

month, remaining there about twenty-four hours, take in coals, and possibly land a few passengers, and then proceed to the more favored lands of South Australia and Tasmania. He thought it a matter for serious consideration, whether the Colony could, at the present time, expend this sum of money upon such a scheme. Possibly it might afford to offer the lesser subsidy (£3,000) by way of experiment; but when it came to £5,000 he thought the House should pause before committing the Colony to such an expenditure.

MR. BROWN said he would not be prepared to accept Captain Coote's proposal in the shape in which it was then before the House: of course that gentleman could not expect to have it all his own way, and the probability was, he might be induced to perform the precise service which we require.

MR. HAMERSLEY said he fully endorsed every word that had fallen from the hon. member for Perth (Mr. Randell). The objections raised by the hon. member for Fremantle (Mr. Marmion) appeared to him to be quite beside the question. If there was any reason in them, he (Mr. Hamersley) would have been prepared to have gone with the hon. member; but there was no reason in his objections. As for our not being able to produce sufficient articles to export, if such really was the case, then indeed was our position far worse than he had ever conceived it to be. It was said that we could not afford to pay this £3000 now: how was it, then, we could afford, years ago, to give a subsidy of £4000 to the *Georgette*? Surely we could better afford it now than then. Personally, he was of opinion that the scheme would be a remunerative one. So long as we traded with the neighboring colonies, we should find that the balance would be in favor of those colonies; but, if we traded direct with India, we should find that we had the best of it. If hon. members were afraid to launch out to this small extent, better collapse at once, and give up the ghost. They reminded him of a snail, frightened of its own shadow. As to the question whether it would be better to expend the money on a railway or in establishing steam communication with India, he thought the latter the most important. What would be the use of a railway

between Guildford and Fremantle unless we could export the surplus produce brought down by that railway. If the hon. member for Swan would increase the amount of the subsidy to £5000 for one steamer, and £8000 for two, he (Mr. Hamersley) would have much pleasure in supporting him.

MR. RANDELL moved, That progress be reported, and leave given to sit again. Agreed to.

LEGISLATIVE COUNCIL.

Monday, 14th August 1876.

Public Works: Motion by Mr. Steere.

PUBLIC WORKS.

MR. STEERE rose to move the following resolution standing in his name:—

(1.) That this Council regrets to find that the Government have expressed no intention of introducing, for its consideration, any proposed scheme of Public Works. (2.) That it is absolutely essential, for the future progress and well-being of the Colony, that a comprehensive system of Public Works, combined with Immigration, should be initiated without delay. (3.) That a select committee be appointed to consider and report to the Council what Public Work could be most advantageously commenced, keeping in view its extension and connection with future undertakings, whether Railways or Harbor Works.

The hon. member believed everyone would agree with him that the motion was a very momentous one, and deserving of the most serious consideration of the House. He considered the present position of the Colony a very critical one. There was a great falling off in the exports in connection with three of the staple industries of the Colony, which alone represented a revenue of £100,000, and he had no doubt that other industries would be much depressed, regard being had to the very unfavorable prospects of the season. Unless the Colony were soon blessed with a copious and continued

downfall of rain, thousands of sheep and cattle would perish; and the time had arrived for that House to consider and determine what should be done to avert the impending crisis. He could not, and he did not, agree with the representations made in His Excellency's opening speech as to the prosperous financial condition of the Colony. It was quite true that there was a considerable balance in the Treasury Chest, but it was merely a balance accruing from appropriated votes which remained unexpended, and as such was not available for other expenditure, as many hon. members seemed to think. Of that balance, a large proportion consisted of the vote of last year for the Eucla telegraph line, £12,000 of which remained to be expended, and that sum, as well as other amounts, would have to be deducted from the balance lying idle in the Bank. Under these circumstances—under these depressing circumstances—he thought it was but reasonable that the House and the public should look to the Executive Government, who were responsible for the administration of public affairs, for the initiation of some scheme of public works which, by the introduction of capital and the accretion of population, would enable the Colony to tide over the difficulties staring it in the face. But in looking over the speech with which His Excellency opened the Session, and which must be regarded as indicative of the policy which the Government proposed to pursue, he failed to discover the slightest intimation that it was intended to undertake any public work of importance or utility. It was a most meagre programme; it displayed no progressive policy; and although he was astonished he was not disappointed thereat. He had not supposed that the Government had entertained any intention to initiate a system of public works, but rather to find out what was the feeling of the House on the question; and, provided that feeling was discovered to be favorable to the inauguration of such a scheme, to approve of it. The House, in fact, had been asked to dwell in a fool's paradise, and he, for one, did not mean to do so. The time had arrived, if the Government would not do so, that the Council must undertake and carry out a comprehensive and progressive system of public works calculated to develop the resources and advance the

prosperity of the Colony. On the part of the Government, it would probably be said that the House last year had agreed, by a resolution, to refer Home one very important undertaking—harbor works at Fremantle, and that the course thus pursued had precluded the Government while that question was in abeyance from bringing forward any other public work in the meantime. He did not think that the resolution referred to pledged the Government to anything of the kind. He would read it to the House:—"This Council, without expressing any opinion upon the scheme recommended by the select committee, would urge upon His Excellency the Governor the desirability of referring the whole question of harbor works at Fremantle, accompanied with the charts and plans from time to time laid on the table of the House, to some competent authority in England, on whose character and experience in works of this nature we may rely for a practical solution of the difficulty, and that such authority may be asked to report what may be the best scheme to adopt that may at the same time be within the means of the Colony, and embrace the advantage, as far as possible, of wharfage accommodation." He saw nothing in that resolution which prevented the Government from proposing to the House some other public work. The Government might think otherwise, but he could not conceive how they could possibly have formed such an impression, for it must be in the recollection of hon. members that after that resolution was carried another motion was affirmed expressive of the desirability of the Government introducing, at the present session, a Bill providing a guarantee on the amount of capital necessary for the construction of a proposed railway from Fremantle to Guildford; thus, he thought, clearly showing that there was no idea on the part of the members of that House that the Government should be limited to the harbor works scheme, but that other works,—and especially this particular railway—should be undertaken and carried out concurrently with harbor improvements, or pending that vexed question being solved. If that was the only excuse the Government had to offer for not submitting for the consideration of the House, at the present session, some

