

when properly looked after, yielded a considerable revenue. Looking at the great destruction now going on, owing to the absence of any prohibitory regulations for conserving the beds, the Government felt it incumbent to introduce the present Bill, which it was hoped would have the desired result. The Bill, it would be observed, empowered the Governor to issue licenses to the owners of land bordering on the sea or any estuary—or to any other persons with the consent of such owners—to plant oyster beds, and to specify the seasons during which oysters might be fished. In the event of the Governor not being satisfied that the licensee was not properly cultivating the oyster ground, His Excellency would be empowered to revoke the license, and to appoint inspectors for the purpose of carrying out the provisions of the Act. The Bill also gave the Governor-in-Council power to frame regulations for the management and protection of public oyster fisheries, and to determine the seasons during which oysters may be fished and sold, and otherwise to provide for the protection and conservation of the fisheries. He did not apprehend there could possibly be any great objection to the Bill. It was proposed to pay the inspectors out of the fines recovered under the Act.

The Bill was read a second time, without debate, and its committal made an Order of the Day for Wednesday, 10th August.

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

LEGISLATIVE COUNCIL,

Wednesday, 10th August, 1881.

Defence of King George's Sound—Goats Bill: third reading—Consideration of Message No. 6, re employment of Crown Agents—Consideration of Message No. 7, re Timber Concessions to an English Company: Referred to Select Committee—Message (No. 10), re Protection of Natives in the Northern Districts—Message (No. 11), re Coastal Steam Service—Message (No. 12): Forwarding return—Loan Act, 1878, Re-appropriation Bill—Points of Order—Oyster Fisheries Bill: in committee—Adjournment.

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

PRAYERS.

DEFENCE OF KING GEORGE'S SOUND.

MR. STONE, in accordance with notice, moved, "That an Humble Address be presented to His Excellency The Governor, respectfully requesting His Excellency to furnish the Council with such information as he may be pleased to afford on the action taken by the Imperial Government in reference to the defence of King George's Sound, and also to inform the Council whether it is true that Col. Scratchley, R.E., leaves Melbourne for Albany on the 15th August, for the purpose of reporting to Her Majesty's Government on the defence of that Harbor, and that an officer of the Colonial Government has been directed to hold himself in readiness to meet Col. Scratchley at Albany." The hon. member said, although certain information with reference to this same subject had been asked for by the hon. member for Perth, the other evening, and a reply was given to the hon. member's question, still, he did not think that reply was all that hon. members would wish to have. The insufficiency of the reply made might have arisen from the fact that the hon. member did not give any notice of his question, and consequently the Colonial Secretary had not been able to obtain further information on the subject—for it should be borne in mind that the Colonial Secretary, under our present form of Government was not a responsible Minister, but simply an executive officer of a Crown Colony. The question, moreover, had reference to a question of Imperial rather than Local concern—though undoubtedly it was one of considerable interest to the public of this

Colony. Under these circumstances, he (Mr. Stone)—as hon. members would observe—had, in the wording of his motion, departed from the usual form when requesting information upon matters of purely colonial concern, and all he asked for was such information as His Excellency might be pleased to afford on the subject. He might mention that he had been guided by a precedent in one of the Parliamentary Journals of South Australia as to the wording of his resolution.

SIR T. COCKBURN-CAMPBELL said although the subject with regard to which information was sought was one of national concern, it was one that more nearly affected the district which he represented than any other district. At the same time he had no intention to second the hon. member's motion, for he thought the House had been treated with very scant courtesy indeed, by the Government, with reference to this matter, for one would have expected that the Government would only have been ready and willing to furnish the House with the required information on a subject of this public importance and public interest, without having to be pressed for such information. It was impossible to come to any other conclusion than that the information sought by hon. members of that House had been imparted, directly or indirectly, by His Excellency the Governor to that newspaper which was supposed to represent his views, and he thought the House had strong ground for complaint that the same information had not been vouchsafed to hon. members, without their having to refer for it to the columns of a public newspaper, and without having to ask for it, as a matter of grace, by an humble address. He considered that if such information as the House wanted was within the power of the Government to communicate, it ought to have been communicated to the Legislature at once, and fully, without the necessity of having recourse to humble addresses. For his own part he declined to have anything to do with this humble address.

