

The Chairman of Committees was then directed to report, That the Committee had not made Progress.

Report adopted.

GAME ACT, 1874, AMENDMENT
BILL, 1878.

This Bill was read a first time.

IMPROVEMENT OF NAVIGATION OF
RIVER BELOW FREMANTLE BRIDGE.

MR. S. H. PARKER, in accordance with notice, asked the Colonial Secretary, Whether it is the intention of the Government to expend the sum of money placed on the Estimates for 1878, for the purpose of improving the navigation of the Swan River below Fremantle Bridge?

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the Government had been awaiting the receipt of the report of Sir John Coode on the river and the harbor before expending any money in improving the navigation of the river at Fremantle, and, owing to the nature of Sir John Coode's report, which had now been received, the Government deemed it inadvisable to expend the sum placed on the Estimates for 1878, for river improvements below Fremantle Bridge. It was, however, proposed to utilise the Dredge, if necessary, in keeping open the channel.

PUBLIC PARK, FREMANTLE.

IN COMMITTEE.

MR. MARMION, in accordance with notice, moved, That an humble address be presented to His Excellency the Governor, praying that he will be pleased to place upon the Estimates the sum of £100 to assist the Fremantle Municipal Council in the fencing and clearing of the Government Reserve, granted to the town for the purposes of a public park. The principle of assisting municipalities in improving and beautifying public reserves set apart for the recreation of the people had already been acknowledged by the Government and by the House, in the vote made during the present Session, for improving the Victoria Park at Perth, and he trusted there would be no opposition to extend the principle to Fremantle.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the Government was quite in accord with the hon. mem-

ber on this subject, and he thought the House having voted £200 for a public park at Perth would not begrudge half that sum for Fremantle, a town only second in importance to the capital itself. Motion agreed to.

SALARIES OF CLERKS TO
MAGISTRATES.

IN COMMITTEE.

MR. MARMION, with leave, moved the following resolution, in lieu of that contained in his notice (No. 14; page 133, "Votes and Proceedings") : That an humble address be presented to His Excellency the Governor, praying that he will be pleased to consider the question of salaries of the Clerks to Magistrates in the Colony, with a view to an increase to such salaries, in such cases as to His Excellency may seem necessary. The hon. member said he had altered his resolution in view of the suggestion made by the Colonial Secretary to the hon. member for the Swan.

MR. MONGER pointed out that many of these clerks pursued other avocations, such as store-keeping and farming, and very often when they were wanted on public service were found to be at work on their own account.

Resolution agreed to.

The House adjourned at half-past one o'clock in the morning.

LEGISLATIVE COUNCIL,

Tuesday, 16th July, 1878.

Messages from His Excellency the Governor—Land Titles Office; working of—Material, plant, etc., for Eastern Railway—House allowance in lieu of quarters to Resident Magistrate at Busselton—Point of Order—Late Sheep Inspector, Champion Bay District—Medical Officer, Victoria Plains and Northam—Point of Order—Perth and West Guildford main line of road—Line of telegraph from Bunbury to Bridgetown—Chief Clerk and Gauger, Customs Department—Mechanics' Institute, Fremantle—Limitation of grant to Assisted Schools: Botanic teaching in Government Schools—Bushmen's Home, Northam—Use of police horses and van by officials other than Police Officers—Jury Act, 1871, Amendment Bill, 1878—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

MESSAGES FROM HIS EXCELLENCY
THE GOVERNOR.

MR. SPEAKER announced the receipt

of the following messages from His Excellency the Governor.

Message No. 5.

"The Governor has the honor to acknowledge the following addresses from your Honorable House:—

"No. 10.—Praying His Excellency to place a sum of money on the Estimates to provide for the introduction of nominated immigrants from Europe, and of Chinese and other laborers from the East.

"No. 11.—Informing His Excellency that the introduction of the Postal Card system would be a general public convenience.

"No. 12.—Suggesting to His Excellency the propriety of not enforcing the payment of duty on articles imported by Bishop Parry more than 12 months since, such payment not having been demanded at the time of importation.

"No. 13.—Informing His Excellency that having taken into consideration His Excellency's Message No. 1, relating to the route of the Eastern Railway, between Fremantle and Perth, it is of opinion that the Railway should be constructed on the North side of the river.

"No. 14.—Approving the action of the Government in making the Government Resident at Roebourne an allowance in lieu of quarters.

"No. 15.—Concurring in the report of the Commission on certain Public Establishments, as nominated by His Excellency, and requesting that His Excellency will take such steps as appear to him desirable for giving effect to the same, having due regard to economy.

"No. 16.—Concurring with His Excellency in the selection of a new site for the terminus of the Northern Railway at Northampton.

"No. 17.—Requesting the Government to introduce into use in the Colony, Embossed Telegraph Forms, such as are used in the Mother Country.

"No. 19.—Expressing an opinion that Inspectors of Sheep should furnish certain returns, which should be published in the *Gazette*.

"His Excellency has the honor to inform your Honorable House, in reply to:—

"No. 10.—That he has caused sums to be placed on the Estimates for the purposes indicated.

"No. 11 and No. 17.—That orders have been sent home for the manufacture and supply of Post Cards and Telegraph Forms.

"No. 12.—That instructions have been given in conformity with the wishes of your Honorable House.

"No. 13 and No. 16.—That action will be taken by the Government in respect to the Northern and Eastern Railroads, as desired by the Council.

"No. 14.—That His Excellency is glad to find your Honorable Body approves the steps referred to.

"No. 15.—That His Excellency will have satisfaction and pleasure in giving effect to the views expressed by your Honorable House in regard to the Report of the Commission on certain Public Establishments.