scheme of public works other than that referred to by Sir John Coode, then all he had to say was, he thought it a very poor excuse indeed. He was speaking out rather plainly in thus condemning the meagreness of the political programme put forward by the Government, but he considered he was fully justified in his remarks, regard being had to the fact that His Excellency in a speech with which he had opened a previous session of the Legislature had intimated to the House that the Government must ever be held responsible for the general conduct of legislation, and that the Governor, under the present constitution, occupies a position analogous to that of prime minister. He had heard it rumoured,—somewhat to his surprise and amusement—that this motion of his was regarded in certain quarters as a cloak under which to get in the thin edge of Responsible Government. Now, a more ridiculous assertion was never made in this world. He thought hon. members knew him well enough to be aware that, if he had wished to bring forward a motion in favor of Responsible Government, or anything else, he should bring it forward in a straightforward manner. He thought this rumour about the motion before the House being a cloak for the introduction of the thin end of the wedge of self-government had been circulated with a view to frighten hon. members from voting in favor of the resolution. Responsible Government had not been in his mind at all since reading His Excellency's despatch, dated 14th October, 1875, addressed to the Secretary of State for the Colonies, in which His Excellency stated that, in conversation with many leading colonists, he had endeavored to dispel the impression that Her Majesty's Government were opposed to a liberal interpretation of the land regulations, or to the policy of borrowing money for reproductive public works. This assurance of His Excellency had led many of those who were formerly advocates of Responsible Government to alter their tone and accept the situation, and he trusted that when His Excellency forwarded home, for the sanction of the Secretary of State, any proposal adopted by the House in favor of public works, approved of by His Excellency, the expressed wishes of the Council would be acceded to. In the

present circumstances of the Colony, he considered that no project was so calculated to tide us over impending difficulties, by developing the resources of the Colony, as that affording increased facility for internal communication. It was no use establishing farmers on our land unless we gave them a cheap and expeditious means of transporting their produce to market. He believed he was correct in saying that the present cost of bringing down a ton of wheat from York to Perth was from £2 10s. to £3 per ton—a price which, everyone would allow, would not pay the farmer for his trouble. The average quantity of corn to the acre in this Colony was ten bushels, which at 6s. per bushel would only yield £3, which, after deducting the cost of transport to market, left no profit for the cultivator. He repeated, nothing in his opinion would tend so much as internal railway communication to the advancement of the Colony, and to enable us to tide over the impending crisis. That crisis was not upon us yet, but all must be convinced that a period of difficulties was at hand. The revenue did not as yet show any portentous diminution, but, regard being had to the depression which must be caused by the fall in the prices of our staple products, and the gloomy prospects of the coming season, there must be a very material falling off next year, and the only way they could hope to counteract the effects of that reduction, was by agreeing before they separated upon some comprehensive scheme of public works, to be inaugurated without delay. He understood that a proposal had been made to the Government to undertake the construction of a railway from Fremantle to Guildford, on conditions that the Colony guaranteed interest at the rate of six per cent. upon the capital expended in the construction of the line. His Excellency, in his opening speech, alluding to this project, expressed an opinion that it would be better to undertake and carry out the proposed railway as a purely Government work than to guarantee interest to others for the lengthened period required. In that opinion, he (Mr. Steere) fully concurred. The Colony could raise the necessary capital at a rate of five per cent.; and, with two per cent., in addition, towards forming a sinking fund, the railway

would be paid for in the course of twenty-eight years and remain in possession of the Government—simply by the payment of an additional one per cent. upon the interest proposed to be paid to the private firm offering to construct the line under a guarantee system. It must also be considered that, after this line were completed by a company, the Colony would have, at its own expense, to extend it to the Eastern districts; so that there would be two systems of management, than which nothing could be more subversive of proper and efficient control. He did not mean to say that he wished this particular work to be undertaken in preference to that of harbor works. When Sir John Coode furnished us with his report—he seemed a long time about it—he trusted the Colony would be in a position to carry out the two projects concurrently; but to wait for that report before initiating any other public work would be to remain inactive for another twelve months, and, in the present condition of the Colony, we could not afford that. His motion was not intended to bind the Council to any particular public work. He proposed that a select committee should decide what work could be most advantageously commenced, and he was prepared to abide by their decision, although that decision might not be in accord with his own views and desire. He believed the resolution before the House was regarded by his friends on the opposite bench as a vote of want of confidence in them as members of the Executive Government. It was not so. If they formed a responsible ministry, he should himself regard the motion in that light, and he had no hesitation in saying that he would carry it against them; for no responsible ministry would ever have come into the House at the beginning of a session with such a programme, or policy, as they had done. Policy, indeed, they had none, for they came into the House fishing among the elected representatives for a policy, which he would now submit for their adoption, in the resolution which stood in his name.

MR. CROWTHER said it afforded him much pleasure to second that resolution. In doing so he deprecated the idea that it was intended in any way as a mark of want of confidence in the Executive Government, the sole object in view being

the advancement and prosperity of the Colony. He did, however, think that such a motion would have come with better grace from the Government itself than from that side of the House: but as the Government had not, in its wisdom, thought it better to bring forward such a motion, he thought that no other course was open but that adopted by the hon. member for Wellington. In reading over the resolution of last year with regard to the question of harbor improvements, he could not conceive how any man could have understood that resolution as binding the House or the Government to that particular work in priority to, and to the exclusion of, every other. A good harbor at Fremantle was unquestionably a desideratum, but he could not bring himself to think that the salvation of the Colony depended on our having a good harbor at Fremantle. That was not all we wanted. If we had the best harbor in the world, a bushel of wheat at York would be of no greater value than now, unless indeed we at the same time provided the wheatgrower with a cheap and expeditious means of transporting his produce to market. In supporting the resolution before the House, he did not conceive how it could be construed into a vote of censure or want of confidence in the Executive; he was sure it was not intended as such, but that the sole aim and object of the hon. member for Wellington was the adoption of some scheme which may tend to avert commercial stagnation and at the same time lead to the ultimate progress of the Colony. About the ultimate progress of the Colony, he (Mr. Crowther) entertained no doubt. That we were on the eve of a crisis he had no doubt either. From the east to the west, from the north to the south, the cry of want of rain was heard, and a great calamity was hanging over the country. Something must be done to enable the Colony to tide over the present depression, and nothing could be so conducive to that end as the inauguration, by means of borrowed capital, of a comprehensive system of public works, combined with immigration.

