

Legislative Assembly,*Monday, 19th October, 1896.*

Goldfields Act Amendment Bill: first reading—North Fremantle Road Bridge and Repairs—Question: Encroachment of Rabbits—Motion: Report of Midland Junction Workshops Inquiry—Motion: Public Abattoirs—Hills of Sale Bill: third reading—Loan Estimates, 1896-7: in committee, and passed—Lands Resumption Bill: in committee; third reading—Bridges over Railway in Perth: Motion re report of Joint Select Committee—Perth Racecourse Railway Bill: in committee; third reading—Annual Estimates: Committee of Ways and Means—Appropriation Bill: first reading; second reading; in committee; point of order and ruling; third reading—Motion: Aborigines Protection Board and the reserved Bill for its abolition—Adjournment.

THE SPEAKER took the chair at 4.30 o'clock, p.m.

PRAYERS.**GOLDFIELDS ACT AMENDMENT BILL.**

Introduced by the PREMIER, and read a first time.

NORTH FREMANTLE ROAD BRIDGE AND REPAIRS.

THE DIRECTOR OF PUBLIC WORKS (Hon. F. H. Piesse), in laying on the table supplementary reports on the North Fremantle Road Bridge, with plan of same, said the Government had fully inquired into the condition of this bridge, but the reports upon it had been received too late for an item to be placed on the annual Estimates for the work. The Government intended to put the bridge in good order, and the report would show that they intended to spend about £2,800 in making the bridge perfectly safe.

QUESTION: ENCROACHMENT OF RABBITS.

MR. HARPER, by leave and without notice, asked whether the Government intended to take any steps, and, if so, what steps, for preventing the further encroachment of rabbits into this colony?

THE PREMIER intimated that he was not prepared to answer the question at present.

MOTION: REPORT OF MIDLAND JUNCTION WORKSHOPS INQUIRY.

MR. ILLINGWORTH (for Mr. Moss): in accordance with notice, formally moved—“(1.) That there be laid upon the table of the House the complete reports, with plans, drawings, appendices, estimates of costs, correspondence (including recommendations of types of machinery, with makers' names), and all other papers connected with the inquiry recently made by Messrs. McDonald, Quirk, and Campbell, in reference to the proposed railway workshops at the Midland Junction, and the plant and machinery therefor. (2.) That there be laid upon the table of the House a return showing the total cost of such inquiry, in detail, including rents of premises, special remuneration claimed by or paid, to the three gentlemen above-named, in addition to their ordinary salaries as Government officials, and all correspondence which has passed between them, or any of them, and the department with reference thereto.”

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) said that, at this stage of the proceedings of Parliament he hoped the hon. member would withdraw the motion, because he (the Commissioner) had placed on the table the report of the departmental committee which had inquired into the new railway workshops arrangements, and had also placed within this Chamber the plans prepared by that committee. Therefore, having intimated to the hon. member who gave notice of this motion that he would take this course, he hoped this motion would be withdrawn, as being now unnecessary, because all the information asked for was then available to members, who could examine the report and the plans. It would, in fact, take a good deal of time to prepare such a report as was asked for, and to furnish the other information; therefore he hoped the hon. member would be satisfied with the information already given.

MR. ILLINGWORTH stated, with regret, that he could not comply with the request of the Commissioner by withdrawing the motion, because the statements which had been made with reference to the new workshops committee, of which Mr. Quirk had been a prominent member, were such as required confirmation or denial; and he had reason to

believe, as had also the hon. member who gave notice of this motion after consultation with himself, that the information now asked for would show a state of things which thoroughly warranted the action he was asking the House to take. He was perfectly satisfied the report would reveal some things which this House and the country ought to know. If, however, the Government voted against the motion, he could not help it; but he could not see his way to withdraw it.

THE PREMIER (Hon. Sir J. Forrest) asked what was the point on which information was particularly wanted?

MR. ILLINGWORTH said that which was mentioned in paragraph 2 of the motion, as to total cost of inquiry, &c.

THE COMMISSIONER OF RAILWAYS said all the information asked for by the hon. member had really been given already in his (the Commissioner's) annual statement to the House on the Railways and Works. The remuneration paid to Mr. Quirk was, as he had stated, £320, and £100 had also been given to each of the two officers for this special work. The other details asked for were very small, and could not contain much information. The rent of premises, for instance, was a very small item. The report, if furnished, could not be ready, he thought, until after the House had adjourned.

THE PREMIER said the information asked for appeared to him to have been already supplied. The plans and the report were already in this Chamber. As to the type of machinery ordered, all the information which the Government could give was in that report. The total cost of the inquiry had been stated.

MR. A. FORREST: It was too much.

THE PREMIER said he was not prepared to state whether it was too much or too little; but a good deal of work had been done, and he had every reason to believe the report furnished by the committee was a good one. If so, it probably cost much less than would have had to be paid for a report obtained from experts outside the service.

MR. RANDELL said Mr. Moss had asked for information as to the amounts claimed.

THE PREMIER said there had been no claim, except in the case of Mr. Quirk, who had misunderstood what was the

amount agreed upon, and claimed more; but the claim was not allowed, and he accepted the sum offered and was satisfied. As to the rent of premises, the inquiry had occupied only 60 days, and the amount for rent must be very small. The two officers of the Government who acted on that committee were paid for the work, because it was additional to their ordinary service. All the information which the Government could give had been supplied; or, at any rate, he had told all he knew about it.

Motion put and passed.

MOTION—PUBLIC ABATTOIRS.

MR. HARPER, in accordance with notice, moved "That, in the opinion of this House, it is important, in the interests of public health, that the recommendations contained in paragraph 6 of the report of the joint select committee on the high price of meat should be carried out with as little delay as possible." He said there had been a great scare recently throughout the colony on account of the discovery of tuberculosis amongst cattle, and it seemed to have had the effect of frightening many people as to the quality of the meat sold by butchers. Latterly, the scare had almost disappeared, but as to the existence of the disease itself, the evidence contained in the report of the committee showed there was danger from this disease; and the committee had made certain recommendations, particularly for the establishment of public abattoirs. This step had been suggested by the Government, and a communication he had received from the Chief Inspector of Stock informed him that the inspection of stock for slaughter, as at present carried out, was almost a farce in this colony, and no real protection for the public health was secured by this inspection, owing to the want of system. Therefore it was very desirable that this House should express its opinion regarding the recommendation made in Clause 6 of the committee's report, as follows:—

To overcome the second difficulty, your committee strongly recommend the early establishment of one or more public abattoirs, provided with full and complete arrangements (inclusive of cold storage), and regulations for the inspection, marketing, maintenance, and

slaughter of all stock required for the metropolitan and port markets. It is by these means more than any other, that there is a promise of effecting results beneficial to the consumer; regularity of supplies at frequent intervals, with provision for maintenance, being the two principal requirements to establish a healthy competition in the business of distribution.

Taking that recommendation into consideration, and it being a certainty that there was more or less of this disease in some parts of the colony, it was impossible to properly protect the public by acting on such powers as they at present possessed for the inspection of stock; and it therefore became most desirable that the Government should lose no time in putting the community of this colony on a level with those of the other colonies, by taking proper measures for preventing diseased meat from being sold to the public as good. It was a rather remarkable fact that almost at the same time that the scare occurred in this colony, a similar scare occurred in the State of California; and so rapid was the spread of the disease in that country that it was said there were as many as 25 per cent. of some herds afflicted with tuberculosis. This showed how important it was that the matter should be taken into consideration, with a view to early action in this colony.

MR. A. FORREST said he presumed the Government would not object to license private abattoirs, because it was well known that several butchering firms in this colony had erected private abattoirs at considerable expense; and if these could be placed under inspection in the same way as public abattoirs, subject to the same conditions in all respects, he believed the object of the hon. member would be attained without difficulty. The system of licensing private abattoirs prevailed, he believed, in South Australia and in Queensland, but he was not sure as to the practice in Victoria. If the Government of this colony did carry out the recommendation of the committee, by giving effect to this motion, to which he had no objection, it would be only fair that those owners of private abattoirs who had incurred large expense, and who had slaughter yards on their own land or close to their pasturing paddocks, should be put on the same footing as public abattoirs in regard to inspection; but it would be a hardship if, after private

firms had incurred large expense in this way, they were compelled to slaughter their stock in public abattoirs.

MR. SOLOMON hoped that, if the Government did carry out the recommendation of the committee by providing public abattoirs, private slaughter yards would be placed under the same system of inspection.

THE PREMIER (Hon. Sir J. Forrest) said he could not say the Government had fully considered this question at present—at any rate he had not—but he did not anticipate the motion meant that every butcher must necessarily have his cattle slaughtered in public abattoirs. That might be a requirement in some countries, but he did not see it was absolutely necessary here.

MR. HARPER said the motion did not ask for that, but it asked that action should be taken for establishing public abattoirs.

THE PREMIER said the report of the committee recommended that one or more public abattoirs should be established; but it did not recommend that these should be the only abattoirs at which slaughtering should be done.

MR. HARPER said the Premier had correctly understood the meaning of the committee's recommendation.

Question put and passed.

BILLS OF SALE BILL.

THIRD READING.

On the motion of Mr. JAMES, the Bill was read a third time, and transmitted to the Legislative Council.

LOAN ESTIMATES, 1896-7.

IN COMMITTEE.

The consideration of the Loan Estimates was resumed.

CLASS 1—*Departmental*, £122,660 18s. 8d.

MR. R. F. SHOLL asked if it was a fact that some of the money authorised by the Loan Bill of this session had been expended before the Bill was actually passed, which he inferred to have been the case from the appearance of several items in these Estimates. On some of these items there were estimated outstanding liabilities on the 30th June last;

whereas the Loan Bill authorising this expenditure was passed considerably after the 30th June.

THE PREMIER: What do you refer to in particular?

MR. R. F. SHOLL said he referred particularly to the item, "Development of goldfields and mineral resources," for which there appeared to have been a liability of £180,028 19s. 6d. on the 30th June last.

THE DIRECTOR OF PUBLIC WORKS (Hon. F. H. Piesse) said this had been explained the other evening in his annual statement to the House. Most of this money had not been expended, but authority had been given by the Government to the department for the expenditure of that amount for carrying out what was called the December programme of works. It would be remembered that the Premier visited the goldfields in December last, and having seen the necessity of carrying out certain works in connection with the water supply, he placed certain proposals before the Cabinet. The result was that the department was authorised by the Government to carry out works to a certain amount. That amount, therefore, appeared in these Estimates as a liability, and some of the works were actually put in hand before the end of June. There was in this respect a liability existing for the completion of certain works which had been commenced, and the carrying out of other works authorised by the Government, although the amounts had not been actually expended. The liability was there, because the Government had authorised the department to proceed with them as works urgently required.

MR. R. F. SHOLL said he must protest against this system of manipulating the funds of the colony, by expending money and afterwards coming to this House to ask that the expenditure be sanctioned, and the items be put in a Loan Bill. He must protest in the strongest possible manner against this system of dealing with loan moneys or with the general revenue.

MR. ILLINGWORTH said he wished to express his conviction that the member for the Gascoyne was quite right in his protest in regard to the general principle. It was quite true the Government for some time past had spent money regardless of the sanction of Parliament; but

still there had been many exceptional circumstances, and the water supply on the goldfields was an exceptional circumstance. To some extent, the fact that the providing of water on the goldfields was an exceptional matter had perhaps justified the Government in taking the steps which they did take; but, as a question of principle, he was thoroughly in accord with the member for the Gascoyne, that no Government ought to expend money without the authority of Parliament.