"No. 19.—That His Excellency will give the instructions desired by your Honorable Body.

"Government House, Perth, 16th July, 1878."

Message No. 6.

"The Governor informs Your Honorable House that he has this day assented, in Her Majesty's name, to the following Bills passed by the Legislative Council during the present Session of the Legislature:—

"An Act to extend and make compulsory the practice of Vaccination."

"An Act to amend the Wild Cattle Nuisance Act, 1871."

"An Act to amend the Land Transfer Act, 1874."

"An Act to amend 'The Municipal Institutions' Act, 1876."

"An Act to enforce the Payment of Duty on the Transfer of Land."

"An Act to empower the Governor in Council to make regulations for the use and management of Jetties and other similar works, and to make other provision respecting the same."

"An Act to confer jurisdiction in certain cases over Foreign Merchant Seamen."

"An Act to explain 'The Colonial Passengers Amendment Ordinance, 1868.'"

"Government House, Perth, 10th July, 1878."

Message No. 7.

"The Governor has the honor to acknowledge the receipt of Address No. 18 from Your Honorable Council, requesting the Government to take steps

to investigate charges made in Your Honorable House as to the working of the Land Titles Office.

"It will be His Excellency's duty to cause such an investigation to be made without delay, on being furnished by Your Honorable House with a copy of the charges in question.

"Government House, Perth, 16th July, 1878."

MR. BROWN moved that Message No. 7 be then taken into consideration.

Agreed to.

LAND TITLES OFFICE.

MR. BROWN: I notice that His Excellency requests that a copy of the charges made in the House as to the working of the Land Titles Office be furnished to him, with a view to an investigation. So far as I am aware, there is no record of those charges made, and as I suppose the hon. member for Vasse is the only one competent to draw out the charges which he made, I would formally move that we now report Progress, and ask leave to sit again, in order to enable the hon. member to frame the charges in due form, to be submitted to the House, and forwarded to His Excellency.

MR. CROWTHER: In my opinion the hon. member brought no specific charges against the department; the cases he referred to were merely cited in illustration of the unsatisfactory working of the office, in order to show the necessity for a thorough investigation. If an hon. member who brings forward such matters is to be called upon to frame and support specific charges against a department with regard to the administration of which there exists a feeling of dissatisfaction in the public mind, and if no investigation into the working of such department is to be made unless hon. members are prepared with specific charges of mal-administration, it appears to me that the object and intention of the House is most obviously thwarted. My impression is, that when there is a feeling abroad that any department of the public service is not administered satisfactorily, all this House has to do is to direct the attention of the Government to the matter, and to ask that an investigation may take place. I think it would be unwise to limit such investigation to any specific charges made by any hon. member;

what the country wants and what the House wants in such cases is a thorough and an honest inquiry instituted into the whole working of the department.

MR. CAREY: I did not intend to put myself forward as a public prosecutor in this matter; nor do I think it is my duty as a member of this House to do so. As one of the representatives of the people, having a voice in such matters, my object was to ensure an investigation into the entire working of the department, so as to confirm or allay the public feeling existing as to the administration of the office. If, however, the House considers it desirable that I should commit to writing the charges which I brought forward illustrative of the errors and delays connected with the department, I am quite prepared to do so, and I am perfectly well aware of cases much worse than those which I cited. I do not, however, think that inquiries of this nature should be confined to specific charges, but should include the entire working of the department, and this was the object which I had in view.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): I think that the resolution which the House affirmed was that the charges made by the hon. member for the Vasse should be inquired into, and in view of that resolution, I think it would be well that those charges should be specifically made—not that it is the intention of the Government to institute any inquiry of a partial character, either as regards the Commissioner or the Registrar.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) said it was clear the House would either have to amend the resolution affirmed the other day relating to this matter, or furnish His Excellency with a copy of the charges made against the department. It would be impossible for His Excellency to cause an inquiry to be made into those charges unless he was furnished with a copy of them. To that end, he would support the motion for reporting Progress, in order to enable the hon. member for the Vasse to prepare the charges in writing.

Progress was then reported, and the debate adjourned until the following day, when it was further postponed until Friday, July 19th.

MATERIAL, PLANT, ETC., FOR EASTERN RAILWAY.

MR. CROWTHER, in accordance with notice, moved, That the House do now resolve itself into a Committee of the whole, to consider the following resolution: "That while acknowledging the prompt action taken by His Excellency the Governor, for the commencement of the first section of the Eastern Railway, and after carefully considering the Message of His Excellency, No. 1, more particularly that portion in which Mr. C. H. Gregory suggests that the construction of the line be offered to Contractors in the Eastern Colonies, and that all plant, rolling stock, &c., be procured from Home; it is the opinion of this House, guided by the light of past experience, that it would be more advantageous to the Colony were the purchase of all material, plant, rolling stock, &c., required for the effectual working of the line when completed effected by the Contractor, in accordance with plans and specifications provided by the Government, included in the contract for the construction of the line, and that the contractor be bound to hand over the line completed by a certain date, with such rolling stock, to include all engines of such power and sizes as may be decided upon by the Government, and all passenger carriages, trucks, cattle and sheep trucks, &c., in a thorough and complete state of repair." The hon. member said the importance of the resolution, supposing it were carried into effect, could hardly be over-estimated, and must commend it to the thoughtful consideration of every hon. member in the House—elected, nominated, and official. At the same time, situated as they were under the present form of Government, and in the face of the despatches which had been laid on the Table of the House, he was afraid that whatever decision hon. members arrived at with regard to the resolution, their opinion would not have much weight in Downing Street—not that weight which it deserved. The custom which it was here proposed to break through had become law at the Colonial Office, where any proposal to curtail the patronage enjoyed by the authorities there would of course be regarded