The motion was then put and passed.

GOATS BILL, 1881.

This Bill was read a third time and passed.

CONSIDERATION OF MESSAGE (No. 6): EMPLOYMENT OF CROWN AGENTS.

On the Order of the Day for the consideration of His Excellency's Message (No. 6)—enclosing an extract from a Despatch received by Governor Weld from the Secretary of State relative to the employment of Crown Agents by the Colony—being read,

SIR T. COCKBURN-CAMPBELL said the House was aware that on Tuesday week he moved that an humble address be presented to His Excellency the Governor, praying that he will be pleased to furnish, for the information of the House, a copy of a despatch received in the year 1870 by Governor Weld from Lord Kimberley, then Secretary of State for the Colonies, informing him that, upon the adoption of a representative constitution, such as that which the Colony at present possesses, the Government of Western Australia would be at liberty to employ any other agency in lieu of the Crown Agents. That address, which was adopted by the House, requested His Excellency to furnish the Council with a copy of the despatch in question and not of a portion of it, and when he moved the address he stated the reasons which had induced him to do so, namely, the strong dissatisfaction which from time to time had been expressed with regard to the way the Colony had been served, not in financial matters, but in other transactions conducted by the Crown Agents on our behalf. Whether there were grounds for this feeling of dissatisfaction (as he said at the time he moved the address) he did not know, but he thought it was incumbent upon them to ascertain whether there was really any occasion for the Colony, in all its transactions with the mother country, to have resort to the agency of the Crown Agents. Consequently he moved for a copy of the despatch referred to, of the existence of which he was aware long ago. And what was the reply which the House received? The despatch in full was not furnished to them, but a little extract from it, to the following effect: "In answer to your (Governor Weld's) second question, I have to inform you that the Government of Western Australia, if it should cease to be a Crown Colony, would be at liberty to employ any other agency in

"lieu of the Crown Agents, though it would probably be found that none can do the work so cheaply and so well as the Crown Agents." What impression was that extract, taken by itself, likely to convey to anyone's mind? What impression did it convey to the minds of the majority of hon. members in that House? What impression would it convey to ninety-nine people out of a hundred, but this—that, being a Crown Colony, we were bound to employ the Crown Agents. It was dinned in their ears often enough that we were a Crown Colony, and there was not the slightest doubt in the world that, in one respect, we were, to all intents and purposes, a Crown Colony, and this extract, taken by itself, would lead anyone to suppose that it was incumbent upon us to use the Crown Agents. He should like to know why the rest of the despatch in question was not furnished to the House. Fortunately, he happened to have in his possession a copy of it, taken some time ago, and he would read the whole of it for the information of the House. It was as follows:

'WESTERN AUSTRALIA, }
'No. 41.

'Downing Street, 13th July, 1870.

'SIR,—I have to acknowledge your Despatch No. 56, of 23rd April.

'As regards the first question which you raise, if Western Australia should cease to be a Crown Colony, it would be no longer necessary to send home its accounts for audit, or to make the financial or other returns required by the Colonial Regulations 232 to 253, except in the case described in Regulations 254 and 255, the latter of which is now to be read in connection with the circular on the same subject of the 31st of May last.

'You may however understand, that the Colony would be considered as a Crown Colony if the Government nominees in the Legislature exceeded the elective members.

'In answer to your second question, I have to inform you that the Government of Western Australia, if it should cease to be a Crown Colony, would be at liberty to employ any other agency in lieu of the Crown Agents, though it would probably be found that none can do the work so cheaply, and so well, as the Crown Agents.

(Signed) KIMBERLEY.

'Governor Weld.'