Vote put and passed.

CLASS 2—*Railways and Tramways*, £1,765,581 7s. 10d.—agreed to.

CLASS 3—*Harbour and River Improvements*, £281,071 3s. 10d.—agreed to.

CLASS 4—*Public Buildings*, £2,632 17s. 2d.—agreed to.

CLASS 5—*Water Supply and Sewerage*, for towns, £60,000:

MR. WOOD asked if this vote referred to the sewerage works of Perth and Fremantle.

THE DIRECTOR OF PUBLIC WORKS said it did.

Put and passed.

CLASS 6—*Coolgardie Water Supply*, £290,000:

MR. A. FORREST said the Government were proposing to make but slow progress with these works during the year ending June 30, 1897. If this slow progress were owing to the expectation that there would be delay in the delivery of the pipes, he might say that, when in England, a Glasgow firm had told him they could make and deliver the pipes quicker than these could be shipped. It would take more than three years to carry out the scheme, if only £290,000 was spent in the current year.

THE PREMIER said that in works of this character a long while was required to make a start.

Put and passed.

CLASS 7—*Development of Goldfields and Mineral Resources*, £150,000—agreed to.

CLASS 8—*Roads and Bridges*, £15,000:

MR. LEFROY asked if this money had been allocated.

THE DIRECTOR OF PUBLIC WORKS said it had not yet been allocated, but it would be spent on works in connection with stock routes, and in special grants to roads boards.

Put and passed.

CLASS 9—*Public Works, Geraldton*, £357 4s. 11d.—agreed to.

CLASS 10—*Development of Agriculture*, £10,000:

MR. SIMPSON asked whether the Commissioner of Crown Lands had any information to give about the proposed drainage scheme. He knew of a number of people who were anxious to take advantage of this scheme and get their lands drained, and they were willing to pay 5 or 6 per cent. on the outlay.

THE DIRECTOR OF PUBLIC WORKS said the drainage scheme was under consideration. The Commissioner of Crown Lands was making arrangements as to the localities where the scheme would be carried out; and when those arrangements were completed, the Works Department would take the matter in hand. The question had yet to be decided as to how the scheme was to be carried out on land that was alienated; whether the owners should contribute towards the cost, or pay on an assessment. He had suggested to the Commissioner of Crown Lands that a Bill should be introduced for enabling him to enforce payment of rates for drainage by private owners. With regard to draining Crown lands, there would be no difficulty, as special arrangements could be made on disposing of these lands. As soon as he received information from the Commissioner of Crown Lands as to how the owners of alienated lands would be dealt with in regard to drainage, the work would be proceeded with.

MR. SIMPSON said he had ascertained from the Commissioner of Crown Lands that all the plans for the drainage scheme had been sent to the Works Department, and he wished now to know when the work would be started. Many people were anxious that the work should be started, and were willing to pay interest on the outlay.

THE DIRECTOR OF PUBLIC WORKS said it was his intention to carry out some of the work during the present summer. He had been asked to do some drainage work in the early part of the winter, but that was not the right season for undertaking drainage.

MR. A. FORREST asked if it were true that the country being ringbarked in the Southern districts contained jarrah.

He also asked to be informed of the area ringbarked, and how the Government proposed to recoup the outlay. When persons obtained land, they should do their own ringbarking.

THE DIRECTOR OF PUBLIC WORKS said 12,000 acres had been ringbarked on the Lower Blackwood, at a cost of 2s. 6d. an acre. This would be added to the price of ten shillings an acre, at which the land was sold. A small area of jarrah (two hundred acres) had been ringbarked by mistake; but he was informed that it was not very good jarrah. The Commissioner of Crown Lands was now dealing with the question of settling the country that had been ringbarked.

Put and passed.

CLASS 11 — *Immigration*, £4,000—agreed to.

This completed the votes of Loan Estimates for the year, the total amount voted being £2,701,303 12s. 1d.

Resolutions of the committee reported to the House.

Report adopted.

LANDS RESUMPTION BILL.

The House went into committee to consider the Bill.

IN COMMITTEE.

Clauses 1 and 2—agreed to.

Clause 3—Limit of time for sending in claim for compensation:

MR. ILLINGWORTH said sixty days were not enough for sending in a claim for compensation, and he asked the Attorney General to consent to an alteration to ninety days.

THE ATTORNEY GENERAL (Hon. S. Burt) said it would be noticed that the sixty days applied only to the persons who had been served with notice, and that four months were allowed to persons on whom notice had not been served. The length of notice in each of these cases ought to be sufficient.

MR. RANDELL said it might happen that notice would be sent to a person and yet not reach him; and the fact of his not receiving notice should not debar him from making his claim, either through the courts or in some other way. The Attorney General should insert some words in the Bill to protect an absent owner, for it must be supposed that the

Government, in resuming land, were desirous of paying for it.

THE ATTORNEY GENERAL said an owner of land that had been resumed would not, because he had not received notice, lose his right to compensation. The only effect of his not receiving notice would be that the Commissioner, under Clause 5, would appoint an arbitrator to act for both parties. It might be assumed that such arbitrator would award a fair value; and if he did that, the absent owner would not suffer. The only advantage of receiving notice was that an owner of resumed land would be able to appoint an arbitrator to represent him.

MR. RANDELL said he understood the Attorney General to say that, in the event of an absent owner not receiving notice, the money representing the amount of the compensation to be paid to him would be set aside for him.

THE ATTORNEY GENERAL said the money would be set aside for him, and he would receive the award whenever he claimed it.

Put and passed.

Clauses 4 to 7, inclusive—agreed to.

Clause 8—Compensation to be paid, with six per cent. interest from day of taking:

MR. A. FORREST said he could not see why interest should be paid on the purchase money of unimproved lands, for those lands would be bringing in no return to the owner.

MR. MORAN said it would be scarcely fair not to pay interest on unimproved land, because the owner might have other opportunities of selling.

MR. ILLINGWORTH said it would be only right to pay interest on the purchase money of resumed lands, because there might be an increase of value after the time at which the Government took possession. Then there was the case of the absentee, whose money the Government might hold for a year; and surely such an owner was entitled to interest, especially considering that he would lose the benefit of the enhancement of value during that time.

THE PREMIER (Hon. Sir J. Forrest) said it was a question whether there should not be something in the clause determining more clearly the time up to which interest should be payable. If

that was not done, the purchase money might be allowed to lie for ever at six per cent.

MR. LEFROY said it seemed to him only fair that an owner should receive interest on the purchase money from the moment he lost possession.

MR. RANDELL said it seemed to him a good provision that interest should be paid on the purchase money, because it might have the effect of inducing the Government to pay up quickly.

Put and passed.

Clause 9—agreed to.

Title—agreed to.

Bill reported, and report adopted.

THIRD READING.

Bill read a third time, and transmitted to the Legislative Council.

BRIDGES OVER RAILWAY IN PERTH.

MOTION *re* REPORT OF JOINT SELECT COMMITTEE.

The report of the joint select committee, which had been appointed "to consider whether the time had arrived when one or more bridges for vehicular traffic over the railway lines must be substituted for the level crossings at William Street and Melbourne Road, in the city of Perth," having been brought up and read, the House went into committee of the whole to consider the report.

IN COMMITTEE.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) said the joint committee had recommended that the railway should be carried on a viaduct through the city of Perth, in order to obviate the danger of the present level crossings, and expedite the working of the rapidly increasing traffic of the department; but the Government were not prepared to proceed with this work at once. They desired a further opportunity of investigating the facts of the case, and to obtain further evidence. For his own part, he was convinced that an overhead railway was the best scheme that could be devised, not only in the interests of the department, but also in those of the public, and for overcoming the difficulties which had for some time beset the question. The alternative proposal of carrying bridges over the railway would cost a great deal for the resumption of

land, even to enable William Street and Melbourne Road to be bridged, while there would still remain eight other level crossings to be dealt with in course of time. On the other hand, the continuous viaduct would deal with the railway question in a complete and permanent manner, without seriously affecting vested interests. It was desirable that a definite determination should be come to as soon as possible, as to which scheme was to be carried out, in order to prevent as far as possible the expenditure upon temporary works while the decision was in suspense. In the end, he believed the viaduct would be found the most economical undertaking, for the reasons which were fully set out in the report, and which had been very carefully considered by the joint committee. During the recess, the matter would be carefully considered by the Government, which, as he had said, did not intend to immediately give effect to the recommendation contained in the report, even if the report were agreed to by this House.

MR. R. F. SHOLL said he was pleased that the Government were not anxious to grapple with the work, because the country should not be committed to a large expenditure until the opinion of the Engineer-in-Chief on the question had been strengthened by obtaining other expert evidence. The Engineer-in-Chief was a good hydraulic engineer, and was no doubt a good all-round man; but for this particular work the Government ought to be able to obtain better advice than that of the Engineer-in-Chief. He (Mr. Sholl) hoped that, before the viaduct was begun, more information would be obtained than was now before hon. members.

MR. A. FORREST said he was pleased that the construction of the viaduct was to be postponed for the present, as so important a subject required very great consideration; especially the proposal to move the goods-yards to the Commonage near Kimberley Street. He did not believe that this House was prepared to allow the goods shed to be taken so far from the city. The matter might very well rest until next session, when the committee would have more information upon it. It was not to be expected that such a large work would be resolved upon, on the recommendation, he believed, of only

four members of the committee; for four others had added a rider to the report qualifying their support of the proposal to construct a viaduct. He hoped the rider would be acted upon, and that in view of the large outlay, together with the fact that the interests of many parts of the city would be interfered with, a commission of professional and business men would be appointed to thoroughly investigate all the attendant circumstances, in order that a report might be submitted to the next session of Parliament. He was willing to move the adoption of the rider.

MR. RANDELL said he had much pleasure in finding that the Government were not endeavouring to proceed upon the recommendation of the joint committee, because there had never been a full attendance of its members, and, consequently, very few of them had heard the whole of the evidence. That was a pretty strong reason why the views of the committee should not be acted upon by this House without due deliberation. Another reason was that the Engineer-in-Chief had based his estimate upon the assumption that the viaduct would be a chain wide, while the General Traffic Manager said that, in order to provide for the probable future requirements, the lines should occupy a width of 100 feet. The Under Secretary's estimate of income from the letting of the arches was also based upon their being that width. Such a viaduct would cost £200,000 more than the £400,000 estimated by the Engineer-in-Chief. The proposal of the Engineer-in-Chief for effecting a junction of the viaduct with the South-Western line at Claisebrook Street, appeared to require some modification; and, on the whole, the proper course would be to appoint a commission to make a further investigation during the recess. All the mercantile interests of Perth would rise in rebellion at the proposal to remove the goods traffic to Subiaco, unless better reasons for doing so were given than those which were now advanced. The magnitude of the scheme, and the number of important interests involved in it, should forbid any hasty action being taken to carry into effect the recommendation of the joint committee. The interests of the city, as well as those of the Railway Department, had

to be considered and provided for. He moved the adoption of the rider appended to the report by four members of the joint committee, as follows:—"That in view of the large outlay, together with the fact that the interests of many parts of the city would be interfered with, the committee recommends that a commission of professional and business men be appointed to thoroughly investigate all the attendant circumstances, and report to the next session of Parliament."