MR. RANDELL rose to move an amendment. The motion before the House was premature; there were many questions to be settled before it could be agreed to, as, for instance, what route the

proposed railway should take, whether between Fremantle and Guildford, or between Guildford and the Eastern districts. There was no definite scheme before the House or the country. True, there had been a project submitted for their consideration last session, and recommended to the favorable notice of the Governor by the House; but he ventured to say that the whole of the statistics put forward in support of that project were fallacious, untrue, and deceiving. He, therefore, looked upon the resolution adopted by the Council in the matter as a mere myth. Even the character of the proposed line had not been agreed upon, nor even the gauge. In the valuable report recently laid before the House—it was a valuable report, although, he confessed, he did not agree in all the writer's conclusions—he alluded to the report of the Government Engineer—it was clearly shown that the gauge which had been adopted on the railway at Champion Bay was a gauge altogether inapplicable to the practical requirements of the Colony, and it became a very serious question whether in any future undertakings of the kind the same gauge should be adopted, or whether there were good reasons for breaking the gauge—either alternative being equally undesirable. Again, the question of cost had to be considered. What expense was the House and the country prepared to incur? Was it intended to construct a railway that would cost £2,000, £4,000, or £6,000 per mile? The report of the Government Engineer pointed out pretty clearly that the line would not cost less than £5,000 per mile, judging from the cost of the Geraldton and Northampton line. That line—and this was another reason why he was opposed to the motion before the House—was not yet finished, and he thought it very desirable that no other railway should be undertaken until that line be completed. Then, again, there was the all-important question of harbor improvements, remitted home in pursuance of a resolution of the House, and to which no reply had yet been received. Until that reply came to hand, he thought it would be very undesirable to pledge the resources of the Colony to any definite scheme of public works. Indeed, it appeared to him that the Council was bound to wait for that reply, before committing itself to any other undertaking.

Even if the Colony were prepared to carry out two such important and costly works as a railway and harbor improvements concurrently, it appeared to him to be highly advisable, before determining upon the route and terminus of the railway, to ascertain first how it would dovetail in with the scheme of harbor works which the eminent authority to which the question had been referred might recommend for adoption. But he doubted whether the Colony could afford to carry out two works of such magnitude at one and the same time. Our public debt now amounted to £135,000, and the Council had voted another £26,000, which, if sanctioned by the Imperial Government, would increase our indebtedness to £161,000, which, among a population of 27,000, amounted to nearly £6 per head. Taking the number of adults at 7,000—which he considered a fair estimate of the taxpaying section of the population—our liabilities already amounted to about £21 per head. He would like it to be shown that the Colony was in a position to bear this heavy burden. It was all very well to go on borrowing, but let us just see our way clear to repay what we do borrow. No honest man would think of borrowing money unless he had some clear prospect of paying it back; and the same principle should guide States as well as individuals. The hon. member for Wellington, in moving his resolution, disclaimed any ulterior motive, and denied there was any intention to cast a vote of censure upon the Administration of the day. He (Mr. Randall) was glad to accept that disclaimer, for he could not conceive how a resolution so worded could by anyone but the framer be twisted to any other construction than a vote of censure upon the Government—a vote altogether undeserved. He did not think that, under the existing circumstances of the Colony the Government were bound to come down to that House with any comprehensive scheme of public works; and one public work of paramount importance had already been referred home. He took it to be the duty of the House clearly and emphatically to express its opinion with reference to any comprehensive scheme of public works, before expecting the Government to introduce any such scheme. He thought they had had it pretty clearly shown to them that the Government was prepared to go to any

reasonable length in the promotion of public works. Taking time by the forelock, His Excellency had already ascertained the Secretary of State's opinion, and obtained his approval, as to the principle which should guide the Government in the construction of the proposed railway, so as to enable His Excellency to deal with the matter when it came definitely forward, without further delay as to the principle upon which the Government should undertake the work. The hon. member for Wellington appeared somewhat inconsistent in this matter. When taxed with not having adopted the usual course of moving the adjournment of the debate on the Address in Reply, the hon. member said it would be futile to continue to pursue that course so long as we had not a responsible ministry, whose continuance in office depended upon the result of the debate. What, then, he would ask the hon. member, was the use of bringing forward a motion like that before the House—which, *prima facie*, was a vote of censure—if, in carrying it, he could not unseat the present ministry and put another ministry in their place. He thought the hon. member also took too gloomy a view of the aspect of colonial affairs. Two or three years ago the hon. gentleman came down to that House with a motion calling upon the Council to take into consideration the critical position of the Colony, when he took a still more gloomy view of the country's prospects. [Mr. STEERE: Nothing of the sort.] He spoke from memory. Close upon that motion came a resolution from the hon. member in favor of the adoption of Responsible Government, which resolution the Council, in an evil hour, agreed to. But the hon. gentleman seemed to be frightened at the ghost he had raised, and Responsible Government seemed farther off now than it was when the resolution in question was adopted. Since that time, however, the Colony had experienced seasons of prosperity and advancement, and he firmly believed that, with God's blessing, it would tide over the depression which was now felt in regard to some of our staple products. There was yet time for rain, and the season might yet be a very favorable one, both for the agricultural and the pastoral interest. He saw nothing to fear in the immediate future. This motion of the

hon. member for Wellington, blaming the Government for not initiating a scheme of public works, appeared to him to savor of the feeling so long existing in this Colony that the Government should do everything. This was the cry constantly on the lips of the people of this Colony; it was a feeling showing a want of energy and independence of spirit which did not augur well for the progress of the country. He believed the time was approaching when the Colony might fairly undertake to construct a railway to connect the Eastern Districts with Guildford,—for this, in his opinion, was the line that should be first undertaken. A railway between Fremantle and Guildford would not enable the settlers of the Eastern districts to save one sixpence. If the House, after careful consideration, should adopt a motion in favor of the construction of a railway from Guildford to York, he would not withhold his support, but would give his vote in favor of such a motion. He had intended to have made a few remarks with reference to the constitution of the select committee proposed to be appointed, but he would not trespass further on the patience of the House. He was, however, rather inclined to think that this was a question which should be first considered in a committee of the whole House, and, if deemed advisable to refer it to a select committee, the committee should be elected by ballot. He did not think that a fair selection had been made, regard being had to the object in view. The hon. member concluded by moving the following amendment:—

That the Council is of opinion that it is undesirable to pledge the resources of the Colony to any definite scheme of Public Works until an answer to the question relative to the proposed Harbor Works at Fremantle—which has been referred, at the request of this Council, for the consideration of some eminent engineer in England—shall have been received. Resolved, further, that His Excellency the Governor be respectfully requested to summon a special meeting of this Council, on receipt of such answer before referred to, with a view to such legislation as may be deemed advisable by this Council to give effect to the recommendation of such engineer, if adopted, or to the consideration and adoption of such other scheme of Public Works as may be decided upon concurrently or as an alternative.