with disfavor, especially when such a step would interfere with the pickings which, by prescriptive right, were supposed to belong to their old friends the Crown Agents. At any rate, the resolution merely affirmed that, guided by the light of past experience, it was the opinion of the House that it would be more advantageous to the Colony—and there could be no two opinions on that point—were the purchase of everything required for the entire working of the proposed railway effected by the contractor, instead of by the Government through the intervention of Crown Agents and others. In alluding to the light of past experience, he referred particularly to that obtained in connection with the line of railway in progress of construction at the North, for, as yet, their experience in railway matters was limited to that line, and, if there was any truth in the old saying that "experience teaches," a very instructive line it was, too. When that railway was started, the estimated cost of its construction, including everything connected with the work, was £87,500. He need not remind the House how much had been spent over and above that sum, or refer to what was yet likely to be required to give it the finishing touches, for, in point of fact, they had not the remotest conception what amount would be required. But what he wished to draw attention to particularly was, that the expenditure of the money entrusted to the Crown Agents in connection with this work had not been economically or faithfully carried out. That the rails and rolling stock were highly unsatisfactory—"as bad as bad could be"—was the opinion of those who were conversant with such matters; the type of engines imported being altogether unsuitable for the requirements of the line, and certainly not of the kind ordered. The rails, again, were described by the Director of Public Works as being not only of too light a description, but were neither of the "best iron, best section, or best manufacture." The carriages sent out, too, were totally unsuited for this climate, and not of the class generally employed on lines of this light description. In fact, everything connected with the plant and material forwarded by the Crown Agents was of

an inferior quality or of an unsuitable description, and, unfortunately, the Colony had no redress. Remonstrances were of no avail. This, then, was the experience which they had to guide them in judging whether it were wise or prudent to continue such a system, or whether it were better to adopt the plan recommended in the resolution which he had submitted for the affirmation of the House. If the country were in a position to insist upon this latter mode of doing business, the saving to the Colony would undoubtedly be something very handsome. It might be said that such a system as he proposed to introduce here had not been tried anywhere else, and that it would not be found to answer; but he was in a position to say that it had been adopted, and most successfully adopted, in South Australia. He had recently read in one of our local newspapers of the same system being proposed in Queensland, and there could be no doubt it would be most advantageous to Western Australia if the same principle could be carried out here. We were now about to commence the construction of another railway, and, under the system now in operation, he would be a bold man indeed who would venture to say what that railway would cost before it was completed. It was all very well to give them an estimate of the cost of the proposed line, but judging from the estimate given in the case of the Northern Railway, these calculations were not even approximately correct, and were by no means to be relied on as to the actual cost of the work. The estimate for the Geraldton and Northampton line was £87,504; let them multiply that sum by two, and see if it would cover the expenditure incurred on the railway by the time it was completed. If the same system of doing business were adopted in the case of the Eastern Railway, he had no hesitation in saying—and he hoped what he said would be found on record—that before that line was completed from Fremantle to Guildford, and ready for traffic, the actual cost of construction would not be far short of double the estimated cost. It could not be said that the Government here could not get contractors to undertake the construction of this railway on the principle contemplated in the resolution, for he be-

lieved a proposal of that nature had been made by a well known English firm, through Sir Charles Fox, who was prepared to enter into direct communication with the Government on the subject, and to construct our railways, subject to the inspection of the Government, at a cost of about £2,400 per mile. He (Mr. Crowther) had not the slightest doubt that if the Commissioner of Crown Lands, who was then in England, were empowered to enter into communication with the firm referred to, or with other eminent railway-contracting firms, the result would be an estimate immensely below what we were ever likely to have the work carried out under the system adopted in connection with the Geraldton railway. As he had already said, when introducing the resolution, he was afraid that under our present peculiar constitution, we could hardly expect the Home Government to sanction any departure from the old groove, but he was sure the system proposed in the resolution must commend itself to the common sense of the House and to the outside public.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said he had been informed by persons conversant with such matters that it would be impossible, with any safety to the Colony, to have a railway constructed in the manner proposed by the hon. member for Greenough. The hon. member proposed that all the plant, material, and rolling stock, complete, should be tendered for by one and the same contractor; but the Government Engineer was of opinion, judging by his experience in other countries, that it would be far more economical to the Colony to have separate contracts. The hon. member also seemed to think that it would be much preferable to have other persons than the Crown Agents to conduct the business at home; but he (the Colonial Secretary) would remind the House that, in all probability, if this were done, the result would be that if the matter were left to the contractor in England, he would place a very high price indeed on the plant and material, to ensure himself from loss; or, on the other hand, he might run the risk of the material having only to undergo a very cursory inspection, and thus be induced to venture to send cheap and inferior

articles. The safest way, and the most economical way in the end, was to have some responsible person on the spot, at home, to inspect every article before it was shipped, as was done by the Governments of other Colonies. This was just what was done for this Colony by the Crown Agents.