MR. GEORGE said that although the Engineer-in-Chief had based his estimate of the cost of the viaduct upon the assumption that it was to be 66ft. wide, the General Traffic Manager had said that this width would probably not be sufficient for the whole of the traffic. If a commission were appointed, the members would be able to apply themselves more closely to the inquiry than the joint committee had been able to do while Parliament was sitting. It should be borne in mind that, if the site of the goods shed was changed, it would be practicable to have a goods station at both East and West Perth, which would minimise the inconvenience occasioned by the change. It would, of course, be too much to ask consignees to cart their goods two miles into the city from Kimberley Street. Perhaps the goods sheds might be retained in their present position. Something had been said on that point during the investigation by the joint committee, and there was no doubt it would be most convenient if that could be arranged. He believed this House would agree to the motion, which suggested the most sensible and business-like alternative, at the present stage of the question.

THE COMMISSIONER OF RAILWAYS said it would be better to leave the Government to deal with the matter during the recess, instead of tying their hands by appointing a commission, which would lead to a great deal of unnecessary expense in providing for the traffic, pending a final determination being arrived at. By leaving the matter with the Government, probably a more direct and satisfactory result would be arrived at; for his experience was that boards of inquiry usually left a great deal of their work to the Government departments. The Government, with their powers of

control and resources, could obtain evidence more readily than a commission. It could not be denied that commissions did not always achieve the results that were expected of them. The Government could prepare evidence, with plans and estimates, to place before Parliament next session; and it would be better to leave them unimpeded in doing so. In view of the fact that emergency works must be carried out at the Perth station, while the permanent scheme was being formulated and determined upon, it was desirable to expedite as far as possible the final decision of Parliament as to which design was to be adopted; and, therefore, he would ask the House not to appoint a commission. As far as the removal of the goods sheds was concerned, that was only a suggestion. Another site might be found for the goods sheds so contiguous to the city that it would find general acceptance.

MR. RANDELL said some business men, in conjunction with engineers, should decide the question; and, if a commission were appointed, the question would be looked at from a mercantile as well as a railway point of view. He felt certain there would be no difficulty in accomplishing the two things, so that the railway traffic could be accommodated and the goods sheds left in a central position. If that could be done, it would be beneficial to the department and to the colony generally.

MR. ILLINGWORTH said this was largely a departmental question, and nearly all the light that could possibly be thrown upon it was to be found in the report of the joint committee. It was unfortunate that members had not yet had an opportunity of reading the evidence given before that committee; but, after the expressions of opinion which had now been given, the Government might safely proceed with the work as soon as they had thoroughly investigated all the facts and conditions. He could not see that much would be gained by the appointment of such a commission as the member for Perth had suggested; for when certain members of the joint committee had added a rider to the report, it was with the view of gaining more time for consideration before action should be taken. He must confess the Commissioner of Railways had not stated

very clearly what it was he desired the House to pass. His own conviction was that the Government ought to be prepared to place before this House some substantial proposition; whereas they seemed unprepared to deal with the question from any standpoint whatever. He asked whether the Commissioner was prepared to place before this House any recommendation on this question?

MR. MORAN supported the proposition of the member for Perth; because, unless business men were consulted in the matter, the deliberations of a committee of professional men would lack any value to the commercial community. The railways were made for business people, and this question of an overhead railway, as compared with the bridging of certain streets, was essentially a question for business men in the city; therefore he approved entirely of having the Government assisted in this matter by business men. All the collective wisdom of the colony was not centered in the Government, or in this House, and the opinion of men outside this House might often be availed of with advantage. This was not an engineering question at all, but purely a commercial one.

THE COMMISSIONER OF RAILWAYS suggested that the mover should strike out of his motion all reference to professional or business men, and leave entirely to the Government the selection of a suitable commission.

MR. RANDELL said the Commissioner having heard the wishes of the House expressed in this discussion, the selection of a commission might now be safely left in the hands of the Government.

THE ATTORNEY GENERAL (Hon. S. Burt) said this was a very difficult subject, and if a few engineers were combined with a few business men on one commission, the result would be, as it had often been in other inquiries before a mixed tribunal of the kind, that the engineering portion of the committee would pull one way and the business portion would pull another way, so that there would be no real agreement. This House should not be guided entirely by experts in such a matter, for he had formerly heard reports of engineers read in this Chamber which, if fossicked up and read now, would be most amusing in the light of present-day facts; for he

could show that there were, at the present time, railway stations accommodating a large number of people at places which had been declared impracticable by some engineers in a former period, because they said it would be impossible to stop a train there, whereas trains were now stopping there, and these stations were serving the convenience of large populations. The members of a commission for the present purpose ought to be either practical men outside of the Government, or they should be men selected by the Government. The right solution of this question of bridges should be supplied either by skilled engineers, or by a body of men entirely outside all engineers, because the two sets of opinions would not coalesce. For his own part, he knew where he wanted to go, and if engineers told him it would be impossible for him to go there, he would not believe a word of that. It had been stated this overhead railway was to cost half a million of money; but his opinion was that it would cost a million before it was finished, for there were difficulties as to levels in getting to and from the overhead stations, which would increase the cost very largely. It was easy to talk about running the trains overhead, but how were they to get to the goods yard and the stations? Members were not warned, as they ought to be, that if there was an overhead railway, a station yard would have to be raised, until they got another Mount Eliza. When members realised this, they would have something to say about it; for it was hard enough to get stuff in or out of the station yard at present, and it would be vastly worse if they had to run up another Mount Eliza. The difficulties of working the railway traffic, and the annoyances of the public, would be multiplied if they had an overhead railway with elevated stations. He only wished to point out that the question was a difficult one to determine, and if they had practical people mixed with engineers on one commission, he would bet—[MR. SIMPSON: No; betting is illegal]—that the engineers would pull one way and the practical people would pull another way.

MR. RANDELL said the Attorney General had made a mistake, in saying that engineers had declared it impossible to put stations in certain places.

MR. WOOD said he was strongly of opinion that engineers would never do anything for the public good; for they looked at a railway question entirely from a railway point of view, and did not consider who would be inconvenienced. If the suggested commission were leavened by placing a few practical men on it outside of the professional branch, he thought they would be a better body for dealing with the question, even if the only benefit was that the practical men would add a rider to the report. The non-professional men on the joint committee had done some good by adding a rider to that report. He, as a member of that committee, could say the Engineer-in-Chief did not tell them in his evidence one single thing as to his own opinion on the overhead railway scheme, or as to the best means of dealing with the question. The only information obtained from the Engineer-in-Chief was got through questions put by non-professional members of the committee; and, in his answers, the Engineer-in-Chief had been careful not to express any opinion on the scheme. If the proposed commission were to be appointed, there should be men on it who were outside the professional branch.

MR. GEORGE said that, as to the sale of land recouping some of the outlay for the construction of an overhead railway, there would be no land for re-sale if the goods sheds were to be retained in their present position.

THE COMMISSIONER OF RAILWAYS asked the member for Perth to accept, in lieu of his motion, the following proposition suggested on behalf of the Government:—"That, in view of the large outlay, together with the fact that the interests of many parts of the city would be interfered with, this committee recommends that a commission be appointed during the recess, to thoroughly investigate all the attendant circumstances bearing on the question of dealing with the railway traffic through the city, with the view of obviating, if possible, the danger of level crossings."

MR. RANDELL said he would withdraw his motion in favour of the one suggested by the Commissioner.

Motion, by leave, withdrawn; and the motion of the Commissioner of Railways became the substantive motion before the committee.

MR. LEFROY, speaking as a member of the joint committee which had inquired into this question, said the committee had not expected, when they recommended the adoption of the overhead railway scheme, that the Government would begin the construction right away; but their expectation was that the Government would take the recommendation of the committee into consideration in dealing with all the facts of the case, and arriving at a decision upon them. As to the Engineer-in-Chief having been very reserved in his evidence, it appeared that he did not care to suggest himself the scheme of an overhead railway, on account of its large expense; but when the scheme was mooted by members of the joint committee, the Engineer-in-Chief adopted the idea immediately, and showed he had considered it, and that it was the best way, in his opinion, of getting over the difficulty. He (Mr. Lefroy) hoped it would not be made to appear that the joint committee were stultifying themselves by not being unanimous in their report. The majority of the committee were of opinion that, if the colony was in a position to undertake the cost of building this viaduct through the city instead of erecting bridges over street crossings, the overhead railway scheme would be the best for getting over the difficulty. A bridge of some kind had become necessary at the William Street crossing, and it was considered by the joint committee that other streets would have to be bridged over, year after year, until there would be a large number of bridges; therefore, it was considered that, by suggesting an overhead railway, the difficulty of building so many bridges would be overcome, and the question would be settled once for all, not only for the present generation, but for posterity. While he had no objection to the form of motion which was suggested by the Commissioner of Railways, he would not like it to go forth that the joint committee had agreed to the report without having carefully considered all the evidence. The overhead railway scheme would be a better settlement of the question than any other which had been suggested. He hoped the proposed commission which was to deliberate during the recess would be able to settle the question once for all; and, therefore,

he seconded the motion of the Commissioner.

MR. A. FORREST said the hon. member who had last spoken appeared to have been a party to the recommendation made by the committee, and the last paragraph stated:—"Your committee therefore recommends that the scheme now proposed for the erection of a viaduct be approved by Parliament, and proceeded with at once." So that it was only in view of the large outlay that some of the members wanted to refer the question to a commission. His own opinion was that, after spending a quarter of a million in purchasing land for railway extensions in Perth, this House wanted more information before undertaking to spend another half million for an overhead railway. He had been informed by a member of the joint committee that the Engineer-in-Chief gave them no information whatever; that he only answered questions, and did not supply information; also that, when he began to give evidence, he was entirely against the overhead railway, although when he found afterwards that the majority of the joint committee were in favour of it, he partly agreed to the scheme. The time had not arrived, in his (Mr. A. Forrest's) opinion, when an overhead railway should be built in Perth, there being a population of only 130,000 people in the whole colony. A few crossings over railways in the city could be built, without spending half a million of loan money and another quarter of a million for purchasing land. If, after purchasing land, some of it was to be sold for recouping part of the outlay, the result would be found to be that the overhead railway would lessen the value of all lands along the length of the viaduct. His only objection to the motion of the Commissioner was that it delayed the settlement of the question.

MR. LEFROY, in explanation, said he was a party to the report of the joint committee, but the member for West Kimberley was entirely wrong as to the evidence given by the Engineer-in-Chief. Hon. members would know the Engineer-in-Chief was very canny, and of course he was not going to express opinions voluntarily upon things he was not asked about. The Engineer-in-Chief did express his opinion freely about bridging certain

streets; and when the question as to an overhead railway was mooted, the Engineer-in-Chief admitted it would be the best scheme that could be adopted. Indeed the Engineer-in-Chief seemed to drop all his other plans for dealing with the difficulty, and was glad to support the overhead railway scheme, if only the joint committee were prepared to accept it in view of the cost.

MR. GEORGE said that, to use a homely phrase, if members had seen a cat playing with a mouse, that was the way in which the Engineer-in-Chief played with the joint committee.

At 6:30 p.m., the CHAIRMAN left the chair.

At 7:30 p.m., the CHAIRMAN resumed the chair.

