for the resolution, he was still of opinion that the cost of the work proposed to be undertaken should be defrayed out of current revenue rather than by means of a loan; but it might be a question whether the revenue would bear a further charge upon it. He feared the scheme would meet with serious opposition at home unless some ways and means were disclosed for giving effect to the condition insisted upon by the Colonial Office. He certainly endorsed the views put forward by the Secretary of State, that a special contribution towards meeting the interest and sinking fund should be levied on the districts which would specially benefit by the proposed expenditure. No doubt some districts would derive greater benefit than others, and it was but fair that the charge should in some way be met by tolls or other contributions from those favored districts. He failed to see why the general taxes should be devoted to such a purpose as this. As had been pointed out by the hon. member for Fremantle, the fundamental principle of the District Roads Act passed some years ago was that the various districts of the Colony should tax themselves in order to supplement the Government grant for road purposes, but he had never heard of any district yet acting upon the principle referred to and voluntarily levying a rate for the purpose mentioned. Nor would they do so with respect to the scheme at present under discussion, unless the House imposed a special tax upon them. Although, as he had already said, he would sooner see the money provided out of current revenue than raised by loan, yet regard being had to the fact that nearly the whole of it must necessarily be expended in the Colony, and expended under the control of His Excellency himself, assisted by a board specially appointed for that purpose, he would vote for the resolution before the Committee, although he had some hesitation in doing so. He did not think the district roads boards as at present constituted were the proper persons to be entrusted with the expenditure of this large sum of money. These boards could not make roads, and they ought to know it by this time; he, therefore, hoped they would not have the expendi-

ture of this proposed loan entrusted to them.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said "roads, railways, and immigration" were three matters in which nearly all the Colonies were now engaged in borrowing money for, and he hoped Western Australia would follow her sisters' example in this respect. As to the principle of special taxation, that was a principle which had not heretofore being recognised in the Colony, in connection with the expenditure of any money raised by public loan. It was not acted upon in the case of our local telegraphs nor in the case of the Geraldton and Northampton railway, nor in the case of the various jetties which had been carried out by means of a public loan; and he failed to see why they should depart from this principle in the present instance. When they passed the Bill authorising the loan for the Northern Railway, it was never suggested that the districts which would be specially benefited should be specially taxed; nor was it proposed to apply such a principle in the case of the Eastern Districts Railway. It appeared to him but fair that those outlying districts of the Colony which were most in want of their roads being completed, and who had supported and continued to support the burden imposed upon the general public by the loans raised for improvements in other districts, should now have the benefit of the proposed loan for road purposes. What struck him as remarkable when he first came to the Colony was the fatherly way in which the Legislative Council provided for all the wants of the various districts of the Colony, and he was now satisfied, after some years experience, that in a small community like this it was only by unity of purpose and united action that any national improvement could be undertaken and carried out. He hoped that this contemplated loan was only a part of a much greater loan, and that in the contraction and expenditure of that greater loan they would follow the example of the other Colonies, by devoting it to the purposes of immigration, roads, and railways. He would like the House particularly to understand that, in borrowing this sum for roads improvements, and for a special purpose, they

were not in any way trenching upon what was the object and intention of the Act under which District Roads Boards were established. These boards were not supposed to undertake the construction of new works; the grant-in-aid was placed at their disposal to keep in order the roads already entrusted to their care. He knew of no more legitimate object for the expenditure of public money upon than that upon which it was proposed to expend the amount which they were about to borrow, enabling, as it would, the out-settlers—who were the backbone of the Colony—to bring their produce to market at a cost that would leave them a fair profit. Hon. members would bear in mind that this was not a work which would have to be done over again; when these new roads were constructed they would be handed over to the care and supervision of the various Roads Boards.

MR. PEARSE said he intended to oppose the resolution, and, in doing so, he in a great measure endorsed what had fallen from the hon. member Mr. Burt, and from his hon. colleague (Mr. Marmion). He believed that the money, if expended at all, ought to be provided out of current revenue. Money raised by public loan, and spent in the manner here proposed, would in his opinion be money frittered away.