Hon. members were aware that, according to the Colonial Office Regulations,

British colonies were divided into three categories—(1) Crown Colonies, pure and simple, in which the Crown has the entire control of legislation; (2) colonies possessing representative institutions but without responsible government; and (3) colonies possessing responsible government. He need hardly say that this Colony belonged to the second category, and it entered into that category when the number of the elected members in that House exceeded the number of nominated members. Therefore, within the meaning of the term "Crown Colony," as interpreted in the Colonial Office Regulations, this country had ceased to be such a Colony. The despatch in question was written just before we entered upon the existing form of Government,—Governor Weld being anxious to know whether, in the event of the change being adopted, the Colony would still be obliged to employ the Crown Agents. Lord Kimberley's reply was decisive on that point, in the despatch referred to, and which he had just read. "You may, however, understand," His Lordship said, "that the Colony would be considered as a Crown Colony, if the Government nominees in the Legislature exceeded the number of elected members,"—the converse of the proposition being, that, as soon as the number of representatives elected by the people outnumbered the nominee members, the Colony ceased to be a Crown Colony, according to the interpretation placed upon the term by the Colonial Office, and consequently it was no longer obligatory upon us to employ the Crown Agents. But anyone reading the extract furnished to the House from the despatch in question, without the context, would be led to believe that this Colony had not been relieved of that obligation, and it did seem to him most extraordinary that this portion of the despatch alone should have been forwarded to the House, when the whole despatch had been asked for, and when, if what had been asked for had been furnished, a very different impression would have been created in the minds of ninety-nine people out of a hundred. Without the context, the extract was, in fact, entirely misleading. He did not suppose—it would be improper on his part to do so—that the other portion of the de-

spatch was suppressed for the purpose of misleading; but, no doubt, it *was* misleading, and gave quite a different complexion to the question to that which it would have assumed had the whole despatch been furnished, in compliance with the terms of the address. This was the way in which the House was treated when it sought to obtain information of importance, affecting the public interests. This was not a private or confidential despatch, and he failed to see the slightest reason why the whole of it was not furnished to the House, as requested. He felt so very strongly with regard to the disingenuousness of the message that he felt it would be better he should say no more on the subject, beyond merely moving, as a matter of form, and with a view to place himself in order, the following resolution in reply to the message which it had pleased His Excellency to forward to the House: "That the Government of this Colony having been informed by the Secretary of State that if the number of elected members exceeded the nominees in the Legislature the Colony would no longer be considered a Crown Colony, and need no longer use the Crown Agents for the transaction of business, this House is of opinion that the Crown Agents should no longer be employed as a matter of course, but that the Government should use, on any particular occasion, such agency as under the circumstances may seem most advantageous."

MR. STEERE seconded the resolution.

MR. CROWTHER said all the House at present knew about the despatch referred to was simply what had been read to them by the hon. member for Plantagenet; and perhaps one of the hon. gentlemen sitting on the Government benches would be able to inform the House whether the despatch read by the hon. baronet was a genuine despatch or a spurious one. What the House asked for the other day was a copy of a certain despatch sent by Lord Kimberley to Governor Weld; instead of which they were treated to a bit of an extract from that despatch. He had read in a very old book about asking for bread and getting a stone, and it appeared to him that this was the principle upon which the House was treated in this matter. They had asked for a despatch and got an

extract. If the despatch was a confidential document, let them be told so, and no one in that House would ask to be furnished with its contents; but seeing that it was a public document relating to a question of public interest and importance, he thought the least that House might expect, when it asked for a copy of it, was that its request should be complied with. He did not think it was fair, or honest, towards the House that it should be only furnished with a mere extract, which taken by itself certainly conveyed a different meaning from the impression which the full despatch tended to create. He hoped the noble lord who represented the Government would be able to show the House that the hon. member for Plantagenet had got hold of some spurious despatch, which was never written by Lord Kimberley and which was consequently not to be found among the official records of the Governor's office. If such was not the case, if the despatch read to the House by the hon. baronet was a genuine document, then all he could say was—the House had not been fairly treated, when it was only furnished with a mere extract, giving a different complexion altogether to the question at issue from that which it assumed in the light of the despatch itself. It was not treating hon. members with that courtesy which was due to the House, and which he was sure every hon. member would wish to extend to His Excellency.