MR. ILLINGWORTH said that, before the motion was put, he would like to record his conviction that it was time the Government took this question into serious consideration. If they did not take it into consideration, and did not deal with it at an early date, the lives of some of the people of the city would be lost, and the responsibility would rest upon the Government. [THE PREMIER: No, no.] He was expressing his own conviction. It would be utterly impossible to continue the management of the railways, with increasing traffic under the existing circumstances, without loss of life. He therefore wished to record his personal conviction that at no time in the history of Western Australia would it be possible to make the necessary changes, in reference to the railway through the city, at so cheap a rate as at the present time. He did not particularly object to a little delay, because in any case the Government would require to consider the question further. When he became a member of the joint committee, he had a strong adverse opinion as to the necessity of either bridging the railway or making any other arrangement. He had held the opinion that, by handling the traffic as regards passengers to the westward of William Street, and diverting the goods traffic to a line running from Subiaco to Bayswater, the necessity would be removed for dealing with the question at all. But all the evidence laid before

the joint committee only went to show that such relief would be only temporary, and could not in a substantial way ameliorate the difficulties and dangers existing under the present circumstances. His conviction had deepened, under the evidence, that something must be done, and also that the only thing which could be done effectively and wisely was the construction of an overhead railway. In reference to the goods station, the opinion has been expressed by the Engineer-in-Chief that it was a question that remained to be decided, whether it would be necessary to arrange for the delivery of the goods for Perth outside Perth or not. His idea was that the goods for Perth could be landed at the present station; but that for marshalling purposes, for dealing with the large goldfields traffic, it would be necessary to have another site, and that site, as far as the evidence went, was in the direction of Mount Eliza. According to the evidence of the Traffic Manager, it was not intended that the goods for Perth should be delivered at the Mount Eliza site. It was intended to bring those goods into Perth, while the marshalling ground would necessarily be outside of the city, either to the east or the west. While it was convenient that the goods for Perth should be delivered within the city, it was a different thing when it was proposed to carry all the traffic of the colony right through the city—to carry all the Eastern Railway traffic, all the Great Southern traffic, and all the South-Western traffic. The heavy traffic of the Bunbury railway—and he used this term because he knew it would impress the Premier, Bunbury being the only word that would make an impression upon him—also all the heavy goldfields traffic, should not be brought into the city of Perth; and if, in the future, it were brought into the city, to deal with it would be impossible. He wished to urge upon the Government the necessity for doing something with regard to the crossings, and also his deep-seated conviction that the only practical expedient was to make an overhead railway. The leasing of the arches alone would pay the interest and contribution to sinking fund upon the capital required. The building of an overhead railway was the only effective way of dealing with the question; and,

as it would have to be done earlier or later, the earlier the work was commenced the more cheaply and effectively it would be done. He did not urge strongly that part of the report as to the department commencing the work immediately; because, no doubt, the engineers would like to give the scheme further consideration. He was not in favour of the Commissioner's motion, because it involved a separate commission, which could be of little value, and which would probably hinder and delay the Government in carrying out the work. He had no objection to some delay; and he had risen only to express his conviction as to the absolute necessity for the work, and the wisdom of undertaking it at the earliest possible moment.

Mr. VENN said it was unfortunate that a question of such vital importance should have drifted to the end of the session, because it involved very considerable expense, and a departure from the present railway system as it affected the city. It was a question that should be fully threshed out by both Houses of Parliament; and it was impossible for that to be done if the business was to be hurried through. The Government had had the question under their consideration for more than one or two years, and it was therefore not new. The engineering branch had prepared plans and models and got out estimates, and he had not the slightest doubt the engineers were prepared to deal with the matter at once. If the question was not decided at once, it would mean the hanging up of certain works that ought to be proceeded with, if the overhead principle was not adopted. That being so, he could understand the anxiety of the Railway Department to go on with the work; and he could also understand the anxiety of the Commissioner of Railways to act without delay, especially seeing that there was a sum on the Loan Estimates that could be utilised for the work. He understood the other members of the Government were not particularly anxious about the matter; they were not so anxious about the risk to human life as doubtless was the Commissioner of Railways. The Commissioner must have a strong desire to deal with the crossings, because he must certainly feel great personal responsibility for the safety of the public.

The joint committee had consisted of fourteen members, and he believed those members were absolutely in accord as to the advisableness of having something done. They might not be absolutely in accord as to immediately adopting the overhead railway system; but if they could have further considered the matter, they would probably all have approved of it. There was the conviction amongst them, however, that the time had arrived when some steps should be taken to protect the public at the crossings. As far as expense was concerned, that was not a matter of importance, when considered in connection with the safety of the public at ten or eleven crossings. When the question of expense was considered, however, it was found to be a comparatively small affair, because it had been calculated that by selling land which the department did not require, and by the rental value of the arches of the overhead line, the capital outlay on the overhead line, about £450,000, would be nearly covered. In fact, the evidence given before the committee went to show that the overhead railway would be a reproductive work. The question to be decided was as to the policy to be pursued in dealing with the crossings; and he had no doubt whatever that, if opportunity were given for further investigation, hon. members would become hearty supporters of the overhead system. He agreed with the remark of the member for Nannine that perhaps it would not be well to hurry the work on, and that a little delay might do no harm; but as far as the Commissioner of Railways and the officers of the department were concerned, delay was a serious matter indeed, and he would have supported the Government in any resolution having for its purpose the immediate undertaking of the work. All hon. members had not had an opportunity of reading the evidence, copies of it having been distributed only that night. If an accident occurred at any of the crossings, there was no doubt the country would be called upon to pay a large amount of damages; and if damages could not be claimed by the sufferers or their relatives, there would still be a loss of human life. Even if one human life was lost at a crossing, the members of this House could lay the responsibility upon themselves. When he was Commissioner of

Railways, he had worried for weeks and weeks after an accident occurred, because it struck him that the accident might have been avoided. It was the duty of the Government to make the crossings safe. He hoped the Government would appoint the commission at once, so that they might begin taking evidence. He (Mr. Venn) had very little doubt as to the result, for he had consulted eminent engineers on the subject, and they were of opinion the overhead railway was the right expedient to adopt. In Chicago the railways were being put overhead, at a cost of more than two millions.

MR. A. FORREST: How many people are there in Chicago?

MR. VENN said it mattered not how many, for where it was necessary, human life should be protected. Perhaps the member for West Kimberley would tell the House in what way he would make the crossings in Perth safe.

THE PREMIER (Hon. Sir J. Forrest) said he had not intended to speak on this matter; but he thought the course the Government had taken was, under all the circumstances, the only wise course to follow. Every member was anxious, like the member for Wellington, to protect human life; but they had to be careful, in the action taken, that it was not only the best action to take, but also justified in the present condition of the colony. Not long ago, the member for Wellington, when Commissioner of Railways, held a different opinion on the subject from that which he had expressed on this occasion. The member for Wellington knew, and a good many others knew, that the idea put forward by the engineering branch was to construct a bridge from Murray Street to Roe Street; and the Government had gone so far as to buy a piece of land at a cost of £8,000, with a view to building that bridge. He mentioned this only to show that engineers changed their opinion, and that it was not to be expected hon. members would jump to a conclusion all at once, as to the best way to deal with this matter. As to the proposal for an overhead railway, he remembered that some time ago the opinion of the Engineer-in-Chief was asked as to whether that was the best way of overcoming the difficulties at the crossings in Perth, and he had a distinct

recollection, as no doubt the member for Wellington had also, that the Engineer-in-Chief did not recommend the overhead system. It would be observed, therefore, that the Engineer-in-Chief had changed his opinion in regard to the matter. So far as he (the Premier) could see, the proposal for an overhead railway was both reasonable and feasible, and it would meet the difficulties at the crossings for all time; but there were other questions to be considered—questions as to passenger traffic and goods traffic—therefore, because the overhead scheme, if adopted, might be sufficient for all time, they were not bound to adopt it at this very moment. There were other places in the colony where overhead railways would be required, if one were constructed in Perth. South Fremantle would probably ask for its railway to be carried on a bridge, and perhaps the member for Northam might follow with a similar request as regarded the line through Northam. Personally, he was rather in favour of an overhead railway, because he thought it would be lasting in its usefulness, and would for ever solve the question of the crossings; but they must consider the whole question in its financial aspect, and also in regard to the finances of the colony. For his part, he was not afraid that improved appliances on the railway would not be sufficient to preserve the lives of the people using the crossings in Perth for a long time to come. He did not think this House would be justified in rushing to the decision of such a large question as the building of a viaduct, without very careful consideration; and therefore he agreed with the Commissioner of Railways that the matter should be left open until next session, with a view to obtaining more information.

MR. VENN said he did not think the Engineer-in-Chief gave an opinion on the overhead railway, prior to the evidence given before the joint committee.

THE PREMIER: I saw the papers in which he did, I think.

MR. VENN said the Premier might have seen the papers, but he (Mr. Venn) had not.

MR. SIMPSON: Oh, the Premier sees everything.

MR. VENN said the land to which the Premier referred as having been resumed

by him (Mr. Venn) while Commissioner for Railways, with a view to bridging the line, was now worth 30 or 40 per cent. more than the Government paid for it; and, in the event of the bridging scheme being carried out, it would be advantageous to have the sites for the bridge already provided.

THE PREMIER: The Engineer-in-Chief was in favour of the bridges. He has told me so himself, many times.

MR. VENN said he did not know whether the question of the overhead railway had been mooted at the time to which the Premier referred. It was certainly necessary now to do something to prevent danger and congestion at the level crossings, and it would be well for Parliament and the country to be in possession of such a report upon all phases of the question as a commission could furnish.

Question put and passed.

PERTH RACECOURSE RAILWAY BILL.

IN COMMITTEE.

Consideration of the Bill in committee was resumed.

Clauses 2 and 3—agreed to.

Schedule and title—agreed to.

Bill reported without amendment, and report adopted.

THIRD READING.

Bill read a third time, and transmitted to the Legislative Council.

ANNUAL ESTIMATES.

Resolutions passed in Committee of Supply, granting supplies for the year amounting to £1,908,386 0s. 1d., in addition to £500,000 already appropriated by Supply Bills, were reported by the Chairman of Committees to the House.

Report adopted.

COMMITTEE OF WAYS AND MEANS.

On the motion of the PREMIER and TREASURER, the House went into Committee of Ways and Means, and passed the following resolution:—"That towards making good the supply to be granted to Her Majesty, a further sum not exceeding £1,908,386 0s. 1d. be granted out of the Consolidated Revenue Fund of Western Australia."

Resolution reported to the House.

Report adopted.

APPROPRIATION BILL.

THE PREMIER AND TREASURER (Hon. Sir J. Forrest), in accordance with the foregoing resolutions in relation to the annual Estimates, and upon leave given, introduced a Bill intituled "An Act to apply a sum out of the Consolidated Revenue, and from moneys to credit of the General Loan Fund, to the services of the year ending the last day of June, One thousand eight hundred and ninety-seven, and to appropriate the supplies granted in this session of Parliament."

Bill read a first time.

SECOND READING.

THE PREMIER AND TREASURER (Hon. Sir John Forrest): I beg to move the second reading of this Bill. The Bill comprises the Estimates of Expenditure out of the Consolidated Revenue passed by this House, and also the Loan Estimates which have been passed by the House. There is nothing new in the Bill. It contains only what has already been sanctioned by the House.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clauses 1 and 2—agreed to.

Schedule A—agreed to.

Schedule B:

MR. GEORGE moved, as an amendment, that item 219, "Government House Ball-room and Additions, £5,000," in the vote for Public Buildings, be reduced by £100.

THE PREMIER AND TREASURER: You cannot do that. It is already passed.

MR. ILLINGWORTH: It has not been approved.

MR. GEORGE said he wished the committee to have another opportunity of considering the question of spending £20,000 on a ball-room for Government House.

THE PREMIER AND TREASURER: £15,000.