THE ATTORNEY GENERAL (Hon. H. H. Hocking): My mind was tolerably made up upon this subject until the hon. member for Fremantle spoke. He has spoken so positively that I am now somewhat inclined to pause and to hesitate. But, notwithstanding all that positiveness on the part of the hon. member, I intend to vote for the resolution. That resolution, in point of fact, is simply asking the Governor to adopt the proper measure to give effect to the proposal to raise a sum of £50,000, for expenditure upon roads. With regard to what fell from the hon. member Mr. Burt, that it may be possible the Home Authorities may object to the proposal unless this House at the same time makes some provision for local taxation in order that the districts likely to be specially benefited may contribute proportionally towards the redemption of the loan, the House, on this occasion, has nothing to do with that. We simply ask the

Governor to adopt the necessary steps to give effect to the proposal that he has made, in the hope that the Secretary of State may be induced to accept it, although the condition he has hinted at has not been complied with. The hon. member opposite (Mr. Marmion) compared the expenditure on roads with the expenditure on railways, and said if he travelled on the latter he would have to pay, and this payment would go towards rendering the railway a reproductive work, but that in travelling on roads people were not called upon to make any payment, or in any way to contribute towards the cost of making the roads. No doubt that is true; at the same time I think it is very obvious that a railway in any particular district benefits that district more than any other. But, notwithstanding this—notwithstanding, for instance, that the Northern Railway confers special benefits upon the districts which it traverses—we do not ask the inhabitants of the districts specially benefited to contribute by local taxation towards the expenditure involved by the railway any more than the inhabitants of any other district. And, so far as I can see, I do not perceive any reason why we should depart from that principle in the matter of roads. With reference to the contention that the money should come out of current revenue and not out of a public loan, I would remind hon. members that the object in view is one of a permanent and national character—it is not for mere current purposes that we propose to make this expenditure, but for the construction of new roads not yet in existence, which I think is a charge that ought to be defrayed out of a loan rather than out of current revenue. With regard to the Eucla Telegraph, I cannot help thinking but that also was one of those permanent undertakings which ought to have been carried out by means of a loan, instead of out of current revenue. Like the roads which it is now proposed to construct, it is not the work of a day; it is not intended for the day but for all time, and I think posterity should be asked to pay its share towards the cost of such undertakings.

MR. HARDEY had great pleasure in supporting the resolution. He believed this project to be one of the most important subjects they would have under

consideration this Session. It would be useless, to his mind, to construct railways, if at the same time they allowed their roads in other parts of the Colony to get worse and worse every year, which they undoubtedly did now. To his own knowledge, the grants of money now voted to the various roads boards only sufficed to patch up the existing roads: it did not enable the boards even to complete roads the foundations of which were already laid, and which were intended to be macadamized. There were many portions of roads, in various parts of the Colony which, if put in order and finished off—which, he presumed was the object contemplated in raising this loan—patches here and there of two or three miles which, if completed, would give a continuously good road of thirty or forty miles, and enable the settlers to bring their produce to market at a reasonable cost. These roads, once completed, and set in thorough good order, might be maintained in a fair state of repair out of the annual grants; but it was hopeless to expect that the district boards could ever complete them out of the funds now at their disposal. He was opposed to the proposal to reduce the present number of these boards, for the great difficulty now experienced was to get members to attend—meetings having often to be adjourned because there was not a sufficient number present to form a quorum. If this were so now, when the members had not such long distances to travel, how much more difficult would it be to get them to attend when the number of boards was reduced and the distance to be travelled be correspondingly increased? As to the proposal to have a Central Board to control the expenditure of the money, he thought the idea was a very proper one, seeing that the money was to be raised by means of a public loan, and not out of current revenue. The resolution, which, after all, did not commit them to the details of the scheme, would have his heartiest support.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) remarked that there was no intention, so far as he was aware, on the part of the Government to interfere with the functions now vested in the District Roads Boards,

whose duties were clearly defined in the fifth section of the Act under which they were established (34th Vict., No. 26). Hon. members were aware that there existed a wide-spread feeling in favor of starting some public work without delay, and he knew of no work that would tend to the greater benefit of the Colony than the making of good roads, the expenditure upon which would be almost entirely confined within the Colony. Once this loan were floated, every man in the Colony who could handle a spade, or who had a horse and cart, would have an opportunity of taking part in the work.