MR. CROWTHER: With the result shown on the Geraldton railway.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): In that respect Western Australia appears to have been treated in much the same manner as other Colonies, who have had cause to complain of the treatment they received at the hands of some of the English ironmasters. As to the pecuniary benefits which the Crown Agents derive from superintending the business connected with the purchase and shipment of articles for the Government of the Colony, I will read to the House a letter recently received from those gentlemen, respecting discount on cash-payment transactions. The Crown Agents, I may point out, are simply Government employés, acting under the instructions of the Secretary of State; they have no personal interest whatever in any payments made to their departments: they are simply paid officers, like my hon. friend the Attorney General or myself, and I think this House will give us credit for being above taking a bribe or a *douceur* from anybody, in order to induce us to sacrifice the interests of the public whom we serve. With regard to the Crown Agents, it appears from the letter which I hold in my hand, that in all cases where the value of the articles to be furnished is over £100, competitive tenders are invited; and the price of all miscellaneous articles of less value than £100 is regulated by a schedule of their estimated cost. That is how the matter stands, and not, as thought by some hon. members, who supposed that the Crown Agents made large profits out of any shipments made through them to this Colony. What I have stated will, I trust, prove to the House that we cannot do better than continue the services of these gentlemen; they are undoubtedly the most reliable people to whom this Colony could entrust such business, in order to ensure for us a supply of the best articles at the cheapest rates.

MR. SHENTON: Being one of those appointed by the House, in 1875, to form a Select Committee to take into consideration the condition of the Geraldton and Northampton Railway works, I may be permitted to say a few words with respect to what was elicited in the course of the Committee's investigations. Referring to the rails supplied for the line, through the Crown Agents, Mr. Lovell, the consulting engineer, who was called upon to report on the works—a gentleman who now holds one of the highest appointments under the South Australian Government—said: "A great number of the rails lying at Geraldton are of a very bad quality, full of flaws and defective welds, sometimes a yard in length. The ends of those laid in the tramway for stacking the rails are already seriously burred from the passage of a few loaded trucks, weighing not more than a ton each. I should certainly condemn all those with the same mark as these samples: 'I do not consider them safe, and they certainly will not be durable.'" So much, then, for the care and discrimination exercised by the Crown Agents in the matter of rails. As to the locomotives, the Crown Agents seem to have left the selection of these, as well as the rails, to a Mr. Stanger, the result being that the engines and the carriages sent out were utterly unsuitable for the requirements of the line, and of quite a different type to those ordered. Mr. Stanger when remonstrated with sought to lay the blame on Mr. Major, the consulting engineer, but nothing can get over the fact that the locomotives were not of the class ordered by the Government, and that the rails were of a most inferior description. I think this is a matter which the House should endeavor to strongly impress upon the Government; and that the Crown Agents, if they are again to be employed in connection with the furnishing of the material for the construction, and the plant for the equipment, of the Eastern Railway, should be instructed to employ some person other than Mr. Harry Stanger as inspecting engineer.

MR. MARMION, while agreeing in a great deal that had fallen from the hon. member for Greenough and the hon. member for Toodyay, thought there would

be some difficulty in carrying out the resolution, and in doing away with the services of the Crown Agents. He quite agreed that, judged by the light of past experience, the Colony had not had much cause for satisfaction with the manner in which those gentlemen had done their work; still, so long as we remained under our present form of Government, we must conform with the regulations which govern Crown Colonies; and he thought that in asking the Home authorities to depart from what had been the rule we might possibly do ourselves more harm than good. With regard to the mistakes made by the Crown Agents in connection with the plant and material for the Geraldton and Northampton line, it was but fair to admit that similar mistakes had been made by the agents of other Colonies—Colonies favored with Responsible Government, and having their own paid agents at home to look after their interests in the home markets. While on this subject, he would call the attention of the House to a paragraph which appears in the report of the Director of Public Works, on the Geraldton and Northampton line, presented to the House during the Session of 1876. Referring to the quality of the rails sent out by the Crown Agents for that railway, Mr. Thomas said: "Unfortunately, in this respect, Western Australia appears to have been treated in a somewhat similar manner (although not to so great an extent), in regard to their railway iron, as has been the case with the other Colonies. Only recently a committee of practical engineers and ironmasters have been engaged in examining and testing in Sydney a very large consignment of railway bars for the Government of New South Wales, and the following extract from their report will show with what result; they say: 'Having given our careful consideration to the whole subject of our inquiry, we are constrained to state that we consider the rails of a very inferior quality; that the iron of which they are composed, although perhaps a fair quality originally, is very impure and badly worked; and it is our opinion that very few would last twelve months if laid down on the permanent way of our existing lines of railway.' Queens-land has had a like cause of complaint,

"and it appears that it is not only these Colonies which have been treated thus at the hands of some of the English ironmasters, if any dependence can be placed in *Engineering*, of August 19, 1870. That authority observes: 'It cannot be doubted that thorough inspection is calculated to benefit the purchasers, while to the manufacturers it is a positive advantage when fairly and properly pursued, and it must be admitted that for want of proper inspection thousands and thousands of tons of rails have left our mills which have brought our makers into disrepute and damaged the foreign business. Especially from America complaints have been loud and too often but well founded, while the gradually increasing manufacture of rails in the United States indicates the dissatisfaction with which English rails are regarded. It was not so once, when the permanent way exported from this country to America was infinitely superior to anything that could be produced there, and to this day such rails, worn out, command high prices for re-rolling. Of course competition, and the desire of obtaining cheap materials, together with the urgent necessity of getting large orders hurriedly out of hand, have brought about this undesirable state of things.' From this it would be seen that this Colony was by no means singular in having suffered at the hands of English ironmasters in the matter of defective rails, and possibly the Crown Agents were not so much to blame as might at first sight appear. At the same time he considered that the thanks of the House were due to the hon. member for Greenough for bringing forward his resolution, and possibly a great deal of good might result from the present discussion, which His Excellency might possibly bring prominently under the notice of the Secretary of State and the Crown Agents, with a view to avoid in the future such errors as were undoubtedly committed in connection with the Geraldton and Northampton line.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) said it appeared to him that, whoever they got these articles from, there must necessarily be an inspection of them, and the first question was, should this inspection take place in