MR. BROWN said—though the matter, on the face of it, assumed a somewhat grave aspect, at the first glance—he did not think there was any ground to regard it with such seriousness as some hon. members seemed to do. The House adopted an address, requesting His Excellency to furnish for the information of the House a copy of a certain despatch received by Governor Weld from Lord Kimberley, informing him that upon the adoption of a representative constitution, such as that which the Colony now possesses, the local Government would be at liberty to employ any other agency instead of the Crown Agents. His Excellency, it was true, had not carried out the wish of the House entirely—he had not given them the whole of the despatch; but he (Mr. Brown) thought His Excellency had

furnished them with all that was necessary. His Excellency did not deny that we had ceased to be a Crown Colony, he did not take exception to the wording of the address, which set forth that the Colony at present did possess a representative constitution. His Excellency found no fault with that statement, and simply sent to the House that part of the despatch which appeared to him to apply to the question referred to, and such as would show the Council that it was quite competent for the Colony to employ other agents than the Crown Agents. No further light would have been thrown on the subject, he thought, if the remainder of the despatch had been furnished. His Excellency was well aware that this is not a Crown Colony now, and knew very well that that House was aware of it too; so he sent, for their information, such portion of the despatch as applied to the question at issue.

MR. S. H. PARKER said, as the representatives of the Government in the House appeared to be unable or unwilling to throw any light on the subject of this despatch, he thought it would be as well to adjourn the debate in order to enable them to do so. He would therefore move that the debate be adjourned until Friday.

Agreed to.

MESSAGE (No. 7): CONCESSIONS TO PROPOSED TIMBER COMPANY.

The Order of the Day for the consideration of the message received from His Excellency the Governor forwarding copies of a correspondence with Mr. Morrison, of Guildford, on the subject of certain concessions asked for on behalf of a company proposed to be formed in England for working the timber trade in this Colony (*vide* p. 203, *ante*), being read,

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said he was sure the subject referred to in His Excellency's message was one in which the House must feel a deep interest, well aware as hon. members must be of the importance to the Colony of its timber trade; and he need hardly point out what advantages would accrue if the scheme which had been put forward, on behalf of these English capitalists, by a

gentleman well-known to them all (Mr. Morrison), were carried out into fruition and attended with success. He had no intention of detaining the House in dilating upon the subject, for he thought it was one which, in the interests of the Colony and in justice to Mr. Morrison himself, it would be desirable to refer to a Select Committee, in order to enable that gentleman to afford the Committee, for the satisfaction of the House, such further information with reference to the project as he might be prepared to furnish. The proposal, it would be observed on reference to the correspondence which accompanied His Excellency's message, originated in January last, when a letter was addressed by Mr. Morrison to the Governor, in which certain proposals were put forward, on behalf of a syndicate of English capitalists, and a request made to be furnished with information as to how far the Government here would be prepared to accept those proposals. The correspondence was continued until February, when a letter was addressed to Mr. Morrison by him (the Commissioner), indicating how far the Government was prepared to go in the matter. One of the principal objections which had been raised to the proposals made by the Government to Mr. Morrison, as the local representative of the company intended to be formed in England, was the shortness of tenure in respect of the proposed lease, namely, fourteen years, and it would be observed that His Excellency, in his message, particularly invited the views of the Legislature on this subject; and the question to be considered was—whether it would be to the advantage of the Colony if the length of tenure were extended. There was, however, another question which would require consideration, namely, the question of immigration. It would be observed that the company proposed to import a large amount of labor, and they invited the views of the local Government as to what this Colony was likely to do to assist them in that direction. There were some other points which His Excellency had thought it desirable that the Council should have an opportunity of considering, and, with that view, the correspondence referred to had been forwarded to the House. He did not think he need

dilate any further, at present, upon the subject, and he would therefore move—that His Excellency's message be referred to a Select Committee, consisting of Mr. Brown, Mr. Venn, Mr. S. H. Parker, Mr. Stone, and the mover.