MR. BURGESS could not agree with much that had fallen from the hon.

member who had just sat down. He would support the original resolution submitted by the hon. member for Wellington, whose sentiments he fully endorsed. He had fully expected that His Excellency the Governor when, in the capacity of Prime Minister he came down to that House with a programme of the work of the session, would have introduced some progressive scheme to push the Colony ahead. But he had been disappointed. This Colony had been forty-six or forty-seven years established, and he thought the time had arrived when something should be done to drive it ahead. He saw no means of doing that, other than by initiating some progressive measures, and inaugurating a system of public works. He thought this was the opinion held by most right-thinking people. He did not believe that the hon. member for Wellington was actuated by any other feeling than a desire to obtain an expression of opinion on the part of the House as to the best course to pursue in order to tide over the period of depression now before us, and to promote the advancement of the Colony. That was what should be considered by that House. If he had his will, he, for his own part, would like to see the country borrow a couple of millions. It was only by a bold stroke that the Colony could be saved, and made to prosper. What was wanted was an increase of population, and nothing but the initiation of public works would induce people to come to the Colony and remain here. If the House could not do that, then hon. members might go home and attend to their own business. Some hon. members argued that it was no use initiating any public works, while the question of harbor works at Fremantle was in abeyance. He did not see the force of that argument. Harbor works would not save the Colony. We must have increased facilities for internal communication, otherwise, what would be the good of harbor accommodation. He was decidedly in favor of harbor improvements at Fremantle, and he would like to see them carried out at once: but he also wanted to see some other works of public utility started, such as a railway to connect the agricultural districts with the metropolis and a port of shipment. Without some such scheme of public works, the Colony would not

advance more than it had done during the last twenty-five years. He deprecated the notion that the resolution before the House was intended as a vote of censure upon the Government, and he trusted the Executive would not regard it in that light. He did not do so.

Mr. SHENTON said, although he did not agree with all that had fallen from the hon. member for Perth (Mr. Randell), he was free to confess that it did seem to him, upon second thought, that the first clause of the motion submitted by the hon. member for Wellington did to a certain extent reflect censure upon the Executive in not bringing forward any scheme of public works. It appeared to him that this was casting blame upon the Government before the House knew exactly what line of policy they proposed to carry out during the session; for he did not think it was incumbent upon His Excellency in his opening speech to sketch out every particular measure which the Government had in view. Nor could it be fairly said that no allusion was made in the vice-regal address to the question of public works, for, on reference to it, it would be seen that mention was made of the proposed railway between Fremantle and Guildford, and correspondence with reference to that project had been communicated to the Council. His Excellency went still further, and declared the principle which, in his opinion, should guide the House in dealing with the scheme. As to the Government coming down to the House with a comprehensive and full-fledged scheme of public works, while one of the most important and most necessary undertakings—harbor works at Fremantle—was under the consideration of an eminent authority to whom it had been referred by the House, he thought the Government had acted very properly in not bringing forward, pending the receipt of Sir John Coode's report, any scheme of public works, in the shape of railways. It was evident, from the tenor of His Excellency's speech, that the Government regarded the project of connecting Fremantle, Perth, and Guildford with favor, although opposed to the principle upon which the promoters of that line were desirous of constructing it. In that respect he was altogether in accord with His Excellency. He was opposed to public railways being

undertaken and carried out by private individuals; all such undertakings should be the property of the State. It was his intention to move that the Government should instruct their Engineer to have the country between Fremantle and the Eastern Districts thoroughly examined, with the view of discovering its adaptability for a line of railway, and also to collect what reliable data and other information he could, with the object of reporting to the House upon such a scheme. If, after due consideration to that report, the Council recommended that the work be undertaken, he believed the Government would only be too glad to carry out the wishes of the House—provided, of course, the public resources admitted of such a work being carried out. If, on the receipt of Sir John Coode's report, it were discovered that the scheme of harbor works he recommended for adoption should be too costly for the colony, then, he thought, they should at once decide upon a scheme for bringing the Eastern Districts into more rapid and easy communication with the port of Fremantle. In the meantime, he thought the House could act no wiser part than to refrain from pledging the resources of the Colony to any definite scheme of public works until Sir John Coode's reply had come to hand. The hon. member for Nickol Bay appeared to be a little inconsistent in his speech; in one breath he talked about the depressed circumstances of the Colony and also of borrowing a couple of millions. He (Mr. Shenton) did not take that gloomy view of the prospects of the colony which some hon. members did. He entertained a hope that the present depression would not last, and that before long the Colony would be in prosperous circumstances. That we wanted an increase of population from outside was well known, and that we stood in need of improved facilities for internal communication was true enough, but he did not think there was any ground for desponding. He thought it would tell against the credit of the Colony to proclaim to the world that we were bordering on a state of insolvency. We should, as far as possible, keep our troubles to ourselves. As to inaugurating public works, he repeated he thought it would be wise to wait for Sir John Coode's report before commit-

ting ourselves to any other project. For that reason he seconded the amendment before the House.

MR. PADBURY fancied the Government, as well as every member in that House, must be anxious to commence and carry out public works. He did not think it was absolutely necessary to wait for the opinion of Sir John Coode as to harbor improvements before dealing with any other public undertaking; nevertheless, if he thought that the resolution of the hon. member for Wellington was in any way intended to reflect discredit, or to cast a vote of censure upon the Administration of the day, it should not receive his support. His belief was that the Government were as anxious as hon. members were to promote the welfare of the Colony. So long as he held a seat in that House, he should never stand up to blame the Government for not lavishly expending the public funds. It appeared to him that before they undertook to borrow more money they should first of all learn the art of judiciously spending it. He did not think that the £160,000 already borrowed had been judiciously expended—a large portion of it had, in fact, been thrown away. He was not afraid of debt, nor was he afraid that the Colony could not afford to borrow to the extent of about £500,000; but he would not vote another penny unless he was thoroughly satisfied that the money would not be lavished away as it had been. He did not blame the present Administration for that lavish expenditure. Our Civil List was a very heavy item, and he thought the present Government would have the not altogether pleasant task of reducing it; and he should be glad to go with them on that point, for he believed that the public service of the Colony could be efficiently conducted and maintained at a far less cost than at present. He did hope there would be an end to the everlasting increase of salaries which had been going on, and to the reprehensible practice of creating fresh offices in the public service, until, at any rate, the revenue admitted of such practices. Since Governor Hampton's time, up to the present, the affairs of the Colony had been administered by very lavish Governments, and it was high time that an end should be put to any further extravagance. With regard to

the proposed line of railway, if it is to be made at all, let it be made by the Government, most decidedly. With proper supervision, the Government would carry it out much better, if not cheaper, than a private company.