England before they were shipped, or here on their arrival. If in England, he would like the House to consider who they could trust better than the Crown Agents, who were thoroughly used to such work—representing as they did a large number of Colonies having transactions of that character—and who had no pecuniary interest whatever in the matter, personally. They were merely paid officers of the Government, and, as they would not benefit by descending to any jobbery, it was not likely they would enter into any combination or collusion with firms for the supply of inferior or defective articles. It might be said that it would be better to have the inspection made here, on the arrival of the material, by our own Engineer; but, although they might have every confidence in that officer, could they have more confidence in him than in the inspecting engineer appointed by the Crown Agents, or did they think they would be less likely to have to put up with mistakes? Moreover, if the articles and material supplied were to be subject to approval on inspection here, the House might depend upon it the contractors supplying the articles would necessarily leave a very large margin in the price, in the event of any portion of them being rejected on their arrival and inspection here. On the whole, it appeared to him the Colony, under the circumstances, would not improve its position by substituting other agents for the authorised officers of the Crown, who, as had already been pointed out, had no pecuniary interest whatever in these transactions, personally.

MR. CAREY said it appeared to him, after listening to all that had been said in favor of continuing the present system, the arguments in support thereof went far to prove the desirability of having recourse to some other system. The extracts read and the statements made, appeared to him to show that the hon. member for Greenough had not brought forward this resolution a day too soon. So far as any discussion which took place in that House was likely to affect the question, he did not think it would have any effect whatever; but if the House adopted a distinct resolution on the subject, something might come out of it. Whether the Crown Agents were pecuniarily interested

in these contracts, or not, the fact remained that the rails and locomotives sent out by them for the Northern Railway, were utterly useless for the requirements of the line.

MR. CROWTHER said his main object in bringing forward the resolution was to elicit an expression of opinion in the House on the subject, in order to strengthen His Excellency's hands in any representations he might feel disposed to make in the matter to the Home Authorities. With regard to the argument made use of that we are not the only Colony that has been imposed upon in the matter of rails and other materials, he would like to point out that those Colonies who were in a position to employ their own agents would take good care that they would not be taken in again in the same market; but, unfortunately in our own case, as pointed out in his report by the Director of Public Works, there was no redress. This was all the more aggravating in the face of the unanimous verdict of condemnation passed on the quality of the articles furnished. Mr. Lovell, the inspecting engineer, fearlessly spoke of the rails as of "very bad quality, full of flaws and defective welds—neither safe nor durable." This assertion had never been disputed, and yet the Colony had no redress. The same thing might happen again with regard to the railway which they were now about to commence, and, if it did, he supposed the Colony would have no redress. As to the Crown Agents doing all they could to serve the interests of the Colony, to his own knowledge they did nothing of the kind; for, apart from the inferior and unsuitable character of the material supplied for the Geraldton Railway, they had gone the most expensive way about the shipment of it, and though they were informed there were vessels coming out here that would be glad to take the rails as ballast, no attention was paid to this representation, and the material was sent out at a great and altogether unnecessary expense. As to the Crown Agents having no pecuniary interest in contracts, they received two per cent. on the cost of all articles selected, over £100 in value, and out of that two per cent. a moiety only went to the guarantee fund. He hoped the House, at any rate, would affirm the

resolution, if only to show the feeling of hon. members in this matter, and to strengthen His Excellency's hands when bringing the subject under the attention of the Home Government, as he hoped His Excellency would.

The resolution was then adopted, on the voices.

HOUSE ALLOWANCE IN LIEU OF QUARTERS, TO RESIDENT MAGIS- TRATE, BUSSELTON.

IN COMMITTEE.

MR. CAREY, in accordance with notice, moved, "That an humble address be presented to His Excellency the Governor, praying that he will be pleased to place on the Estimates the sum of £50 as allowance in lieu of quarters for the Resident Magistrate at Busselton." Other officers holding the same position were granted a house allowance, and the Magistrate in question had a distinct promise made to him, fifteen years ago, when he went down to the district, that he would have quarters provided for him. This promise had never been fulfilled. Governor Robinson told him distinctly, when down at the Vasse, that if a suitable residence could not be found for him, he would have house allowance in lieu thereof; but nothing had been done in the matter since, and, as in the case of the Resident Magistrate at Geraldton, what was here asked was simply an act of justice to a public servant.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said he had pointed out to the officer in question that if he had grounds for complaint, the proper course for him to adopt was to represent the matter to the Government, and not to apply to individual members of the House to advocate his claims. As a matter of fact, no complaint was ever made to the Government by that officer. Of course, it was quite competent for hon. members to come forward to advocate the claims of public officers, but he could not help thinking that the Government was much more likely to be in a position to estimate the value of the services of officials than any hon. member in that House. He failed to see anything to recommend the placing of the sum asked for on the Estimates, for the purpose mentioned.

MR. CAREY: It appears to me that the very fact of the member for the Vasse bringing forward the claims of any officer is quite enough to prevent those claims being recognised by the Government; the very fact of a public servant's claims being advocated by the member for Vasse is enough to damn the chances of that officer's claims being favorably considered. The other day, the House recognised the claims of the Resident Magistrate at Roebourne to a house allowance, and very properly, too; but had those claims been brought forward by the member for the Vasse, no matter how proper and how just they were, the result would have been discomfiture—the claims would have been ignored. In reality, it is perfectly useless for me to bring forward any motion appealing to the sympathy and co-operation of the Government. I have, in fact, been told that I go the wrong way to work about everything.