MR. CAREY said the Attorney General told them they were not on the present occasion called upon to affirm the principle of the desirability or otherwise of establishing tolls, or any other system of local taxation; but he (Mr. Carey) would remind hon. members that they were distinctly told by the Secretary of State in his despatch that, under any circumstances he should not consider so large an outlay (as that proposed) desirable, "unless the charge could, in some way, be met by tolls or other contributions from the districts specially benefited." Nothing could be plainer than that. The Commissioner of Crown Lands said it was not proposed to interfere with the present Roads Boards, but His Excellency the Governor distinctly stated in his despatch that he was of opinion that there were too many Roads Boards, and that a reorganisation of the system would be an improvement on the present arrangement—showing very clearly that it was proposed to interfere with the existing boards. The hon. member Mr. Burt had alluded to the fact that no district, to his knowledge, had yet come forward to carry out the principle of the District Roads Act, namely to levy a local tax for the maintenance and improvement of roads in the district. He (Mr. Carey) had been connected with a District Roads Board for some years, and when he held the position of chairman of the Wellington Roads Board he mooted the subject, but with what result? He had, in the course of his life, in the discharge of his public duties, brought on himself a good deal of ill will and ill feeling, but never so much so as in the proposition referred to. He would support the motion for

reporting progress, and hoped no opposition would be offered by the hon. member for Geraldton to the adoption of that course.

MR. HARPER said he would have much pleasure in supporting the original resolution, because the project was in his opinion a progressive one. Anything tending to improve the means of communication between the inland districts and the sea-coast must prove of material advantage, and tend to the advancement of the Colony. The hon. member for Fremantle (Mr. Marmion) said that if he sent his goods by rail he had to pay for them, but if he sent them by the road he had not to pay. He (Mr. Harper) would like to know how the hon. gentleman could get a ton of goods conveyed by road without paying for it. It struck him forcibly, that if the hon. gentleman had to find a team and send his goods in it by road, the cost would be a great deal more than what it would be by railway.

MR. SHENTON said he was opposed to some of the details embraced in His Excellency's despatch, but his main object in moving that progress be reported at this stage of the debate was that the House might be placed in possession of some further information as to ways and means than hon. members now possessed. So far as he could see, there was every probability of there being a large deficit, and such being the case, he thought that before going in for a loan of this extent, they should see and satisfy themselves whether the revenue would stand this extra charge upon it. He thought that, as a rule, people would hardly consent to extra taxation for a loan of this kind, though no doubt they would be prepared to do so were it for the construction of a railway from Perth to the Eastern districts, which would be a permanent undertaking. He did not intend to oppose the resolution, but would first like to see the Estimates, and to have some idea as to the probable ways and means available, and the financial condition of the Colony.

MR. S. S. PARKER said the resolution would have his cordial support. Much stress had been laid on the fact that the interest on the borrowed money would involve an increased charge on the

revenue to the extent of about £3,000 a year; in his opinion, the advantages and the benefits which the settlers would derive from improved means of communication, and which the expenditure of £50,000 would confer, would more than counterbalance the increased charge on the revenue. He failed to see why the districts specially benefited by this expenditure should be specially taxed any more than had those districts which had their wharfs and jetties erected out of borrowed capital been so taxed. As to tolls, he would most certainly oppose any such proposal, as an unwarrantable interference with the liberty of the subject.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) remarked that the resolution was merely speculative; the whole question would have to be brought before the House again, in a more definite form.