MR. MARMION said he intended to support the resolution of the hon. member for Wellington, and in doing so he could but reiterate the expression of regret at the barren programme disclosed in the vice-regal speech delivered at the opening of the Council, and which must be regarded as an outline of the policy which the Government proposed to carry out during the session. He alluded more particularly to the absence of any public work proposal, of importance or utility. He was aware that the matter of harbor works had to a certain extent been held over for the decision of a competent authority in England; at the same time he failed to see anything in the resolution of the House (which remitted that question home) to preclude the Government from bringing forward any definite scheme of public works this session. He did not take so gloomy a view of the prospects of the Colony as some hon. members appeared to do, and he thought it was very bad policy to parade our poverty before the eyes of the world. The public revenue had been steadily increasing for some years past, and the present depression was, he trusted, and believed, transient. It had been questioned whether the Colony was in a position to enter further into debt; he believed it was. He believed we would be justified in borrowing to the extent of say £500,000; and, to prove that to some extent he was right, he would remind the House that for the last two or three years large sums of money had been voted out of current revenue to carry on public works of considerable magnitude and importance which should have been undertaken and carried out by means of a public loan. Had the sums expended on these works been devoted to the payment of interest upon borrowed capital, judiciously invested, we should have been in possession of a railway from Fremantle to Guildford years ago, and be now in a position to extend it to York. It might be stated—that this motion, indirectly blaming the Government, as it did, for not introducing

public works and coming down to the House with a progressive policy; it had been stated by one hon. member (Mr. Randell) that this was only another instance of the Western Australian public showing its want of self-dependence, and looking to the Government to do everything. But was not this one of the inevitable results of the present form of Government? What could hon. members do in that Council? Were they not altogether dependent upon the Executive for information, statistics, data, etc.? How could the elected members, without a great expenditure of time and personal inconvenience, be expected to come there prepared with the information and statistics necessary before any public work could be taken into consideration? This was within the province of the Executive Government, and it was the duty of the Executive to take the initiative in such measures as these. Session after session this question of a railway had been brought before the House, and they had been put off with promises. If they let the question slip by again, they would find themselves no nearer to the attainment of their wishes next session than they were now. As an elected member, representing an important constituency, he had come to the House this session fully resolved not to return home until the Council determined upon what public works could be most advantageously commenced. He did not share the opinion that the resolution before the House could fairly be construed into a vote of censure, or want of confidence, in the Government of the day, or of the past; it was merely intended to show the existence in the Council of a strong feeling in favor of commencing some scheme of public works without delay.

THE ATTORNEY GENERAL said: It is exceedingly gratifying to this side of the House to learn, that whatever the object of the resolution submitted by the hon. member for Wellington, there is no desire or intention to censure either His Excellency the Governor or the members of the Executive Council. At the same time one cannot lose sight of the fact that, under a system of self-government, with ministerial responsibility, the resolution in question would be as strong a vote of want of confidence as could well be framed. Looking at the matter in that

light, I must say that, when I first read the resolution, I could not help thinking it had something to do with the question of the introduction of Responsible Government. But as the hon. member who brought it forward has informed the House that such is not the case, we are all very happy to accept his assurance to that effect; for, whatever may be our estimation of the hon. gentleman as a politician, we all believe in his honesty and integrity as a gentleman. He says he has no wish to express any want of confidence in the Executive Government; but at the same time he informs the House that he regards His Excellency the Governor, under our present constitution, in the light of a prime minister, and that as such His Excellency must expect to have his acts freely canvassed. I assure the House that the members of the Executive do not intend in the least to separate themselves from the line of action which His Excellency the Governor has taken up in this matter of public works. Although on many occasions I do not feel particularly proud of the somewhat anomalous position which my hon. friends on either side of me, and which I myself, hold in this house; still, I should feel ashamed of my position were I to allow a vote of censure—which, were it deserved, is as much deserved by myself and the other members of the Executive as by the Governor—to be cast upon His Excellency without resenting it. The line of argument which I propose to take up in support of our position—and which, I believe, pretty correctly interprets the views of His Excellency himself—is this: Looking at the first clause of the resolution before the House I find it sets forth that this Council “regrets to find that the Government have expressed no intention of introducing for its consideration any proposed scheme of public works.” Now, anyone reading that resolution would imagine that, at the present time, there were absolutely no public works going on in the Colony. On the contrary, we find, what I submit for this Colony, very extensive public works going on, and have been going on for some considerable period of time. What are the facts of the case? I think it was up to the year 1872 the Colony had managed to meet all the expenses of the Government

out of current revenue, and had no occasion to have recourse to a loan. In the course of that year a loan bill was introduced with the view to raise the sum of £35,000, for the purchase of certain telegraph shares, the construction of jetties, and other public works. In the following year the House, finding how easily this comparatively trifling sum had been raised, determined to go in for a considerably larger loan, amounting, in fact, to £100,000, for railway and telegraph construction in the Champion Bay district. Then last year, again, finding that the sum raised for this purpose was inadequate to carry out the work to completion, the House passed an Act for raising another £26,000 for that purpose. Now, sir, that is a tolerably large amount of money to be raised in the course of four years. During that period there has been a large amount of money expended every year, out of the Colonial revenue, upon what I may call current public works, such as the Eucla telegraph, which still demands an expenditure of money on the part of the Colony. There are also the votes for Immigration purposes, which cannot be strictly classed under the head of public works, but which nevertheless caused a considerable drain upon the public funds. Last year, again, under the head of “Works and Buildings,” the House voted the sum of £14,789, and, in the previous year, a sum of £13,165 was voted for the same purpose. If hon. members will look at the Estimates for the last four or five years, they will perceive that an expenditure of about £150,000 has been incurred in connection with public works. In what position, I would ask the House, did the present Governor find himself when he arrived in the Colony? He found an extensive public work in course of progress—I say extensive, inasmuch as it absorbs nearly a year’s revenue—and for some time yet,—I don’t know how long,—you may depend upon it this work (the Geraldton Railway) will continue to absorb money; I hope not beyond the amount appropriated for it. At any rate there is all this expenditure going on, together with other sums spent in connection with current, or ordinary, public works. As I said before, anyone reading the resolution before the House would naturally think that there were no public works going on at all, whereas, I submit,