MR. GEORGE said the item would be £20,000 before the ball-room was finished. It would cost the Government £5,000 to draw the plans. He had moved the reduction of the item by £100, as a protest against the expenditure upon an unnecessary luxury. If the sum of £100 was too small a sum to enable the Chairman

to receive his amendment, he would make the amount £2,000.

THE PREMIER AND TREASURER: Move to strike it out altogether.

MR. GEORGE said he would be glad if it were struck out.

POINT OF ORDER.

THE PREMIER AND TREASURER rose to a point of order, and said the House had not only approved of the Estimates, but had also confirmed the report. Surely it was not competent for the whole discussion on every item in the Estimates to be gone over again, with a view to reversing a decision that had already been arrived at, and also confirmed by the House. They had never had such a proceeding in the House, and he could not think it could be in accordance with Parliamentary practice. If it were so, there would be no finality at all, and no use in passing Estimates and having them confirmed if, after the report of the committee had been adopted by the House, an amendment of this kind could be brought on. The item that had been challenged had been passed by the House in committee, and could be passed again if necessary, as members would not go back on what they had done; but he could not think the amendment of the member for the Murray was in accordance with Parliamentary practice. He appealed to the Chairman for his ruling on the point.

THE CHAIRMAN said he did not think the amendment was in order. The House, when in committee only a few minutes previously, had passed a vote even to the last penny; and it was not competent to immediately afterwards reduce that total. He must rule against the member for the Murray.

MR. ILLINGWORTH asked what was the use of bringing forward the Bill, if members could not deal with it?

MR. GEORGE asked that the Speaker should decide the point of order; and he said this with all respect to the Chairman.

MR. ILLINGWORTH: You should dissent from the ruling of the Chairman.

THE SPEAKER'S RULING.

THE SPEAKER resumed the chair; and the Chairman of Committees having reported the point of order, the Speaker said: I think the Chairman is correct in

his ruling. The House has only just now adopted the report of the committee for a certain amount to be expended in a manner agreed to by the House; therefore I do not think it is competent to raise the question again, in this Bill, which is merely a formal matter, embodying the Estimates in a Bill. I think the ruling of the Chairman is correct.

Amendment (Mr. George's) ruled out of order.

IN COMMITTEE.

MR. ILLINGWORTH, referring again to Schedule B, said that although it was not competent to alter the amount of the appropriation contained in the Bill, he would move, as an amendment in item 219, that the words "Government House Ball-room" be struck out, with a view to inserting the words "additions to the Perth Hospital."

THE PREMIER AND TREASURER: You cannot do that, either. It won't do.

MR. SIMPSON asked whether it was to be understood that the Bill could not be amended?

THE CHAIRMAN said it could not be amended in the manner proposed by the member for Nannine. There were services provided for in the Bill which could not be altered, having been approved by previous resolutions.

MR. SIMPSON said, that being so, why was the House going through the farce of considering the Bill?

THE PREMIER AND TREASURER said they had passed the vote already, and they could never get on if the items could be altered afterwards.

MR. RANDELL said that the only way to do what the member for Nannine desired, would be by a message from the Governor for inserting a new item in the Bill.

THE CHAIRMAN ruled the amendment of the member for Nannine out of order, because it related to a question that had been decided during the present session.

Schedule put and passed.

Schedule C—agreed to

Preamble and title—agreed to.

Bill reported to the House, without amendment.

THE PREMIER AND TREASURER moved that the report be adopted.

MR. GEORGE moved that the report be not adopted. He said he did not want to see the money of the country squandered upon a ball-room for Government House. That vote was profligate and extravagant in the extreme. It was abominable extravagance, at a time when taxation made bread fourpence-halfpenny a loaf, and the cost of living was increased all round.

MR. ILLINGWORTH: And they won't take the duty off tinned meat.

Question put and passed, and the report adopted.

THIRD READING.

Bill read a third time, and transmitted to the Legislative Council.

MOTION — ABORIGINES PROTECTION BOARD AND THE RESERVED BILL FOR ITS ABOLITION.

MR. SIMPSON, in accordance with notice, moved "That, in the opinion of the Legislative Assembly, the continued reservation of assent by the Crown to the Constitution Act Further Amendment Bill relating to the abolition of the Aborigines Protection Board, unanimously passed by the Legislature, is subversive of the rights of the people of this colony, and is not calculated to inspire confidence in the Imperial recognition of the principle of colonial self-government." He said: In rising to call the attention of the House to the continued reservation of assent by the Crown to the Constitution Act Further Amendment Bill, passed by this House, for the abolition of the Aborigines Protection Board of this colony, it does appear that of late years the subject has been so often before the House that to say anything new about it is most difficult. Perhaps it is reasonable to say that the printing and circulation of the later correspondence do call for some comment, in connection with certain peculiar opinions that have been expressed and some extreme statements that have been made. During the last session of Parliament, it was considered expedient, as a continuation of that extremely deferential attitude which this House and the Government of the country seem to be compelled to adopt towards the home authorities, to address a memorial on this subject to the Secretary of State; and it was also thought wise to

refrain from any extreme expression of opinion, and to approach the Secretary of State by a more respectful address than was contained in the terms of my original motion. This memorial was adopted by both Houses, and I am sure any member who perused it then, and who has considered it since, must say that the attitude taken by the colonial Parliament at that time was simply impregnable. One particular phase of the question which, if it does not evoke a feeling of disgust, certainly causes extreme irritation in the minds of hon. members, is the stale old reference to the "compact," as it is called, which was entered into between the Imperial Parliament and the Parliament of this country. My opinion about that compact or contract was that it was an unholy contract; that it was one that did not conserve the honour of this country; that it pawned the honour of this country for years, in order to secure that which we were endeavouring to obtain, for we were told that, as a matter of political expediency, it was discreet to adopt this attitude in order to secure the boon of Responsible Government. I imagine there is not a member of this House to-night who will permit that sentiment to rule for a moment. Our position, our moral right to Responsible Government, is the same to-night as it was then; that there was inherent in us the power to govern ourselves, and to control the destinies of this country in a way that would be a credit to the empire to which we belong; that is, firstly to attend to the development of the resources of this country, and to aid in the progress of this important part of the empire; and, secondly, to attend to the well-being of the aboriginal inhabitants. It was deemed expedient to send this respectful address. It was sent, and the colony has, to my mind, been again flouted. This very respectful address has been put into the waste-paper basket—there is no other way of expressing it. In that memorial, in Clause 3, we find the following, which I may say was the expressed opinion of the Legislature of the colony, and not of a particular member: "We desire to point out that the inclusion of this clause in the Constitution Act was most strenuously opposed when the Bill was being considered by the Legislature, as it was, in

"the opinion of most members, casting an unmerited stigma upon the Government and people of the colony, by compelling them to provide funds for the welfare of the aboriginal natives, the expenditure of which funds was subject to the sole control of the Governor, advised by a board not responsible to Parliament; and was finally agreed to only after a statement made by the Government, that the Constitution Act would not be assented to unless this provision for the aborigines was contained in it." I do not admire either party to that bargain. I do not admire the House of Commons for their brutal use of the power which was in their hands to abrogate part of our rights to Responsible Government. Clause 4 says: "We believe that there is no precedent in the constitutions of any of the self-governing British colonies, for excepting any matter connected with their internal administration from the control of the parliaments of such colonies; and it is felt here as a great grievance that, in order to obtain the advantage of Responsible Government—an advantage which Lord Ripon, the late Secretary of State, stated on a recent public occasion had been a great factor in the present prosperity of Western Australia—we should, without any just cause, be placed in such an invidious position as a self-governing and law-abiding community." One would imagine that weighty words like these, coming from a Legislature which was unanimous on the subject, and from a country which was unanimous in supporting the Legislature, would carry immense weight with the Secretary of State. In the further correspondence that has been placed before this House, it will be observed that, whilst recognising the principle that this compact or contract was only of a temporary nature, it has not yet been determined by the Secretary of State how long that temporary provision shall run. I look upon the whole matter, in calling it a temporary provision, as a subterfuge. Is it in one year or in three years, that this temporary provision is to come to an end? Or does it require six years of the tutelage of the Aborigines Protection Board to educate us up to that point? Clause 8 of that memorial goes on to say:—"In view of the foregoing circumstances, the Legislative Council

"and the Legislative Assembly confidently trust that Her Majesty may be advised, without further delay, to give her assent to this Bill, which was reserved for the signification of Her Majesty's pleasure thereon, and thus relieve the Government and people of this colony from being placed in the humiliating position of being the only Australasian colony which, by the operation of the clause in the Constitution Act which it is sought to repeal, incurs the undesired suspicion of being incapable of dealing in a just and humane manner with the aboriginal natives of Western Australia." Weighty suggestions, these, especially when federation is in the air in Australia. We have no right to step into that federal arena, because we are not trusted with the same powers that the Imperial Parliament has entrusted to the other colonies in Australia; as we have no right to step in there until we wipe this stigma out of our Constitution Act. In the correspondence that has been placed before this House, there are certainly some matters that call for comment; and, if I might be permitted to remark, I would suggest deferentially to those who have lately come amongst us, and who are in high places, that it would be well for them to restrain their prentice hand from writing remarks on the action of old colonists, until they have themselves been put through a reasonable term of their own apprenticeship. [THE PREMIER: Hear, hear.] We find that the treatment of natives in this colony is alluded to by persons in high places, who have lately come among us, as a form of slavery; and in another part we are told—or rather the Secretary of State is told by an authority holding a very high position in this colony—[MR. FORREST: Who is that?] the Governor of the colony: we are told that we are flogging and imprisoning the natives out of all proportion to the nature of the offences committed. I say it is a base slander on the people of this colony.

MR. GEORGE: And yet you build him a ball-room to cost £20,000.

MR. SIMPSON: I say it is time that this Parliament, if it is just to the people and true to the instincts of our settlers, should say, "We will have no more of this; we will approach the Secretary of State no more cap-in-hand;" that we

will approach the Imperial authorities in an Australian spirit, and demand what are our rights. I have no desire to labour this question. In certain portions of this correspondence, it is suggested that no reliance can be placed on future Administrations or on future Parliaments for furnishing the funds necessary for taking care and providing for the natives of this country. I say it is a conjecture for which no basis can be found in the history of the past—[THE PREMIER: Hear, hear]—and I say it is a conjecture for which there is no ground in the attitude adopted by the people in the present. I say, further, that it will not much facilitate a happy connection between the self-governing colonies in Australia and Imperial concerns, if the attitude to be adopted in regard to this question is so distinctly apart from the spirit of the Parliaments of these colonies. The action of this Parliament in connection with this matter has been deliberate, dignified, careful. For years, this question has come up; for years, the Premier—and all honour to him for it!—has fought, animated by the spirit and the instincts of the people, in demanding and insisting on our rights in this matter. His action has been, I believe, frequently misrepresented. It is difficult for us to arrive at what private communication may take place between some people in this colony and the Colonial Office at home; but if we take, as a specimen, that of which we are advised in this correspondence, I say distinctly that which has warped the mind of the Secretary of State from complying with the wishes of the people of this colony has not been an expression or a truthful description of the condition of the natives of this country; that it has not been information indicative of the attitude which the settlers of this country invariably adopt towards the aborigines. And why should not the Imperial Parliament trust us with this power? The Premier has asked frequently for certain questions to be answered. There has never been any attempt to answer them. Certainly, there are some futile and peculiar statements put forward by the Aborigines Protection Board; and although I wish to deal seriously with this question, I cannot help relating an incident in con-

nection with one of the appointments to the board that came recently from a trustworthy source. I was informed that when one of the members of the board was congratulated on having got a seat on the board through his relation to a Minister, he expressed his extreme pleasure at being able to get such satisfactory fees. And this is a responsible board, appointed to administer the funds of the colony! It is right to point out that this fund is growing to enormous dimensions. This year the amount will be nearly £30,000 for carrying out that section of the Constitution Act which provides that a certain proportion of our revenue shall be appropriated for the benefit of the natives of the colony. I anticipate that our revenue for this year will be about three millions, and therefore there will be nearly £30,000 to be placed at the disposal of this board, which is not responsible to Parliament for its administration of the funds. Surely we are not going to tolerate this sort of thing; and it is more than a question of toleration. I hope the House will deal with the question to-night in a very positive way. For many years we have carefully and respectfully besought the Imperial authorities to take into consideration the justice of our position. For many years they have just as carefully and emphatically humbugged us. I think the authorities at home believe we are not much in earnest in this matter; and unless we do something very positive to insist on the recognition of our rights, the Imperial authorities will not come to a positive conclusion that we mean to have what we ask for. The Premier, in a memorandum which he forwarded to His Excellency the Governor, stated the position very strongly and forcibly, and I do hope that to-night this House will take up a definite attitude on this question; although I understand, from a slip that has been circulated amongst members, that the Minister suggests we should do a little more cap-in-hand business. I notice that in a very deferential, very respectful, and in almost a spaniel-like attitude, it concludes by saying: "The Legislative Assembly regret that any undertaking of this kind should be considered necessary, as the Government and Parliament have