MR. BROWN pointed out that, in the case of the Resident Magistrate at Roebourne, the Government had already granted that officer house allowance, in ignorance of a resolution of the House discountenancing such an allowance; but when it was pointed out to them that the concession was contrary to a resolution passed at a previous Session, the Government threw themselves entirely on the feeling of the House in the matter, and, under the circumstances, the House confirmed the action of the Government in the matter. When the subject was first mooted by the hon. member for Roebourne, the House refused to accede to the motion of the hon. member, on the ground that the officer in question had made no complaints whatever to the Government, nor taken the proper course to have his grievances redressed; and the House was distinctly told, in the case of the Resident Magistrate at the Vasse, that no complaints had been made to the Government by that officer with regard to quarters or house allowance.

Motion negatived.

POINT OF ORDER.

MR. BROWN moved that Notice of Motion, No. 11, standing in the name of the hon. member for Vasse (Mr. Carey)—having relation to the appointment of the Inspector of Sheep for the Champion

Bay district—be postponed until the notices under the heading of “Early Date” were considered.

MR. CAREY maintained that the hon. member had no right to make such a motion, and appealed to the Speaker for his ruling.

MR. SPEAKER said that, according to Standing Order, No. 44, “motions shall be moved in the order in which they stand on the Notice Paper, and, if not moved, shall be expunged therefrom.” That the hon. member for Vasse had a clear right to object to the motion of the hon. member for Geraldton was evident, for it was quite competent for the mover of a notice (on the paper) to refuse to postpone it. This was decided in the House of Commons, on the 29th April, 1856, as would be seen on reference to *May*, p. 246. The hon. member had a perfect right to object to the postponement of his Notice of Motion.

MR. CAREY: And I claim that right.

SHEEP INSPECTOR, CHAMPION BAY DISTRICT.

MR. CAREY, in accordance with notice, then drew the attention of the Colonial Secretary to the “Votes and Proceedings” of the House, on 1st August, 1877, relative to the Select Committee’s report, recommending a fresh division of the scab districts. On that date Mr. Steere moved, and the House adopted the motion, that an humble address be presented to His Excellency, requesting him, with as little delay as possible, to take the necessary steps to carry out the recommendations embodied in the Select Committee’s report; and one of those recommendations was that one Inspector should be removed from the south to the north part of the Colony, which latter they proposed should be divided into two districts, as it was then far too large to permit of one Inspector being able to perform his work in a satisfactory manner. In view of the Select Committee’s report, and of the motion brought forward by Mr. Steere, and adopted by the House, on the 1st August, 1877, he (Mr. Carey) would now, in accordance with notice, ask the date of the notification of the appointment of the late Inspector of Sheep for the Champion Bay District; the date he proceeded

there, and the time he remained in the District; also the nature of his employment, if in the public service, since leaving the Champion Bay District.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said that no less than four separate questions were embodied in the notice given by the hon. member, and he was unprepared at present to answer them, having only seen the notice of motion half an hour before he entered the House. (*Vide* p. 271).

CHAIRMAN OF COMMITTEES.

The Chairman of Committees being unavoidably absent, Mr. Shenton was elected Chairman *pro tem*.

MEDICAL OFFICER, VICTORIA PLAINS AND NORTHAM.

IN COMMITTEE.

MR. BROWN, on behalf of Mr. Shenton, and with leave, moved the following resolution: “That an humble address be presented to His Excellency the Governor, praying that he will be pleased to take into consideration the desirability of making provision for the services of a Medical Officer at Dandaragan and Victoria Plains, and of another at Northam, and to make such provision should His Excellency see fit to do so.” Personally—although he moved the resolution on behalf of the hon. member for Toodyay—he might say that while in favor of the appointment of a medical officer at Victoria Plains, he failed to recognise the necessity of the same provision being made for Northam, which was not so very remote from a township where a medical officer was already stationed.

MR. SHENTON—though, by usage, restrained from the exercise of the right to speak, while acting in the capacity of Chairman of Committees—was, with leave, permitted to address himself to the resolution (which originally stood in his name). The hon. member pointed out that Victoria Plains, though the centre of a comparatively numerous population, was forty-five miles from the residence of a medical man; and Dandaragan was forty-five miles farther still, or ninety miles from a doctor. With reference to Northam, that was a district which he thought had strong claims to a medical

officer, for although numerous populated many of the inhabitants were too poor to pay for the services of a medical man to come from York or Newcastle, which were the nearest towns where a doctor resided.

MR. CAREY, without notice, moved, as an amendment, That the words "and the sum of £100, for a Medical Officer at Bridgetown," be added to the original resolution.

POINT OF ORDER.

THE ACTING CHAIRMAN OF COMMITTEES considered that such an amendment was out of order, as it could not be regarded as a relevant amendment to the resolution the consideration of which was before the Committee, and no notice of such amendment having been given.

MR. CAREY desired the ruling of Mr. Speaker in the matter.

The House having resumed,

MR. SPEAKER ruled that a Committee had no power to consider any matter beyond that contained in any resolution referred to it for consideration. The amendment proposed by the hon. member for Vasse was of the nature of a new resolution, and therefore could not be entertained by the Committee.

MR. S. H. PARKER pointed out that the material question before the Committee was the granting of a vote of money for additional Medical Officers, and he would like to ask whether it would not have been competent for the mover of the resolution himself to have moved, as an amendment that "Bridgetown" be inserted in lieu of "Northam" the material question under consideration being, as he had already said, the voting of a sum of money for providing an additional number of medical officers.