there has been a very large scheme of public works in course of progress—that is to say, large if we look at the resources of the Colony. The House must take into consideration this fact, in considering the action of the present Administration,—when His Excellency first came to the Colony he found the expenditure of borrowed money going on at the rate of £30,000 or £40,000 a year. This expenditure will come to an end in the course of another year or so; in the meantime, however, His Excellency must accept the situation. It is all very well, and a very popular thing for any hon. member to do, to get up in his place in the House and propose that the Government should go in a regular—I don't know exactly what parliamentary phrase to use;—to borrow say a couple of millions sterling, as suggested by the hon. member for the North, and do something to surprise the world. I think it would surprise the world if we got the money; Western Australian would then be classed with Peruvian and Egyptian loans—very considerably below par, I am afraid. I recollect when I first entered this House, a motion was made by my friend Mr. Barlee to raise a loan of £100,000 for a railway to the Mines, and I recollect one hon. gentleman being overpowered by the grandeur of the idea. No one raised a dissentient voice against the proposal. No one ventured to ask who on earth was to travel by the said railway, or whether it was likely to pay its working expenses. I very much doubt if a proposition to construct a railway from Geraldton to Northampton were now submitted to this House, it would be carried with acclamation. I think the hon. member for Swan would have a word to say on the subject. But it is, as I said, a tickling, a catching thing to do, to get up to propose a good sweeping loan and go ahead. I would, however, ask hon. members to pause; to consider whether it would be a paying thing in the long run; and to calculate in what position the Colony might find itself by adopting this go-ahead policy. In course of time you will have to let these railways, alluded to in the resolution before the House, to go to the dogs altogether, or, on the other hand, you would have to pass an annual vote to maintain them. (Cries of “Question.”) I repeat this getting up to propose the

borrowing of large sums of money to be expended on public works is a thing that strikes the imagination, and obtains for one the character of a go-ahead politician, “a man of progress”—that's the favorite word. But what have been the consequences in other countries of raising large sums of money and spending it upon unproductive public works? It must not be imagined that the work alluded to by hon. members—a railway from Fremantle to Guildford, and thence to York,—would be reproductive. I don't mean to say it would not be productive of a great deal of good, but, for years to come, it would be a great drain upon the resources of the Colony. I must not be understood as being altogether opposed to this go-ahead policy; I simply say it is a matter in which the Government and this Council should proceed cautiously, tentatively, and by degrees; and I ask hon. members whether, looking at the matter in this light, His Excellency might not very fairly be considered to have quite enough on his hands at present, without undertaking any elaborate or comprehensive scheme of public works. That is the position which His Excellency wishes to take up here, and I think it will be allowed that it is a sensible and consistent position. The hon. member for Wellington alludes to the question of railways in his motion before the House, and the same hon. gentleman referred in very enthusiastic terms to the same question in his speech. I was not previously aware that the hon. member was so much in favor of railway construction, which he seems to have taken up as the only alternative left him while the question of harbor works is in abeyance. But even he does not go in for any particular railway—from A to B or from C to D,—Perth to Wanneroo, or from Wanneroo to the moon. He seems to have this vague idea floating in his brain, that it would be a grand thing to go into the money market to borrow a tolerable sum, say £200,000 or £300,000, which would carry us over the next two years pretty comfortably, and build a railway from some place to some other place. There is one other reason why I think the Governor has acted wisely and judiciously in not bringing forward what I may call a sensational scheme of this kind, and that is the fact that at the last session of Council a

certain resolution relating to harbor works at Fremantle was adopted by the House. I do not pretend for a moment that the resolution in question asked the Governor to postpone every other public undertaking deemed necessary until harbor works were completed, and I am sure His Excellency himself never regarded it in that light. This, however, is undeniable; the resolution in question requested the Governor to send home certain plans of harbor improvements for the opinion of Sir John Coode or some other eminent authority. It is all very well for the hon. member for Wellington to say, in his jaunty way, that Sir John Coode is a long time about it; perhaps, if any blame is attached to His Excellency in the matter, it is, that, in writing home, he did not add a postscript, "Please, Sir John Coode, I want an answer by return of post." At the same time, if a reply had come out by return mail, we should have formed our opinion as to the value of a report prepared in such red hot haste. I have already said that the extraordinary expenditure of money which has been going on for two or three years past may be considered as probably coming to an end in the course of another year or so, and by that time we may be in possession of Sir John Coode's report, which may—as I, for one, hope it may—recommend a scheme of harbor works which may be within the means of the Colony to carry out, and have for its outcome the rendering of Fremantle a secure harbor in all weathers. Supposing the Government had, in the meantime, brought forward some other scheme of public works which would exhaust the borrowing powers of the Colony, this long-cherished project—a work, which I think the most necessary of all for the Colony—would have to be abandoned, when it was just within our grasp. I will not detain the House any longer. Hon. members may be sure that the ordinary programme of current public works will be brought forward at the proper time, but the Governor has no idea of at present borrowing money for any extraordinary work, and I think, for the reasons I have mentioned, the House will be of opinion that His Excellency has acted wisely in the matter.

MR. BROWN: I rise to support the proposition of the hon. member for Wel-

lington. I do so because I cannot for one moment see that it is what it is conceived to be by the Attorney General and others—a vote of censure upon the Government. No vote of censure can be passed under our present constitution, unless it is so conveyed, in express terms; and I rise now in the interests of the existing constitution to support the resolution of the hon. member for Wellington. I maintain that the interests of the constitution under which we live renders it necessary for us to express our dissent in this way. His Excellency the Governor has the power to veto every measure passed by this House; and when he does exercise this power with regard to any measure, are we to turn round and say we conceive his action to be a vote of censure upon us? Not at all. We must bow to this difference of opinion; and I do hope that, after this debate,—after this expression of opinion on the part of hon. members who support the hon. member for Wellington's resolution; I do hope that the Government will accept the assurance that those hon. members who vote for this resolution do not, in doing so, intend it in any way as a vote of no confidence in the administration of the day. As I have already said, I intend to support the resolution for constitutional reasons; and I must say I have been exceedingly disappointed with the speech with which His Excellency opened the session. We have been told in another speech of His Excellency that the position of a Governor under the present constitution is somewhat analagous to that of a prime minister. Now, I look upon it as the duty of a prime minister to initiate the programme of the policy of his ministry; and, regarded from this point of view, His Excellency's speech at the opening of the present session was extremely disappointing as regards the question of public works. His Excellency ought to have known that a very general desire had been expressed, both by members and by the public, for some comprehensive scheme of public works. Several resolutions expressive of the strong feeling of the House in the matter were brought forward last year; but only one of these had His Excellency deigned to notice. I could hardly term it a "resolution"—it was a mere recommendation to accept the pro-