MR. BROWN said it would ill become him to oppose the general wish of the House that progress be reported with regard to any measure, but he was unable in this instance to ascertain exactly whether there was a general feeling in favor of the adoption of that course. He had noticed that every member in the House—with the exception of the hon. the Colonial Secretary, one of the nominee members, and one elected member—had now spoken on the subject, and all had shown the particular line of action they were determined to adopt, with only one exception—the hon. member for Vasse. Every other member had said he would vote either for or against the resolution. The subject had been before the House for a month nearly, and surely hon. members could not say they had not had time to make up their minds with regard to it. Should it be the general wish, however, that the consideration of the question be further postponed, he did not suppose there would be any objection on the part of the Government—certainly none on his own part, although he thought the House was perfectly prepared to deal with the subject that evening, so far as the resolution was concerned. In adopting that resolution, hon. members did not pledge themselves to the details of the scheme, as put forward by the Governor in his despatch to the Secretary

of State, but merely affirmed the principle of the desirability of borrowing a sum of money for the purpose specified. In the course of the debate, the question of tolls had cropped up—some hon. members being in favor and others opposed to it. He, himself, was most strongly opposed to all special taxation. Whenever it could be avoided, he thought it should be, and if there was to be special taxation in the districts where this money was expended, then, to be consistent, they must have special taxation in every district where they had a railway. He considered that the policy of general taxation which had been pursued for years past, with regard to public works, was by far the best they could pursue, and not to resort to special taxation in one or two districts, simply because those districts happened to derive greater benefits than other districts. As to ways and means for providing the interest on the borrowed capital, and for providing a sinking fund, no doubt the Government saw their way clear to make these provisions, or they would not come forward to recommend the adoption of the scheme. It appeared to him that the reductions made in the police department would suffice to cover the interest and to provide for a sinking fund. Some hon. members seemed to be afraid that the borrowing of this £50,000 might militate against our raising the necessary sum for the extension of the railway from Guildford to the Eastern districts—the most important work of all which the House had in view; but it appeared to him that, with all Western Australia at our back, to say we could not complete that comparatively small undertaking and raise this £50,000 to boot, was preposterous.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the hon. member for Geraldton had so thoroughly expressed the views of the Government, that there really remained very little for him to say on the subject before the House. He had made several attempts to rise to address the House in the course of the debate, but other hon. members had been more nimble than himself, and he had to give way. This, however, was a matter with regard to which every hon. member would concur—that good roads were necessary for the

welfare and advancement of the Colony. It was all very well to talk about railways, and they might have their railways, but unless they also had good roads to act as feeders for their railways the latter would prove of very little use or advantage. He thought that at present railways were of subsidiary importance as compared with roads; nevertheless he hoped the time would come when roads might fairly be regarded as subsidiary to railways. Some hon. members seemed very anxious to know how the ways and means were to be provided to meet the interest and sinking fund, but it was somewhat remarkable that none of this anxiety was manifested when the question of constructing the railway on the southern side of the river was before the House. When the question of roads cropped up, hon. members seemed suddenly to become imbued with great anxiety and apprehension as to ways and means. It had been suggested that the proposed expenditure should be defrayed out of current revenue, and allusion had been made to the fact that the Eucla Telegraph had been so constructed. But he would remind the House that when that was undertaken, there was a surplus of £17,000 available for expenditure; but there was no such surplus now—not more than would meet our ordinary liabilities at the end of the year, and yet some hon. members suggested that this charge should be met out of current revenue, which, in fact, would be simply impossible. He was prepared to admit that £50,000 would not be sufficient to provide a net work of good roads throughout the Colony, but, under proper management, and with careful supervision, it would accomplish a great deal, and His Excellency did not feel justified in asking for more, at the present time, in view of the loans required for other purposes.

The resolution was then put to the House, and carried without a division.

NEW SUPREME COURT-HOUSE.

IN COMMITTEE.