MR. SPEAKER said it would not be competent for any hon. member to introduce any matter which would exceed a fair interpretation of the rule concerning "relevant amendments." The House had gone into Committee, to consider a specific resolution affirming the desirability of making provision for the services of a Medical Officer at Victoria Plains and Northam, and it was not competent for the Committee, without an instruction, to proceed to consider the

propriety of appointing a Medical Officer for Bridgetown, such a proposal being more properly the subject of a new resolution.

The SPEAKER then left the chair, and the House went into Committee to consider the resolution submitted for its affirmation by the hon. member for Geraldton (on behalf of the hon. member for Toodyay).

The resolution was agreed to, without further discussion.

PERTH AND WEST GUILDFORD MAIN LINE OF ROAD.

IN COMMITTEE.

MR. HARDEY moved, in accordance with notice, "That an humble address be presented to His Excellency the Governor, praying that he will be pleased to place on the Estimates the sum of £50 to complete the clearing of the Perth and West Guildford main line of road." Portions of this road, the hon. member said, had been cleared several years ago by convict labor, but no funds were available to complete the work, which all hon. members who had travelled on the road in question would agree with him was a very necessary undertaking. The sum asked for was but small, and he hoped no opposition would be made to the motion.

MR. BROWN thought the House should set its face against these motions for special grants for special roads. The proper course for the hon. member to adopt would be to request the Government to apportion a certain sum out of the annual grant made for roads purposes for the completion of the road referred to. The House had already voted a certain sum of money for Roads and Bridges, and the distribution of that grant was left to the discretion of the Government.

MR. HAMERSLEY and Mr. S. H. PARKER supported the motion, which, however, was negatived, on the voices.

LINE OF TELEGRAPH FROM BUNBURY TO BRIDGETOWN.

IN COMMITTEE.

MR. CAREY, in accordance with notice, moved, "That an humble address

"be presented to His Excellency the Governor, praying that he will be pleased to place on the Estimates a sum sufficient to construct a line of telegraph from Bunbury to Bridgetown." The hon. member said he knew, from past experience, that the very fact of the resolution being brought forward by him would render it nugatory. But, just as a matter of form, and for the sake of getting a refusal, he would submit it to the consideration of the Government.

The motion was negatived.

CHIEF CLERK AND GAUGER, CUSTOMS DEPARTMENT.

IN COMMITTEE.

Mr. BROWN, on behalf of Mr. Shenton, moved, in accordance with notice, "That an humble address be presented to His Excellency the Governor, praying that he will be pleased to place £50 on the Estimates as an increase to the salary of the Chief Clerk and Gauger of Customs at Fremantle."

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said that after the expression of opinion elicited in the House the other day, the Governor would be quite prepared to place the sum referred to on the Estimates.

Motion agreed to.

MECHANICS' INSTITUTE, FREMANTLE.

IN COMMITTEE.

Mr. PEARSE, with leave, without notice—a previous notice to the same effect having lapsed—moved, "That the House adopt an humble address to His Excellency the Governor, praying that he will be pleased to place on the Estimates the sum of £100 to assist in the erection of a Mechanics' Institute or Public Library at Fremantle."

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the Government fully concurred in the desirability of erecting a suitable public library in a town of such importance as Fremantle, and, with the consent of the House, was quite prepared to place the sum asked for on the Estimates, for investment in the hands of trustees as a nucleus for forming a public library at the Port.

Motion agreed to.

GRANT TO ASSISTED AND GOVERNMENT SCHOOLS, AND BOTANIC TEACHING IN SCHOOLS.

Mr. CAREY, pursuant to notice, drew the attention of the House to the limitation of grant to Assisted Schools as compared with Government Schools, and intimated his intention of moving a resolution recommending that the number of scholars required in each case be the same, namely, twelve; provided that no two schools are within four miles of each other; also a resolution recommending that Baron Von Mueller's "Introduction to Botanic Teachings with reference to Australian Plants" be used as a class book in the Government Schools of the Colony. With regard to the limitation of the grant to Assisted as compared with State Schools, he found that the required number of scholars as regards the former class of schools (entitling a school to a grant-in-aid from public funds) was 20, whereas in Government Schools the requisite number was only 12. He failed to see why there should be any difference, or distinction made, especially when it was borne in mind that the Assisted Schools did not cost the country one half as much as the Government Schools. It appeared to him it would therefore be wise economy to encourage the multiplication of such schools, and one way of doing so would be to place them on the same footing as Government Schools as to the number of scholars required to entitle them to a grant-in-aid.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) pointed out that in order to carry out the hon. member's wishes it would be necessary to introduce a Bill to amend the existing Elementary Education Act, and he did not suppose the hon. member proposed to do that, at this advanced period of the Session, for the subject once re-opened would doubtless lead to endless and possibly unprofitable discussion.

Mr. CAREY said he had no intention of bringing in a Bill, at present at any rate, to amend the Education Act; at the same time he could not help remarking that the two systems, or rather two classes of schools, were not placed on the same footing as regards the required number of scholars to entitle them to a grant of public money. With respect to

Baron Von. Müller's work on botany, he understood that the book was in use in all the Government Schools in Victoria, and he thought it would be a very useful class book for use in the schools in this Colony. It was a very small volume, but it contained a great deal of very useful information relating to Australian plants.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) suggested that the hon. member should leave the matter to the discretion of the Central Board of Education. It appeared to him that any reliable elementary treatise on Australian botany would be a most useful addition to our class-books, but he thought the matter was one that might be left in the hands of the Central Board to deal with.