posal of the promoters of the Fremantle, Perth, and Guildford railway. Those gentlemen now seek to have the period of guaranty extended; but His Excellency has expressed no opinion on this point. Another resolution was that relating to steam communication with India; but no notice whatever was taken of it in His Excellency's speech, and the House remains in utter ignorance of the views of the Government with respect to this question. It is absolutely necessary, I think, in the interests of the present constitution, that it should go forth that the members of this House are of opinion that the Government have not come to the fore, have not acted in a progressive spirit, in the matter of public works. I do not consider it the duty of the Government in any way to shirk the responsibility imposed upon them by the constitution in such matters of public interest to the Colony. Hon. members evidently hold different views from His Excellency on this point; for, had His Excellency considered public works necessary, no doubt he would have brought forward some scheme for their introduction. This House, then, differing in opinion with His Excellency on this question, it becomes our duty to introduce and support a resolution of the character of that under discussion. It has been stated by the hon. the Attorney General that the Government were perfectly justified in holding over the question of public works until those undertakings at present in operation are completed. But what the members of this Council desired, was to have ascertained the feelings entertained by the Government with regard to the initiation of future undertakings. Moreover, all the works now on hand are provided for. Another excuse put forward by the Attorney General in support of the Government's action, was the fact that the question of harbor works is already under the consideration of Sir John Coode. Now, every member here knows that during the past five years this question of harbor works has been cropping up, and been put off from session to session, with a view to refer it to some authority or other. If we are to judge of the future by the past—if we shall have to wait for a general scheme of public works until this question of harbor improvements at Fremantle has

been finally disposed of—we may have to wait for the next twenty years to come. I cordially support the resolution of the hon. member for Wellington, on the distinct understanding that it is not intended as a vote of censure upon the Government, but merely an expression of a difference of opinion with reference to the question of public works.

THE ACTING COLONIAL SECRETARY said there was no ground for alleging that the Government were opposed to a policy of public works, simply because they had not brought forward any definite scheme during the present session. Those hon. members who charged the Government with being adverse to the introduction of a scheme of public works calculated to promote the prosperity and advancement of the Colony, had no ground whatever for making such a charge. He stood up to justify the course which the Government had adopted,—a course which he maintained was not deserving of censure, but of the approbation of every man who had the real interests of the Colony at heart. As to the resolution before the House not involving a vote of censure, he contended that no other interpretation could be put upon it, whether under the present constitution or any other. The House was asked to express its regret that the Government had not adopted a certain line of action with regard to the question of public works, and, if there was any meaning in the English language, such a resolution was tantamount to a vote of censure upon the Administration of the day, because it had not adopted the course which some hon. members conceived to have been a more proper one to pursue. Now what was the real position of affairs? By a resolution of that Council, the Government had been asked to send home certain plans of harbor works—with a view to the adoption of one or other of them, or some modification thereof. These plans, in accordance with a resolution of the House, had been sent home for the opinion of an eminent engineer, who had them yet under his consideration. Pending the report of this authority on the public works in question, namely harbor works at Fremantle, he did maintain it would have been most inconsistent on the part of His Excellency to have come forward asking the House to pledge the Colony to

some other scheme of public works, which—without a knowledge of the probable expense of the plan of harbor improvements which might be recommended—might involve the Colony in debt and ruin. His Excellency was perfectly justified in concluding that, before entering upon any other scheme of public works, the House wished that this question of public works should first be disposed of either one way or the other. There were hon. members present that evening who were altogether in favor of the question of harbor works being referred home, as it had been done, and who yet were ready now—without knowing anything as to the probable cost of carrying out such works, and which might be hundreds of thousands of pounds—those very hon. members now came forward to blame the Government for not bringing forward some other scheme of public works. His Excellency was not quite so inconsistent as that; but of course it was competent for hon. members to act with inconsistency, if they so chose. The Government had not stated that they were not in favor of public works, nor given any cause for such an assumption; but they were opposed to the adoption of a course which might involve the Colony in hopeless ruin and bankruptcy, or render them liable to a charge of singular inconsistency. A railway to the Eastern districts was, no doubt, a very desirable thing; so, last session, hon. members had resolved were harbor works. But it was for the House, and it was for the Government, to consider what means the Colony had at disposal to carry out these undertakings. Some hon. members regarded the prospects of the Colony as very gloomy indeed; they took a very despondent view of the present aspect of affairs—more so than the Government did; and yet they called out for the Government to plunge the Colony in a debt which might render it a bankrupt. He did not think it wise policy to represent the Colony's prospects so gloomily as some hon. members had done. Nothing could be more injurious to our interests than this "running down" of the Colony, if we intended to raise a future loan. Personally, he entertained no apprehension as to the future progress of the Colony; he regarded our position from a more hopeful point of view, and believed with His Excellency that the country

possessed resources which would enable it to tide over any temporary depression which might at present threaten it. For the reasons he had stated, he would most decidedly oppose the resolution before the House.

SIR THOMAS CAMPBELL could not conceive how it could possibly be understood that the House had pledged itself, by the resolution of last session with regard to harbor works, to carry out a scheme of harbor improvements to the exclusion of any other public work. Indeed the House might be said to have equally recommended the question of a railway from Fremantle to Guildford to the favorable consideration of the Government. The hon. baronet had intended to have moved an amendment to the first clause of the resolution, inasmuch as he had understood that the Government regarded it as a vote of censure. But after the disclaimer of the hon. member who framed the resolution, and looking at the light in which the matter was regarded by the House, it would be useless to move an amendment of the nature he had contemplated. The hon. baronet himself did not look upon it as a vote of censure, and upon that understanding he would support the original motion.

MR. BURT had no intention, at that late period of the evening, to say anything on the question under debate; but he felt called upon to make one or two observations with respect to the interpretation put by some hon. members on his left upon the course of action taken by the Council in passing the resolution with regard to harbor works. In the first place, however, he might say he could not conceive how any hon. member could read the first paragraph of the resolution now before the House, and say it did not imply a vote of want of confidence in the Government; he regarded it as such himself, and for that reason he could not support that portion of the resolution. He generally accepted the position of the Government as sketched out by the Attorney General. On the other hand, he could not accept the interpretation put by the Government upon the action of the Council in referring the question of harbor works for the opinion of Sir John Coode, namely, that in doing so, the House had pledged itself to harbor works in preference to any other

undertaking. He himself had something to do with the framing of that resolution, and it was never intended to commit the House to carry out harbor works in preference to any other scheme. Personally, he should be sorry to see it done: he would not, for one moment, give the priority to harbor works over a railway—the latter, to his mind, was infinitely to be preferred. Was there any hon. member present prepared to move a definite motion to the other effect—in favor of harbor works at Fremantle? He did not think so. Even if Sir John Coode's opinion should prove favorable to the carrying out of such works, he (Mr. Burt) did not think they could be undertaken at a cost within our means, at present, anyhow.