"always been ready and willing to protect and care for the aborigines of the colony, which the Aborigines Protection Board is not capable of effectually doing." But why make that statement? It goes without saying. It is written in our every-day life; it is part of our literature; it is part of our very lives. If I know the tone of this House, the very treasury chest is open to alleviate the ills and distresses of the poor natives. I have never heard any member in this House say that the wants and necessities of the natives of the colony should not be alleviated. I do hope that the House will see fit to adopt my motion; and if a further motion is considered necessary to support it, if it is considered expedient to pass such further motion, well and good; but I do think that, after all these years, it is time we assumed an attitude which will show the authorities at home that we are determined this stigma shall no longer stain our honour; that we are assembled here at the conclusion of this Parliament, the trustees of the honour and integrity of the people of this country, and that we will no longer submit to that portion of the Constitution Act which was bargained for on one side and conceded on the other when Responsible Government was obtained. It was a sordid bargain, at the best. The Imperial authorities had the power, and they used it in a sordid way. If this marked consideration for the natives of this colony, in such an antipodean part of the empire, is considered to be really necessary, I think it is equally necessary that some of this extreme consideration and this peculiar energy should be employed somewhat nearer home, as it might be with advantage; that some of it might perhaps obviate that extreme Irish question which for years has blocked the progress of legislation in the Imperial Parliament. And if the same spirit which has animated the meddlers in this matter were shown in dealing with their own affairs, possibly better results might have accrued. I submit this motion with deference for the consideration of the House. It may be suggested to the Secretary of State that there is nothing subversive in this motion, and that it is our right as well as our duty to take care of the natives of this colony; and I say that, so long as the existing provision in our Constitution

Act in regard to the Aborigines Protection Board remains as it is, the Imperial authorities are denying us a right which is at the same time a duty for us, as British subjects, to take care of the aborigines of this country.

THE PREMIER (Hon. Sir J. Forrest): To one like myself, who has taken an active interest in this question for years, it cannot but be a matter of great regret that, notwithstanding all the trouble I have taken and all the arguments I have used, this question should have again to be brought before this House. It seems extraordinary to me that the Imperial Government should for so long have desired not to acquiesce in what must be known to them to be the general wish of this country. I put it down to several reasons; and the principal reason I will give to-night is that we have not been fortunate enough, during the years we have been dealing with this question, to have had the support of the Governor of the colony for the time being. There is no doubt that the Administrator who was first addressed on the subject, and afterwards Sir William Robinson, were not in favour of the wishes of the colony being acceded to in this matter. If we were able to dive into the confidential despatch book kept at Government House, I have no doubt we would be able to find very good reasons why the Imperial Government have not acceded to the request of the colony to advise Her Majesty to assent to the Bill we sent home, and that we should find, in reality, that the Imperial Government have not been pressed to do so by those who have represented Her Majesty in this colony; and although I must say the present Governor has been more in accord with the wishes of the colony on this question than have previous Governors, still, in the despatches in the papers now before us, His Excellency seems to some extent to be blowing hot and cold. I believe the present Governor is anxious to get rid of this troublesome question; still I cannot say that his despatch of 19th May last is altogether so satisfactory as I should like it to have been. Hon. members will notice that, in the last minute I wrote on this subject on 13th April last, I drew attention to the fact that when the Constitution Act was passed by the Legislature the

revenue of the colony was about £400,000, whereas it then bordered on 1½ millions; and while it might have been contended that £5,000 a year was not a very large sum to entrust to a board not responsible to Parliament, it became a very different matter when this board had the expenditure of nearly £20,000 a year, and that it was not reasonable to expect such a state of affairs could meet with the approval of the people of this colony. Then, in the same minute, I reiterated the three points which I had asked His Excellency to advise Mr. Chamberlain upon, namely:—(a.) Was the board necessary in the interests of the aborigines? (b.) Would the aborigines suffer if the board were abolished? (c.) Was there any reason why the existence of this board should be continued? I had asked the previous Governor these questions, and they remained unanswered. Hon. members will notice that, all through the published correspondence, the Imperial Government have not argued these questions at all. They will not deal with the arguments put forward, but merely give some general reply, and do not deal with the points which have been submitted to them as arguments. I do not know whether hon. members have read my minute of 9th April, but in it I followed somewhat the argument of the hon. member for Geraldton, when he stated that the home authorities might well expend some of their energy in alleviating the condition of the poor population nearer home. At any rate, I stated that I was not aware that the Imperial Government had ever done much for the aborigines of Western Australia, nor did I know of any special efforts being made for their welfare by people in the United Kingdom; and that being so, why all this outward show of sympathy for the aborigines here, and, at the same time, want of confidence in the colonists of Western Australia, who alone had done whatever had been done for their welfare? I also asserted that, in a question of this kind, the Parliament of Western Australia were more likely to look after the interests of the aborigines than the Imperial Government. Then, as an argument that this question had really never been considered on its merits, I pointed out that my arguments had been ignored or unanswered; and I referred to the inutility of the proposals

made by the Imperial Government to show how ineffectual they would be for ensuring the due care of the aboriginal people in this colony. What the Secretary of State proposed was that the expenditure to be made by the Aborigines Protection Board should be under the control of the colonial Government—in fact, that we should have control, but that this objectionable clause should still remain in the Constitution Act. I replied that “there would be no obligation for the Government to spend the annual vote, and the Government would be the masters of the situation. The result would be all that the Government and Parliament had contended for, namely, complete control of the aborigines; but that the objectionable clause, reflecting as it did on the good name of the colony, would remain on the statute book. Surely, I said, this fact would convince Mr. Chamberlain that he was willing to give away the substance and to retain only the shadow, a shadow which was considered to be a reflection upon, and was humiliating to, the people of this colony.” I went on to say that “the whole position taken up by Mr. Chamberlain and Lord Ripon was, in my opinion, founded on a misconception of the circumstances, and upon a reliance on the efficiency of a board that is, by force of circumstances, powerless and inefficient.” I protested that, although I had tried for the last five years to assist the Imperial Government in dealing with this question, that I had used arguments again and again, that I had appealed time after time for the removal of this objectionable law, yet the only result had been that my arguments had been ignored or unanswered. I said, “I regretted this very much, and could see no good reason for my writing further on the subject, and would therefore leave it to be discussed and dealt with by Parliament.” I would like here to remind this House of the three questions I had asked the Governor to advise Mr. Chamberlain upon, and I must say I do not think His Excellency has treated these questions in the way I might fairly expect to have them treated. I asked, firstly: Is the board necessary in the interests of the aborigines? Of course I meant, although I did not so

express it: Is the board, independent of Parliament, necessary in the interests of the aborigines? We have plenty of boards in the colony for various public purposes; but the point of my question was whether the Aborigines Protection Board, being independent of Parliament, was necessary for properly protecting and caring for the aborigines of the colony. In regard to this question His Excellency now says: “Beyond all doubt, some organisation is necessary in the interest of the aborigines, whether it be in the shape of a board or a sub-department of State.” Of course it would be absurd to expect the aborigines to look after themselves; and we must necessarily have a sub-department or a board. But the point is whether the organisation is to be independent of the Government and the Parliament of the country. His Excellency seems to have missed that point. Then, in regard to my second question: Would the aborigines suffer if the board were abolished? His Excellency says: “Most certainly the aborigines would suffer by the abolition of the board, by the absence of any alternative organisation charged with the execution of the duties now assigned to it, and the expenditure of the funds.” His Excellency seems to have assumed that the poor and sick natives were to be cast out and left to shift for themselves, and that we did not propose to do anything for them; whereas I stated the Government would continue to do what we alone have been doing, and a great deal more; that we had the machinery of Government, we had knowledge of what was occurring, and we had agents all over the colony; that, besides all this, the responsibility for the welfare of the aborigines would then rest where it should rest, upon the Government of the colony, and not, as at present, on an irresponsible board, quite unable by force of circumstances to carry out its duties. I said also that the old, the sick, and the infirm were neglected under existing circumstances, and must continue to be so as long as the welfare of the aborigines was entrusted to persons without the means of obtaining knowledge, and without any officers to carry out their wishes and instructions. The Governor, in his despatch, calls these *ex parte* statements; but it is not likely I would make a one-

sided or biased statement in regard to this important matter, for I have plenty of evidence to show that my statements were accurate. His Excellency also said the majority of my statements were incapable of withstanding successfully a searching inquiry. I have not come to-night prepared with evidence, but many cases recur to me at once, without looking them up, in which sick and aged natives were neglected. Can anyone believe for a moment that a board—whose members are living in Perth, who meet once a fortnight, and have one secretary as executive officer, and two inspectors, one in the northern part of the colony and the other on the Yilgarn goldfields—can know anything about the natives in the various parts of the colony, as to whether they are sick or starving, or whether they are suffering in any other way? What can these members of a board in Perth know about these things? I will relate one case that came within my own knowledge some time ago, in which a native was reported to me as being very sick at Bridgetown; and, speaking of this case from memory, I believe I communicated with the Aborigines Protection Board, and told what I had heard. The board replied to me that they had made inquiries and that the native had started for Bunbury. Well, some time afterwards I made inquiry as to what became of that native, and whether he had arrived at Bunbury. I was told by the police he had arrived, but they did not know what to do with him. I telegraphed at once to the Government medical officer to look after that native, and do all that was necessary for him in his condition. He was very sick, and almost dead, but he was taken care of. I told the medical officer that, at whatever expense, he must look after him and give him shelter and medical assistance. The medical officer gave him that attention. The board never took the slightest interest in the man. The man at last got well, I am glad to say, and when I sent an account to the board for the attention given to him, they disputed the account, and I had the greatest difficulty in making them pay up. I insisted upon their paying, and eventually they made a proposal that the account should be divided, the board paying half and the Government the other half. They made this proposal