MR. MARMION said he had perused the correspondence in question, and from all he could judge of it, it appeared to him that the proposals made by the capitalists represented by Mr. Morrison had been withdrawn, to a very great extent, and he had expected to have heard from the hon. gentleman who had just sat down that, in the event of this Colony agreeing to extend the tenure of the proposed lease, the company would be prepared to renew their proposals. The position of affairs at present appeared to him to be this: the Colony was asked to place in Mr. Morrison's hands, for a period of six months, a large extent of land with which to speculate in the English market. He did not wish to throw any cold water whatever upon the scheme, but he did think that these gentlemen, the promoters of the company, ought to be prepared to lay some definite proposals before the Government of this Colony for its consideration, rather than that we should be expected to submit any proposals to them.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said the condition as to reserving the extent of land required by the projectors, for a period of six months had expired, by effluxion of time, and the land was now open for anyone who might choose to go in for it. The agreement with the company represented by Mr. Morrison was to reserve the land until June, and as the negotiations had not yet been concluded, that agreement had lapsed. The object which His Excellency had in view, in referring the matter to the House, was in order to ascertain how far they thought the Government would be justified in going, with respect to the concessions asked for, and particularly as to the length of tenure demanded. They were all fully alive to the importance of introducing capital into the Colony, for the development of its resources, and he believed there could be no doubt as to the *bona fides* of the gentlemen whom Mr. Morrison represented in this matter, and who were prepared to invest no less a sum than £200,000 in

carrying out their project for working the timber trade of the Colony.

MR. S. H. PARKER: I take it that the object of the hon. the Commissioner of Crown Lands in moving for a Select Committee is that the Committee should take into its consideration not only the question of granting these concessions to the particular company represented by Mr. Morrison, but also to consider the whole question, in relation to any other company that may hereafter wish to embark in the timber trade. There is no doubt whatever that at the present time there is money in abundance in the mother country available for investment in any enterprise offering a probability of yielding an ordinary rate of interest, and I think our efforts should be directed with a view, if possible, to direct a portion of this golden stream towards the shores of our own Colony. It cannot be expected that any company, requiring a large amount of capital, would go to the expense of providing machinery, introducing skilled labor, and erecting extensive workshops, if the tenure of their lease is only fourteen years. And this, I believe, is the principal objection operating in the case of this English company. I know that when Mr. Morrison went home a few months ago, he found that the promoters of the company were quite prepared, as soon as the negotiations were satisfactorily concluded, to embark no less than £200,000 for the purpose of commencing operations on a large scale somewhere in the Darling Range, and the only hitch was with regard to the length of tenure. It would take at least two years from the date of their embarking in the enterprise before they could hope to be ready to commence active operations, and I believe that, under our present Land Regulations, no person is allowed to cut down timber all the year round, but only for five or six months; consequently persons who take a lease for twelve or fourteen years would only be able to engage in felling timber for a period of six or seven years. We can therefore hardly expect any company to embark in a large undertaking such as that contemplated by this syndicate, unless they are granted a longer tenure than that. It is all very well for us to tell them, "Oh, it's all right, you are sure to have your lease

renewed ;” but shrewd business men are not likely to be satisfied with a simple assurance of that sort ; they want something more tangible, something they can rely upon, before they embark their hundreds of thousands in an enterprise of this nature. I think the proposal to refer this correspondence to a Select Committee is a very wise one, and the Committee no doubt will take into their consideration whether it would not be advisable, in the interests of the Colony, to endeavor to suggest some alterations in our Land Regulations, such as would be acceptable to the Secretary of State, and at the same time tend to induce such companies as these to settle in our midst, and embark their capital in the development of our natural resources.