Mr. BURT, in accordance with notice, moved, That an humble address be presented to His Excellency the Governor, praying that he will be pleased to place a sum on the Estimates to defray the

cost of providing a new Supreme Court-house at Perth. The want of such a building was generally felt, and had been brought under the attention of the House on previous occasions. He understood that the Government fully intended to deal with the matter at an early date, and he simply moved the present resolution with a view to show that the House was alive to the necessity of providing increased accommodation to the public, and to the officers of the Court.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) had much pleasure in supporting the resolution. The necessity for providing improved accommodation by some means or other was admitted on all hands, and he believed the reason why no steps had been taken in the matter was that the Government expected to have the Commissariat Store handed over to them by the Imperial Authorities, which building it was proposed to convert into a Supreme Court-house. He understood that the time had now arrived when the building was about to be transferred to the Local Government, and he hoped it would be felt that one of the most urgent duties devolving upon the Government was the conversion of the building into a Court-house.

Mr. SHENTON would support the resolution. It was one which affected country people even more than the citizens of Perth, for witnesses and jurors whose duty called them to the city in order to attend the court found that the accommodation provided for them was simply disgraceful.

Mr. S. H. PARKER said it had always struck him as a very wise and humane provision that under which that House had exempted its members from serving as jurors, and he had concluded that one of the principal reasons which had actuated them in doing so was the wretched accommodation afforded to the jurors attending the present Supreme Court-house. He believed that juries were occasionally actually driven to agree to verdicts entirely against their consciences in order to escape from the misery attendant upon confinement in the wretched room where they retired for deliberation. He was therefore glad to hear that the Government proposed providing improved accommodation, but he certainly did not think the site of the

Commissariat Store was a suitable site for a Court-house, which ought to be in a more central position. There was a vacant grant of land opposite Government House which afforded an admirable site for such a building.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the Government were perfectly alive to the necessity of making some provision towards improving the accommodation afforded by the present Court-house, and there would be no opposition to the placing of a sum of money on the Estimates for that purpose.

MR. BROWN entirely concurred with the object in view. The present Supreme Court was a disgrace to the Colony.

THE ATTORNEY GENERAL (Hon. H. H. Hocking): Only as respects the building, I hope.

MR. BROWN: Certainly.

The motion was then agreed to unanimously.

WILD CATTLE NUISANCE ACT, 1871, AMENDMENT BILL, 1878.

IN COMMITTEE.

Some verbal amendments were made in this Bill, which elicited no discussion. [*Vide* "Votes and Proceedings," p. 80.]

FOREIGN SEAMEN OFFENCES BILL.

SIR T. COCKBURN-CAMPBELL moved the second reading of a Bill to confer jurisdiction in certain cases over foreign merchant seamen. The hon. baronet said he thought he could explain in very few words his object in bringing forward the Bill. It was well known to most hon. members that the waters around our southern and south-western coast were about the best whale-fishing grounds in the world. Some years ago a very large number of vessels, chiefly foreign merchant vessels, frequented these waters, and periodically visited the southern ports of the Colony in order to obtain provisions and other supplies, thus greatly conducing to the prosperity of those ports, creating a ready-money market, and otherwise contributing to the general revenue. Of late years, however, the visits of these whaleships had been few and far between, and the reason for this was not far to see. In other Colonies, in most of the other Colonies of Australasia, the law afforded protection

to the masters of these vessels in cases of desertion or other misconduct on the part of the crews; but unfortunately this Colony was an exception in this respect, and the masters were entirely at the mercy of their crew, who, if they chose to desert the vessel or otherwise misbehave themselves, went scot free, simply because, under the existing state of the law, we had no jurisdiction over them. In former years, cases of desertion did not take place so frequently,—the Colony, in its earlier days, was not so very inviting or attractive; but latterly desertions were of frequent occurrence, often entailing a very serious loss upon the owners of the vessels. The object of the present Bill was to remedy this state of things, and he might add that it was brought in at the request of the American Consul at Melbourne and of the vice-consul at Albany. [The hon. baronet read a letter he had received from the first-named gentleman, and also one received from a firm who had no less than twenty-three whaling vessels cruising in various parts, and who stated they would sooner let them cruise in the waters on our southern coast than in any other fishing grounds they knew of, but that they were deterred from doing so in consequence of the existing state of our law with reference to the want of jurisdiction over foreign seamen.] In proof of the loss which the Colony sustained by reason of this, he might say that he was credibly informed that as much as £2,600 had, in past years, been spent at Albany in one month by these vessels. The only objection he had heard against the Bill was the supposition that the masters of these whaleships often behaved with considerable brutality towards their men; but he must say that, so far as he was aware, there was no ground for such a supposition. He had heard many rumours to that effect, but he had not heard of such a charge being substantiated. On the other hand he had heard great complaints of insubordination among the crews of these vessels, and possibly there was as much to be said on one side as the other. At any rate, he did not see why the Legislature of this Colony should not afford the same facilities as regarded jurisdiction over these men as were afforded by the neighboring Colonies. The hon.