although they were receiving funds from the State for looking after the aborigines. Eventually the Government were repaid for the outlay. In another case it was reported to me from Sharks Bay that the natives there were absolutely without food. I brought the matter under the notice of the board, and they took steps to send up food. Again, I had a Murchison case brought under my notice, and I communicated with the board, and the board in that case also took action, sending up food; and there are lots of other similar cases. There was a case at Coolgardie, as to which I was informed that a large number of natives had no food, and that they were all ill. The story was probably somewhat exaggerated, but, at any rate, I brought it under the notice of the board. The board would not have known anything about these matters had it not been for the action of the Government, and they have no means of collecting information of that sort. [MR. A. FORREST: What does their secretary do?] I do not know what he does. They have no means of collecting information, and in consequence the Government have to do a good deal of their work. The medical officers have instructions to attend to the aborigines, treating them as destitute persons, and those officers do that work. All the other Government officers, the police, and the magistrates have similar instructions, and we get nothing whatever for all this work. We get none of the one per cent. of the revenue received by the board, and which now reaches a total of £20,000. No portion of that £20,000 comes to us, although our magistrates, police, and medical officers, from one end of the colony to the other, are agents of the board, doing their work and supplying them with any information they can obtain with regard to the condition of the aborigines. To show that the board, although receiving all this assistance from the Government, at the same time consider themselves entirely independent of the Government, I may mention that the other day it came to my knowledge that a young gentleman fresh from England had been appointed an inspector under the Act, to go to the Kimberley district and report on the relations existing between the white population and the natives. This gentleman had

just come from England, and I wrote to the present Governor and asked how it came about that an inexperienced person was to be sent up to Kimberley on such a delicate mission. The Governor referred the matter to the board, and the board replied that they were under no obligation to provide reasons, that the Governor was aware of those reasons, and that they declined to give them to the Government. I said I did not think that there was anything occurring in the country, whether relating to politics or anything else, that should be kept back from the Government. That was the last I heard of it. The other day I heard from the board about something the members had seen in a newspaper as to the shooting of some natives near Derby. They wrote to me asking for information, and I supplied information which was satisfactory to the board. I mention this to show that the members of the board have no knowledge of what is going on, unless they are supplied with information by the press or by the Government. A case was heard in the Supreme Court at Geraldton, in which some white persons were charged with causing the death of a native by thrashing him. Those persons were charged with manslaughter, and I believe that was made the occasion by persons in high places for making remarks that this case would seriously interfere with the desire of the Government to do away with the Aborigines Protection Board. I at once replied, and asked who had found out that this alleged ill-treatment had taken place, who had laid the charge of manslaughter, and who were the prosecutors in the case? Was it the board? Had they anything to do with it, or did they know anything about it? The answer, of course, is that the Government attended to the whole matter, through the police, and that the board knew nothing whatever about it, and would have known nothing about it if the police had not taken action. I mention these things to show that my statement as to the board being incapable of carrying out the duties imposed upon them satisfactorily is not a one-sided or biassed statement, but a statement based upon absolute knowledge and upon conviction. Now, sir, for my own part I consider it intolerable that the Government of this colony—not only myself but the members of

the Government collectively—should be told by the members of the Aborigines Protection Board, that there were reasons why a young gentleman of no experience should be sent up to Kimberley to investigate the relations between the whites and the blacks, and that they declined to give those reasons. That state of things is intolerable, and enough to disgust anybody. We have no means of knowing what salaries are paid to members of the board, and what salaries are paid to the officers. I made a demand, two years ago or more, to have the accounts of the board audited in accordance with the statute, as I thought they should spend their money in a certain way; but my friend the Attorney General said he could not support me when I said they were bound to supply those accounts. The Attorney General thought it his duty to give the opinion that the board were not bound by the Audit Act; and so it comes about that the Imperial Government and the Governor of the colony not only administer the Act independently of the Legislature, but they will not even allow their accounts to be audited. I must say I agree with the member for Geraldton that it is very unwise indeed for persons, no matter how high their position, to deal with questions of which they can have little knowledge. It seems to me that if one is to understand the aborigines of this colony or of Australia—they are all the same—one must have some experience of their customs and habits; and yet we find persons without any experience whatever of the aborigines being authorised to give their opinions in regard to statements made by persons with that experience. I can say that I have had a long experience of the natives of this colony; I have seen a great deal of them; but still we find that a person in a distinguished position has said that my statements were *ex parte*, and not capable of being proven. That distinguished person also goes so far as to tell the people of this colony that there are 15,000 natives in these districts, and I think I may very well call that an *ex parte* statement, because I do not know where 15,000 natives are to be found in the settled districts. I do not know where these figures come from, but I have no hesitation in saying that they are far from being correct. I find from His Excel-

lency's despatch that the means of livelihood of the natives have been destroyed, and he says that from day to day we are driving them further and further into remote places. Does not everyone who has had experience of the aborigines know that they do not leave the country to which they belong, unless in the company of their master, and that they never move without some strong reason? And yet here we have the statement that they are being driven back into remote places. It is erroneous therefore to say that the natives are being driven into remote places, which means, I suppose, the interior. It is contrary to their custom for them to go into the interior. We find the same despatch containing a statement that the natives have not the privilege of sharing in paid labour. Well, we know that money to uncivilised natives is not of much use, and that all they require are food, raiment, and kind treatment. They do not require money, because money would be used by them to get drink, and that means ruin. When natives become civilised, they can obtain wages the same as other people, but too often the civilised native finds that he can live without work, going from station to station and getting food and good treatment. The more civilised a native is, the less likely is he to stick to constant employment. The despatch also says that the water-holes of the natives have been exhausted by the large increase of parties of explorers with horses and camels. There is no doubt that on the Eastern fields that has been the case in some instances, but the result has always been that the natives have got water from other sources. I do not think there are many diggers who would not give water to natives, if they had it to spare; and, as a matter of fact, I have never heard a single complaint from the police or any one else that the natives were short of water. In fact, I have heard that the natives have been a considerable tax on the diggers who have to supply them with water, and I have given instructions to the magistrates and to the police, and all other officers, that where natives are short of water, they are to be supplied with it at the expense of the Government. The despatch goes on to say, "and whom we flog and "imprison with a severity out of all pro-

"portion to the nature of the offence committed." At any rate, these are the laws of the country which have been approved of, and these laws allow the castigation of natives; but a certain instrument has to be used, and from information I have gained I find that, as a general rule, it is not very severe punishment. A native is exposed to the weather, for he does not wear clothing, and his skin gets hard, and in consequence the cat-o'-nine-tails has not much effect upon him. A report came to me some time ago that a magistrate in the Kimberley district had ordered flogging with some instrument other than that mentioned in the Act. I believe a strip of hide was used, instead of the cat-o'-nine-tails. A terrible story was made of it, but I investigated it and found that there was little in it. I sent Dr. Hope to examine the natives at Rott-nest, and he reported that, without exception, the native prisoners showed no marks of the cat. That is not the case with white men, for if they are flogged the marks remain for years, and perhaps for life. It can therefore be seen that the cat-o'-nine-tails has not the same severe effect on the aborigines that it has on white people. Hon. members will realise how unpleasant it is for me to have spoken as I have been compelled to speak to-night. However, I am not to blame for this, but it is the Constitution Act that is to blame, for that Act brings the Governor into the arena of politics, and compels us to speak of him in regard to his actions as head of the Aborigines Protection Board, and apart from his position as Governor of the colony. As a rule, I know the constitutional practice provides that the Ministry of the day shall be responsible for every act of the Governor. That I fully recognise, because he acts upon Ministerial advice; but when the Governor acts outside of Ministerial advice, without consulting us, are we to be responsible for his acts? I reply that I will not be responsible for any acts of the Governor in his position as head of the Aborigines Protection Board. This is much to be regretted, and I have, I may say, written with regard to it several times. In my first despatch to the Secretary of State on the subject, I referred to the very unsatisfactory position in which the Governor of the colony was placed by being the head of the

Aborigines Protection Board, for it brought him into the arena of politics and placed his actions under discussion, and put him altogether in a most unsatisfactory position. I can say that it has had very bad results during the last five or six years, for it has brought the Governor and the Government into controversy to a larger extent than any other question would have done. Upon any other question the Governor takes up a constitutional position, and is advised by his Ministers; but in this matter he is advised by no Minister, and, therefore, he is likely to come into conflict with the Government. Is it not likely to be productive of friction when a message comes from the Aborigines Protection Board, through the Governor, that they decline to give the reasons that induced them to send an inexperienced person to Kimberley to inquire into the relations between the natives and the white people, adding that they were under no obligation to give any information on the subject? Is a message like that likely to induce concord? I think it is not, and that it is more likely to create great friction. Then, again, there is the unconstitutional part of this business, that we have to raise public moneys by taxation or otherwise, and hand them over to the board, and have no control whatever over the expenditure. The income of the board is becoming a large sum now. It is £20,000 this year, and it soon will be £30,000, and are we to be content to allow that £20,000 to be disbursed by the Aborigines Protection Board and their secretary? I do not wish to say anything on this matter I would afterwards regret having said. I feel very strongly with regard to it, and I am afraid, if I gave way to my feelings, I might say something I would regret. I may, however, express my regret that His Excellency the Governor should have dealt with this matter, with this important question, without sufficient knowledge. I also notice that the Anglican Bishop has done worse than his Excellency, having written more unguardedly, and with just as little knowledge. With regard to the Bishop's letter, all I will say is that I am sorry he should have been led astray by persons who desired to urge their own ideas, though inexperienced, and that he should

have been so unwise as to write the letter dated 21st July. It will be observed that all his allegations are made on hearsay, and that he does not speak from his own knowledge. He cannot have any knowledge of the habits and customs of the aborigines and of their treatment by the whites, seeing that he has been in the colony only about twelve months, and has done nothing more than travel quickly through the country. You must have some experience of the habits and customs of the natives before you can teach us, who have had a life-long experience of their habits and customs. The Bishop tells us that on a few of the stations the treatment of the natives is cruel and inhuman, and then he says that the great cause of the cruelty is the system by which natives are indentured to the settlers. The fact is the natives only take employment for a specific time under the law, the same as other people, and it is the best thing for them to have employment. If they have no employment, they roam the country and become a nuisance to those who are about them. The Bishop says that as soon as a native is indentured he is absolutely under the power of his masters, and then he goes on to say that the police should not be allowed to shoot the natives. Who has ever said that the police shoot natives? I have had some experience of the police of this colony, and I say that throughout the length and breadth of it the police are looked upon by the settlers and the people generally as the protectors of the aborigines. If anything goes wrong in the treatment of the natives, the police find it out, and bring the offender to justice; and yet we have the Anglican Bishop saying that the police should not shoot natives, a statement which suggests that the police do shoot natives whenever they get an opportunity. The Bishop also offers the suggestion that there should be hospitals on the native reserves for the old, the sick, and the infirm, and adds that when a station is fenced and the natives have to leave it, they have nowhere to go, as hostile tribes or families would kill them. I know this, that we have made reserves throughout the country and set apart large areas for the natives, who will not go near them. The natives are attached to the sheep stations, each one having his own master, and they will not go near the reserves.