MR. RANDELL: I shall not oppose the motion for the appointment of a Select Committee, although I confess I hardly see any necessity for it, as there are only one or two points which this House is asked to consider, and to express an opinion upon. With reference to the tenure, I believe it is out of our power to extend it ; that is a matter, I believe, which rests entirely with His Excellency the Governor—although, of course, we may recommend its extension, or otherwise. Another question which seems to me to require our attention is the question of the bounty which the projectors of the company ask in consideration of the introduction of skilled labor. I cannot conceive that there is likely to be the slightest difference of opinion on that subject. We have already approved and adopted the principle, and the system has been in force for some time past as regards nominated immigrants. I, therefore, do not apprehend there will be any opposition to the proposal of the company with reference to that point. As regards export duty—another point referred to in the correspondence—I do not think there would be much difficulty in arranging that. They do not ask anything unreasonable in this respect, or anything beyond what I believe this House might be fairly asked to assent to in the case of a company that proposes to introduce such a large amount of capital. All these points, it appears to me, are matters which we might discuss this evening, without the necessity of referring the correspondence to a Select

Committee. I think it is very desirable that we should offer every reasonable encouragement to induce such a company as this to embark in the development of our natural resources ; at the same time, I am of opinion that we should not be in too much of a hurry in making any further large concessions towards developing our timber trade, which is now established on a firm basis, and likely to develop itself without the aid of any artificial stimulus.

The motion to refer the Message to a Select Committee was then agreed to.

MESSAGE (No. 10): PAPERS *RE* TREATMENT OF NATIVES IN THE NORTHERN DISTRICTS.

MR. SPEAKER notified the receipt of the following Message from His Excellency the Governor, in answer to an Address moved by Mr. Steere, for the production of the papers which His Excellency in his despatch to the Secretary of State stated would throw light on the state of affairs in the Northern Districts of the Colony, as regards the difficulties which the Government experienced in adequately protecting the aborigines where the interests of the settlers are concerned. (*Vide* p. 154 *ante*):—

“In reply to your Address No. 3, the Governor regrets that he is unable to place on the Table of the Legislative Council the documents forwarded to the Secretary of State in his Despatch of the 9th March last, inasmuch as the larger portion of those papers are of a confidential character, which it would not be desirable to publish. The papers may, however, be seen at the Private Secretary’s Office, or the Governor will send them to the House in original, for the personal perusal of members, on condition that they are not published, and that they are returned to this Office before the close of the Session.

“Government House, Perth, 9th August, 1881.”

MESSAGE (No. 11): STEAM COASTAL SERVICE.

THE SPEAKER also announced the receipt of the following Message from His Excellency the Governor:—

“The Governor has given due con-

"sideration to your Address No. 20, of
"the 30th March, recommending that
"fresh tenders should be invited for the
"Steam Coastal Service at least six
"months before the termination of the
"present contract, and expressing an
"opinion that the present rates of freight
"between Albany and Fremantle are
"excessive.

"The present contract, embracing, as
"it does, an extended service to the
"North-West, is one which the owners of
"the steamers were very indisposed to
"enter upon; but Your Honorable Coun-
"cil having left the negotiations to the
"Governor, the point was pressed upon
"Messrs. Lilly & Co., who finally assented
"to the views of the Government and
"entered into a contract for 12 months
"certain, terminable thereafter at 4
"months notice on either side. It was
"well understood by both the Governor
"and the Contractor that no steps were
"to be taken to terminate the new con-
"tract until after at least 12 months
"working trial of the new arrangement,
"and therefore the Governor has felt a
"difficulty in carrying out the request
"contained in your Message of the 20th
"March, but he is happy to inform you
"that the Contractors are prepared to
"assent to a substantial reduction, not
"only of the freights between Albany
"and Fremantle, but to a general reduc-
"tion of the Coastal fares and freights,
"amounting to $12\frac{1}{2}$ per cent. and 25 per
"cent. respectively. The tariff of freights
"which the Contractors are willing to
"embody in next year's contract is for-
"warded herewith for your information.

"The Governor has further to inform
"Your Honorable Council that Messrs.
"Lilly & Co. are disposed to bring a
"third steamer into the service for the
"purpose of establishing more frequent
"communication with the North-West
"Coast (without at the same time dis-
"turbing the Inter-colonial trade, on
"which they mainly rely), provided they
"are guaranteed a contract for not less
"than three years or more than five.
"They are disposed to put on this third
"steamer without any additional subsidy,
"and to undertake that the modified
"tariff of Coastal passage and freight
"rates, already alluded to, shall not be
"exceeded; and as the Governor regards
"this offer as an exceedingly advantage-

"ous one for the Colony, he strongly
"recommends to Your Honorable Council
"to guarantee the continuance of the
"present subsidy for the period named,
"in order that he may complete the
"contract proposed.