baronet said it would not be necessary for him to enter into the details of the Bill; hon. members would observe that it empowered justices to deal with foreign merchant seamen, in cases of assault, disobedience, desertion, and other misconduct, in the same way as he believed they were empowered to deal with seamen under the British flag. The Bill also provided that all expenses incidental to the apprehension, confinement, and removal of any seaman, under and by virtue of the power and authority conferred by the Bill, shall be paid by the parties who instituted the proceedings, and not by the Colony. He hoped the House would agree to the motion for the second reading of the Bill, the details of which might hereafter be dealt with in Committee.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) said he had much pleasure in supporting the motion. The Bill was an exact transcript of part of the Victorian Act applicable to the subject.

MR. CAREY said that Bunbury and the Vasse were equally interested with Albany in the question under consideration. Some years ago, from fifteen to twenty of these whalers visited the Vasse every season, and of course proved a great benefit to the town; but latterly a vessel was hardly ever seen there, for the reason, no doubt, assigned by the hon. baronet who had brought in the Bill. He had known of cases in which almost all the crew of a vessel had deserted, but the police were powerless to deal with the men, and the masters had no remedy at law. The Bill, he thought, was a desirable one, and it would have his hearty support.

MR. BURT said that as vice-consul for two European powers, he fully concurred in the principle of the Bill, which he regarded as a very necessary piece of legislation.

Motion for second reading agreed, and its committal made an Order of the Day for Friday, 28th June.

KANGAROO ORDINANCE, 1853, REPEAL BILL.

This Bill was read a third time and passed.

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

LEGISLATIVE COUNCIL,

Thursday, 27th June, 1878.

Steam Tenders—Immigration—Incorporation W. A. Bank Shareholders Bill: second reading; Select Committee—Transfer of Land Act, 1874, Amendment Bill, 1878: in committee—Customs Ordinance, 1860, Amendment Bill, 1878: in committee—Jetties Regulation Bill, 1878: second reading; in committee—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

STEAM TENDERS.

MR. SHENTON laid on the Table plans and specifications relative to the construction of steam tugs, or tenders, and some further information with regard to the estimated cost thereof, furnished by Messrs. Browne & Co., of Gravesend, which he thought would be useful in dealing with the question of providing a steam tug for service at Fremantle.

IMMIGRATION—EUROPEAN AND CHINESE.

IN COMMITTEE.

MR. CROWTHER, in accordance with notice, moved "That the House do now take into consideration the question of immigration." In the speech with which His Excellency the Governor had opened the present Session, the House was informed that, having reason to believe that the system of assisted immigration which had been in operation for the last three years was not conducted in conformity with the intentions of the House, or in the interests of the Colony—and in that expression of opinion he (Mr. Crowther) fully concurred—His Excellency had inquired into the matter, with the result that he had suspended all further immigration until the wishes of the House on the subject were made known. Various attempts had been made, from time to time, to introduce a suitable class of immigrants into the Colony, but, from some cause or other, very little success had hitherto attended these efforts. A system of purely assisted immigration was adopted about six years ago, and that did not answer. In 1873 another attempt was made to induce people from the Sister Colonies to come over—more particularly miners and gold-prospectors—and, with a view to en-