MR. STEERE: Before we go to a division, I should like to say a few words. First of all, I will refer to the position taken up by the Attorney General—I suppose in accordance with the wish of His Excellency the Governor. It appears to me a very untenable position; simply because we have some public works on hand, undertaken out of current revenue and out of a loan yet unexpended, it is contended that we should not undertake anything else. I have heard the hon. member talk of this being a “one-horse” Colony: I think we are under a “one-horse” Government if we can only find it possible to undertake one public work at a time. The hon. gentleman also contends that nothing should be done in the matter of public works until we receive Sir John Coode's report; but I think the hon. member Mr. Burt has satisfactorily disposed of this point. The Attorney General accuses me of having spoken in rather a jaunty manner with regard to Sir John Coode's delay in sending an answer. The resolution of the Council affirming the expediency of referring the plans of harbor improvements to England was adopted on the 28th December last, and how were we to know that they were not forwarded home until the following March. It was well known that the Council would meet again in the middle of the year, and more expedition should have been exercised in forwarding the plans to the consulting authority. We are also told it would be no use for the Government to introduce any scheme of public works until it is ascertained what

will be the cost of the plan of harbor works which Sir John Coode may recommend, and it is argued that he may recommend one which will place it beyond our means to undertake any other work. All I can say is, if the plan approved by Sir John Coode is found to be such as the Colony cannot afford to undertake, this House will not listen to it: whereas, if he recommends some scheme which we can undertake in conjunction with some other public work of importance and necessity, then, I think the two should be carried on concurrently. I trust that hon. members will support the resolution I have submitted to the House. It is all very well to say that the Government have good intentions. Good intentions won't make the Colony to progress. The resolution has been said to contemplate quite a sensational scheme of public works. It does nothing of the kind; it proposes a very moderate scheme—a scheme in the carrying out of which the Colony would not be called upon to spend more than it could afford. What is contemplated is merely a system of public works combined with immigration—a scheme which has enabled the other Colonies to progress as they have done, and without which, we shall never advance in prosperity. I hope hon. members will vote in such a manner as to show that they have the welfare of the Colony at heart, and pay no regard to the kind of capital attempted to be made out of the first paragraph of the resolution.

The amendment was then put, and

MR. STEERE moved for a division, which motion was negatived.

MR. HARDEY moved, as an amendment upon the proposed amendment—that all the words after the word “received,” at the end of the first paragraph in the proposed amendment, be struck out.

MR. GLYDE seconded the motion.

MR. MARMION: I am very happy that the hon. member has afforded me an opportunity to say a few words. The hon. the Colonial Secretary in the course of his remarks alluded to some hon. members who had virtually, he considered, pledged themselves to the harbor works scheme, but who by their course of action that evening had shown themselves to be somewhat inconsistent, inasmuch as—so

the hon. gentleman argued—in supporting the resolution of the hon. member for Wellington they had shown that they had changed front, and altered their opinions, so that the question of harbor works was not now in their minds a question of paramount importance. I do not know whether the hon. gentleman, when he said this, alluded to my colleague or myself, but he looked this way. For myself, I may say I have not altered my opinion on the question of harbor works. I have always, and still do, look upon it as one of primary importance; at the same time I look upon railways to the interior as a question of equal importance. I think the two schemes should go hand in hand. Without railway communication, it would be useless to spend large sums of money in improving the harbor at Fremantle: on the other hand, it would be very little use spending any large sum in affording railway communication from the interior unless the harbor accommodation is improved, and greater facilities thereby afforded for loading vessels. I was opposed to the question of harbor works being sent home for the consideration of an eminent engineer, because I believed that his recommendations would be of a character quite beyond our means to carry out. Should the plan which Sir John Coode may recommend for our adoption be, as I anticipate, altogether beyond our means, what position shall we then be in with regard to public works? We shall have no harbor improvements, no railway, nor any other public work of importance, without further delay. It is this delay that I object to, and would fain avoid, by affirming the resolution of the hon. member for Wellington.

The House divided on the amendment to the proposed amendment, and to the amendment as amended; but ultimately the original resolution was carried. [For Division Lists, *vide* "Votes and Proceedings, p. 24."]

LEGISLATIVE COUNCIL,

Tuesday, 15th August, 1876.

Inquiries into Wrecks Ordinance 1864, Extension Bill, 1876: in Committee—Arrest of Debtors Bill: in Committee.

INQUIRIES INTO WRECKS ORDINANCE, 1864, EXTENSION BILL, 1876.

IN COMMITTEE.

Clause 1.

MR. STEERE thought it would be necessary that provision should be made for the appointment of a nautical assessor on the board of enquiry; and that it should be obligatory, and not optional, that such an official should have a seat.

THE ATTORNEY GENERAL said such a provision might be introduced, if deemed necessary, at a later period in the progress of the Bill.

Clause 2.

MR. STEERE asked why it was proposed to constitute the court a court within the meaning of the Imperial Act (25 & 26 Vict.)?

THE ATTORNEY GENERAL replied that, as it was contemplated under the provisions of the Bill to deal with the certificates granted by the Board of Trade, it was necessary that the court should be constituted within the meaning of the Merchant Shipping Act.

Clause 3.

MR. SHENTON enquired what was meant by the words "serious damage to any ship." There was the case of the *Cleopatra*, for instance; that vessel had sustained no "serious damage," and therefore, under the provisions of this clause, no enquiry could have been held into the cause of her accident. He would suggest the insertion of the word "casualty."

THE ATTORNEY GENERAL: If we wish to have power to deal with the Board of Trade certificates, we must follow the language of the Imperial Act. If we give this court power to deal with every casualty, we shall invest it with a power which the Board of Trade will not recognise, unless such casualty were the result of misconduct or negligence.

MR. SHENTON said that it would be in the recollection of the hon. member that in the case of the *Cleopatra*, to which he had alluded, although the vessel sustained no "serious damage," she remained on a reef for thirty-six hours, and, during that time, in order to pre-