"No doubt it may be said, that in
"binding ourselves to this coastal and
"colonial contract for three or five years,
"we place difficulties in the way of sub-
"sidising some line of ocean steamers
"which might possibly be disposed to
"make Fremantle a port of call. One is,
"however, a certainty, while the other is,
"to say the least, doubtful; and bearing
"in mind the extreme importance of
"maintaining a local service which shall
"supply the wants of the smaller ports,
"open up communication with the North-
"West, and at the same time stimulate
"Inter-colonial trade and community of
"business relations with South Australia
"and Victoria, the Governor cannot
"hesitate to put forward Messrs. Lilly's
"proposals as deserving of your favorable
"consideration.

"Government House, Perth, 9th Aug-
"ust, 1881."

THE COLONIAL SECRETARY (Lord
Gifford) moved, That this Message be
taken into consideration on Tuesday, 16th
August.

Agreed to.

MESSAGE (No. 12): FORWARDING RETURN.

"In reply to your Address No. 10, the
"Governor forwards a return showing
"the salaries drawn by Public Officers
"from Colonial Funds.

"Government House, Perth, 10th
"August, 1881."

LOAN ACT, 1878: RE-APPROPRIATION BILL.

The House went into Committee for
the further consideration of this Bill.

THE COLONIAL SECRETARY (Lord
Gifford) moved that, in lieu of the item
"Crane for Albany, £250,"—which he
had moved to strike out on the previous
day—the item "Jetty improvements at
Albany, £250," be substituted. The
Government had since found that the
Municipality did not care so much for a
crane, as for improved warehouse accom-

modation, and the present vote would meet their requirements.

The item was then agreed to.

Item—*Extension of Bunbury Jetty, £500* :

Agreed to without discussion.

Total of schedule agreed to.

Preamble and title agreed to.

The House resumed, and Bill reported.

THE COLONIAL SECRETARY (Lord Gifford) moved, That the report be adopted.

MR. STEERE moved, as an amendment, "That all the words after 'That' be struck out, and the following be 'inserted in lieu thereof: 'Guildford Bridge, £700, be added to the Schedule.'" Hon. members, he was sure, would upon further consideration regret having struck out this vote the other evening, and would no longer offer any opposition to the fulfilment of the pledges given to the people of Guildford with regard to providing them with means of crossing the river. Of course he agreed with what had been said by the hon. member, Mr. Stone, on the previous day, that the action of a former Council could not be held to be at all binding upon the members of the present Council, especially if they had not also been members of the former Council; but, although he acknowledged that, he thought that to a certain extent they should endeavour to carry out any pledges made by the House, so long as they could consistently do so,—although not obligatory on their part. With regard to the cost of the proposed bridge, an estimate had been framed by the Director of Public Works that a bridge could be constructed for this sum (£700), and as he (Mr. Steere) was not sufficient of an engineer to contradict the Director's figures, he took it for granted that the bridge could be built for this money.

POINT OF ORDER.

MR. SHENTON rose to a Point of Order. This question was under the consideration of the House in Committee yesterday, and it was resolved, on a vote of the majority, that the item should be struck out. Was it competent for the hon. member now to move the re-insertion of the same item?

SIR T. COCKBURN-CAMPBELL: The hon. member does not seem to be aware that the House is in no way bound by what the Committee may do.

THE SPEAKER ruled that the motion was in order, as it was quite competent for the House to amend the report of the Committee, and to amend a Bill at every stage. "In passing Bills," *May* said, "a greater freedom is admitted in proposing questions, as the object of different stages is to afford the opportunity of reconsideration; an entire Bill may be regarded as one question, which is not decided until it has passed." The present Bill had not passed. Upon this principle it was laid down by Habsell, "that in every stage of a Bill, every part of the Bill is open to amendment, either for insertion or omission, whether the same amendment has been, in a former stage, accepted or rejected." And, again, *May* said: "The same clauses or amendments may be decided in one manner by the Committee, and, in a second, by the House on the report.....and yet the inconsistency of the several decisions will not be manifest when the Bill has passed."