MR. CAREY said he was quite willing to leave the matter, as suggested, in the hands of the Board of Education; he would therefore not introduce the resolution which he had intended to bring forward.

The subject then dropped.

BUSHMEN'S HOME AT NORTHAM.

MR. SHENTON, in accordance with notice, asked the Colonial Secretary, whether it was the intention of the Government to give a grant of land to the Bushmen's Home at Northam? The institution in question had effected a great deal of good in the district, and was calculated to do much towards elevating the moral and social tone of the class for whose accommodation the "home" had been established. The advantages of such an institution were acknowledged on all hands, and he thought its claims for Government assistance and support were entitled to the consideration of the House.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the Government was unable to concede a grant of land to the institution in question, but would deal with it in the same manner as a Mechanics' Institute or Working Men's Association.

USE OF POLICE HORSES AND VAN BY OFFICIALS OTHER THAN POLICE OFFICERS.

MR. CAREY, in accordance with

notice, asked the Colonial Secretary, If an order or memo. has been issued allowing certain Officials—other than Police Officers—the use of the police van and horses on payment of 12s. per day; and, if so, what amount has been paid on this account. Also, if Mr. Alpin Thomson is in the Government employ; if so, what is the nature of his employment; and if he was provided with a police horse or horses when recently proceeding to Champion Bay.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) replied as follows:—An order is in force allowing Officials, other than Police Officers, the use of the police van and horses on payment of 12s. per day. I am not prepared to say what amount has been paid on this account. Mr. Thomson is not in Government employ, but, being about to proceed to Champion Bay, asked if the Government could give him any assistance by the use of a Police horse, and was informed that the Police desired to send a horse from Gingin to Champion Bay, and that it would be at his service if he chose to take it up.

JURY ACT, 1871, AMENDMENT BILL, 1878.

THE ATTORNEY GENERAL (Hon. H. H. Hocking), in moving the second reading of this Bill, said the measure had been rendered necessary in order to extend the provisions of the Jury Act to Roebourne, where the Government had recently instituted a Court of Quarter Sessions. The Bill provided that in districts where a court of general sessions of the peace had been appointed to be held, the jury list need not be transmitted to the Sheriff—a provision which would be found convenient in its application in other remote districts, as well as Roebourne. The Bill also provided for the mode of summoning jurors for the trial of any issue in such courts, and exempted justices of the peace from serving on juries in any district where a Court of General Sessions of the Peace had been appointed to be held, but in no other district.

Motion for second reading agreed to.

The Bill was then committed, and the

various clauses were agreed to without discussion or amendment.

Bill reported.

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

LEGISLATIVE COUNCIL,

Wednesday, 17th July, 1878.

Eucla Telegraph line : Recognition of the services of certain officers employed in construction of—Exploration of Northern Territory: Proposal by Mr. A. Forrest relative to—Closing of Telegraph Offices on Sundays—High School Act, 1876, Amendment Bill, 1878: first reading—Police Ordinance, 1861, Amendment Bill, 1878: first reading—Railways Bill, 1878: (second reading—Northern Districts Special Revenue Act, 1873, Amendment Bill, 1878: second reading; in committee—Estimates: further consideration of, in committee; re-committed—Point of Order—Boat Licensing Bill, 1878: third reading—Jury Act, 1871, Amendment Bill, 1878: third reading—Adjournment.

THE SPEAKER took the Chair at 7 o'clock, p.m.

PRAYERS.

EUCLA TELEGRAPH LINE: RECOGNITION OF SERVICES OF OFFICERS EMPLOYED IN THE WORK OF CONSTRUCTION.

THE ATTORNEY GENERAL (Hon. H. H. Hocking), in the absence of the Hon. M. Fraser, in accordance with notice, moved, "That the House do now resolve itself into a Committee of the whole, to consider the claims of certain officers employed in the construction of the Eucla Telegraph line."

Motion agreed to.

IN COMMITTEE.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) said he need not trespass on the time of the Committee by dilating upon the services of the officers who were engaged in the construction of the overland line of telegraph to Eucla; a statement showing the claims of the various officers was already in the hands

of hon. members, who would no doubt agree with His Excellency the Governor and the Executive Council that those officers were deserving of some substantial mark of the approval of the Government for the good services they had performed. He would therefore move, "That the Governor be authorised to pay the sum of £280 17s. to Mr. C. D. Price, and £150 to Mr. J. C. Fleming, to recompense them for extra expenses incurred by them in travelling, and otherwise, in the course of the construction of the line of Telegraph to Eucla, and to give to the various officers employed on that service a bonus of three months' pay by way of recognition of the services rendered by them to the Colony, in the course of that construction."

MR. CAREY expressed surprise that any of the officers referred to should, now that the work was done, set up a claim in respect of equipment and stores, which he thought should have been made before the party started. He also noticed that the name of Mr. Horace G. Stirling was not included among the officers enumerated in the list of the Surveyor General as recommended for a gratuity. This he apprehended was merely an inadvertent omission, which would be rectified when the bonuses came to be paid.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): Certainly.

Motion agreed to.

EXPLORATION OF NORTHERN TERRITORY—PROPOSAL BY MR. A. FORREST RELATIVE TO.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy), in the absence of the Hon. M. Fraser, moved, "That the House do now resolve itself into a Committee of the whole, to consider the proposal of Mr. A. Forrest to explore the Northern Territory."

Motion affirmed.

IN COMMITTEE.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) craved the indulgence of the Committee whilst, in the absence of his hon. colleague the Surveyor General, he briefly sketched out the scheme which had been submitted to the Government by Mr. Forrest. He need