The amendment submitted by Mr. Steere was then put.

POINT OF ORDER.

MR. BROWN raised another Point of Order. Would not the proper course have been to have submitted the amendment in Committee? This was clearly a question of finance—of voting money—and therefore ought it not to have been considered in Committee?

MR. SPEAKER: The amendment moved by the hon. member for the Swan is an amendment upon the Bill as it came out of Committee, and the Bill, with the amendment, will again have to be referred to the Committee. It will then be for the Committee to deal with the item as it thinks fit.

MR. BROWN referred to Standing Order No. 88, which provides that "when a Bill shall have been reported with amendments"—as this Bill had been—"it may be ordered to be printed as amended.....and when the motion is made for the Bill being read a third time it may, on motion, be re-committed for further amendment." It appeared

to him, in the face of this Standing Order, that the proper time for the hon. member for the Swan to move his amendment would be upon the motion for the third reading of the Bill.

SIR T. COCKBURN-CAMPBELL suggested that the hon. member for the Swan should withdraw his amendment for the present, and, on the Order of the Day for the third reading of the Bill, to move its re-committal, with the view of making this amendment. That would extricate the House from the difficulty in which it appeared to be placed.

MR. STONE thought the best way to deal with the question would be to refer the report of the Committee (which had not yet been adopted) back to the Committee for amendment.

MR. STEERE said he had no objection to do that, and, with leave, withdrew his amendment.

MR. S. H. PARKER then moved, That the Bill be now re-committed for further amendment.

Agreed to.

IN COMMITTEE.

MR. STEERE moved, That item "Guildford Bridge, £700," be added to the schedule.

MR. BROWN: I feel that even now we are out of order. I think our proper course would be to report the Bill, and proceed according to the rule laid down in the Standing Order to which I have already referred. There is no instruction to the Committee whatever from the House, as regards this amendment.

THE CHAIRMAN OF COMMITTEES: The Point of Order, if Point of Order it be, ought to have been raised before, when the motion "That the Speaker do now leave the Chair" was put.

The matter then dropped.

MR. S. H. PARKER pointed out, as regards the amendment submitted by the hon. member for the Swan, that it merely authorised the Director of Public Works to build a bridge, but not such a bridge as would impede the navigation of the river.

MR. RANDELL would like some more authoritative assurance on that point, than that of the hon. member for Perth.

THE COLONIAL SECRETARY (Lord Gifford) said the bridge would be one

that would not obstruct the navigation of the river, the intention of the Government being to place a foot bridge alongside the railway bridge, and on the same level.

The question was then put—"That this item be added to the schedule."

The Committee divided as follows:—

Ayes	11
Noes	7

Majority for ... 4

AYES.
Lord Gifford
The Hon. A. C. Onslow
The Hon. M. Fraser
Mr. Burges.
Mr. Burt
Mr. Hamersley
Mr. Marmion
Mr. S. H. Parker
Mr. S. S. Parker
Mr. Randell
Mr. Steere (Teller.)

NOES.
Mr. Brown
Mr. Crowther
Mr. Grant
Mr. Higham
Mr. Stone
Mr. Venn
Mr. Shenton (Teller.)

The motion was therefore carried.

Question—that the total, as amended, £4,950, stand as the total of the schedule—put and passed.

Bill reported.

OYSTER FISHERIES BILL, 1881.

The House went into Committee for the consideration of this Bill in detail.

Clauses 1 to 8 were agreed to without comment.

Clause 9: "Copy of license to be evidence:"

THE ATTORNEY GENERAL (Hon. A. C. Onslow) moved that this clause, which was clearly unnecessary, being already provided for in the 5th clause, be struck out.

Agreed to.

The remaining clauses of the Bill were adopted *sub silentio*, also the schedules, preamble, and title.

Bill reported.

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