They have become accustomed to the white men and to the food of the white men, and they prefer to remain at the stations and work there. I would like to ask this one question: If cruelty towards the natives exists, why has the board not investigated the cases? Why do they allow this state of things to continue? It is six years since we obtained Responsible Government, and this board has been in existence all the time, and has been independent of the Legislature and subject only to the Governor. What have the members of the board been doing, if the state of things described by the Bishop exists? They cannot blame the Government for it, for we really have nothing to do with it. If it is a reflection upon anyone, it is a reflection upon the board. I do not know, sir, that I can say much more. Perhaps I have said as much as is desirable on the present occasion. The present controversy ought not to be prolonged, and I can see no reason for prolonging it. The people of this colony are certainly more competent to look after the interests of the aborigines than the people in Downing Street, or the five gentlemen who meet once a fortnight with their secretary in the city of Perth. Those five gentlemen have no agents except two, and one is an inexperienced youth, just come from England, while the other has had some experience, and is now on the goldfields. As to the latter, I heard that he was employed on a station on the Murchison, where he received £150 a year, and that he was promised £500 a year as agent of the board. He is no doubt looking after their interests, and I saw a report of his some time ago which showed, I think, that he is a man who has some knowledge of the aborigines and their habits and customs. I am pleased to be able to say that of him. I do not think the hon. member for Geraldton has said anything that this House could in any way take exception to. He did not speak with too great warmth. I do not know that it would be wise to pass the resolution he has put forward, but I quite agree that it is an unconstitutional position for the Governor of the colony to be in, to have the Premier speaking of him in the way I have been compelled to speak to-night—not personally, I hope, but in regard to the position he has been forced into as

the head of this board. I think the Governor is in a very unpleasant position in this matter, and it will, at any rate, show the Imperial authorities that if they continue the existence of this board, nothing but trouble will result. Friction has almost occurred already, and it would have occurred had not moderate counsels prevailed on both sides. Many Ministers and Premiers would have resented the insulting message sent us by the Aborigines Protection Board. I have perhaps deserved nothing very good at their hands, for I have always said that by force of circumstances they were unable to carry out the duties entrusted to them, and I have always tried to get rid of them, because I felt there was no place here for a board independent of Parliament and of the Government. From the very beginning, I felt that the board should not exist; but still at the same time, I do not think it would be wise, in the terms of the motion, to tell the Secretary of State that the existence of the board is subversive of the rights of the people of this country. We cannot say that, when the board is provided for in our Constitution. We have said plainly enough that we consider the position is an unconstitutional one, and I think there is no doubt about that. I am not prepared to vote with the hon. member, for I think that while showing we are determined by all reasonable and proper means to get rid of this board and to place the aborigines under the laws of this country, under the control of Parliament, we should, at the same time, inform the Secretary of State that we are prepared to make provision for the welfare and the relief of the aborigines. I think we would not be acting in an undignified manner if we took that course; and therefore I propose the following as an amendment:—"That the Legislative Assembly having considered the further correspondence on the subject of the position of the Aborigines Protection Board in Western Australia, transmitted to the Legislative Assembly by His Excellency the Governor, have viewed with much satisfaction the statement of Her Majesty's Secretary of State for the Colonies, in his despatch to Governor Sir Gerard Smith, No. 24, of the 21st August, 1896, that he is prepared to lay the correspondence before Parliament,

"with a view to ascertaining the general feeling of the House of Commons on the subject, if he is made acquainted with what arrangements it is proposed to make for fixing definitely the responsibility for estimating the requirements of this service, and for the distribution of the funds provided by the Legislature to meet those requirements, are ready to approve of the following arrangements, should Her Majesty be advised to give her assent to the reserved Bill repealing Section 70 of 'The Constitution Act, 1889':—1. That the welfare and relief of the aborigines be placed under a sub-department of State, under the control of a responsible Minister of the Crown, and that a statutory provision be made for the appropriation of a sum of £5,000 per annum for the use of the department, such sum to be supplemented as necessary by annual votes, in the discretion of the Legislature. 2. That the Legislative Assembly regret that any undertaking of this kind should be considered necessary, as the Government and Parliament have always been ready and willing to protect and care for the aborigines of the colony, which the Aborigines Protection Board is not capable of effectually doing."

MR. CLARKSON: I think it is really too bad that session after session we should be called upon to discuss this subject. It is a disgrace and a slur upon the Parliament and the people of this colony. The board for the protection of aborigines, instead of being for the welfare of the natives, injures them by encouraging them to come about towns and to lead an idle life. If they remained in the rural districts, the settlers would be very glad to employ them and pay them the same wages as the whites, for the aboriginals are very useful in many ways. So far as the board is concerned, a gentleman told me not long ago, "I am going to town to attend a meeting of the Aborigines Protection Board. It is a perfect farce, but as long as we get a guinea a sitting we are satisfied." As this member said, the board is a perfect farce, and it is a slur, I say, on the people and the Parliament of the colony that such a board should be considered necessary. I am very pleased the member for Geraldton has brought the matter before the House, as it is quite time that a move

was made in regard to it. From the remarks which have fallen from the Premier, I am sure he is quite of the same mind as the member for Geraldton, that it is a disgrace that any such department as the board for the protection of aborigines should be in existence, and be beyond the control of the Government of the colony. The sooner this irresponsible board is wiped out, the better.

MR. GEORGE: I shall support the motion of the member for Geraldton. I fully appreciate what the Premier has said on the question, and can believe that, out of regard for his official position, he has not spoken as strongly as he would like to have done upon this question. I have no hesitation in saying that the statements made in these despatches are not worth the paper they are written on. They are full of the old yarns that are trotted out to every new chum, and which make a great impression upon a susceptible and confiding mind, stirred by sham stories of cruelty and oppression against the blacks. I would like to draw the attention of the House to the following statement in the letter of the Bishop of Perth to His Excellency the Governor:—"Seeing that the board has at present no executive, and depends entirely upon the officers of Government for the distribution of its funds, and for any protection which is given to the natives, I have come to the conclusion that unless the board is prepared to have a sufficient (and costly) staff, it would be better, under certain conditions, to hand over the powers of the board to the Government. The Minister who administered the fund would be responsible to Parliament and public opinion, or rather the Opposition would keep him up to the mark." Now, that is a fair, business-like, and sensible statement; but, unfortunately, the Bishop goes on to report to His Excellency the re-hashed yarns that everybody who has knocked about the world a bit is familiar with, and which were got ready for His Lordship when he made his trip to the North. I say it is ridiculous humbug for these gentlemen to come here and besmirch the fair fame of the colony in the way they have done. These are the kind of yarns that are served up at Exeter Hall for the delectation of the old women—some of them wearing petticoats, and some

wearing breeches—who assemble there to listen to the wrongs of the heathen in other lands, and who would scorn to relieve the sufferer who was asking for a night's lodging or a crust of bread at their own doors. I do not think that Mr. Chamberlain would refuse to give us the protection of the natives, if he knew the facts—if, say, they could be put before him by the Premier, who, when he is tired of governing us, will probably take a trip to the old country. I am sure that the Secretary of State for the Colonies is a reasonable man, and that the case needs only to be stated plainly to him for our request to be granted. The keeping up of the board under Imperial control is as much as to say: "The Government of Western Australia is not to be trusted; if we do not appoint a board, the Government will let the natives die of want." That is about the meaning of it. And although this is what has been called a moribund Parliament, it has, I hope, life and energy enough to mark its sense of the humiliating position we are in, by passing the motion which the member for Geraldton has placed before the House. It is quite time that the House determined to have control of the affairs and the money of the colony; and I certainly am not inclined to accept the sneering, lying abuse which we have heard on this subject.

MR. LEFROY: I have listened with much pleasure to the speeches of the member for Geraldton and the Premier on the question before the House, and I think, under all the circumstances, it would be well for the House to pass the motion proposed by the Premier. I think that the Secretary of State has, at any rate, approached us in a friendly spirit in regard to this question, and that when we have given him the information for which he has asked, he will assent to the amendment of our Constitution. If he should not be willing to do so after we have supplied the information asked for, it will then be time to take some further action, as proposed by the member for Geraldton. I think, however, that the home Government are making a very great mistake in not having this question settled at the present moment. The board are not doing what they are supposed to do, under the clause of the Constitution Act dealing with this question,

namely, attending to the welfare of the aboriginals and half-castes of the colony. I know that nothing is done for the blacks in my district, unless the settlers do it. The board have done nothing to prevent the natives herding about public-houses and drinking all that they can get; and I maintain that the Government of the colony are in a better position to look after the aboriginals than the board can be. The care of the natives should be entirely in the hands of the Government. The aboriginals have no warmer friend than Sir John Forrest, the Premier of the colony, and the home Government would be doing a good thing for the natives of Western Australia if they handed over the care of the natives to the Premier at the present moment. I hope that this step will soon be taken by her Majesty's Government, and that the Government will be advised to amend the Constitution Act of this colony in the direction we desire.

MR. ILLINGWORTH: I think that very little of practical effect can be added to the able speeches of the member for Geraldton and the Premier, upon this gravely important question. I say gravely important question, because a question which affects the Constitution of a British colony, and which is the occasion of dispute or friction between that colony and the British Government, must be grave in its character. I regret that it should be necessary to bring this subject before the notice of the House, that it should be necessary for such statements to be made from the Government benches as well as from this (the Opposition) side of the House, as we have heard to-night. It is a matter of grave regret that it should be necessary for the Premier, especially in his position as Treasurer of this colony, to call into question the action of His Excellency the Governor on the one hand and of the Anglican Bishop of Perth on the other; because these gentlemen, whom we all honour and respect, seem to have largely forgotten the great responsibility which rested upon them in the positions which they occupy in this colony, when they undertook to express an opinion to the Secretary of State in regard to a question on which it was utterly impossible for either of these gentlemen to have given an opinion upon from their own experience, owing to the short

time they had been in the colony. Why, those of us who have spent a lifetime in the Australian colonies, and who know from our own experience what is involved in this question, would speak with diffidence upon a question of this kind. I say that people who have spent a lifetime in this colony, and who have always been ready to recognise the duty that belongs to Australians towards the aborigines, must look with humiliation upon the position in which Clause 70 of the Constitution Act places us. I am perfectly satisfied that no other Australian colony would rest for one year in such a position, without expressing in the strongest possible way their protest against such a clause, while manifesting that respect which every Parliament should observe towards the home Government. I say they would not allow a single session to pass without expressing in the strongest and most strenuous language their determination to have such a slur removed from the statute book. What could justify or what could be the reason for such a clause having been imposed when the Constitution Act was framed? I read it with intense surprise, and was at a loss to know how it could have entered the Constitution Act of Western Australia. Had I been here I have no doubt that I should have protested against it; and if it was necessary in order that we should get self-government, that we should bow our heads in this particular way, I should have done as others did. I should have bowed my head to the Imperial authorities and said: "Gentlemen we submit to your mandate, so that we may get a Constitution, and when we get the power which you are giving us under that Constitution, we shall use that power at the earliest possible moment to remove this slur from the Constitution." That is precisely what we are doing by respectfully approaching the home Government, and asking them to understand that we are capable of dealing with the care and protection of the aborigines of this colony. We are as much interested in the aborigines of this colony as any British Government can possibly be. There are the same instincts within us, the same humane feelings that actuate our brothers across the sea. Surely we have not lost our nation's instincts because we have been born on Australian soil; surely we

have not degenerated from that high position which, as Britons, we desire to respect and uphold because we have been born under the Southern Cross. I contend that the best of the British race, and the best of British instincts, and the purest of British life are to be found on Australian soil. I say that we are not prepared to submit to a clause in our Constitution Act which is a distinct reflection upon the British race of which we form a part. The same feeling stirs us, we are animated by the same desire to alleviate the lot of the inferior races, as that which inspires our fellow subjects in any part of Her Majesty's dominions; and yet we are told by this Act of Parliament, practically, that we are not to be trusted to support and protect the aborigines of this colony. While the statement is untrue, it is a reflection on us as a people, and the sooner this Act is amended, the sooner this blot is taken off the statute book, the better it will be for the British Government. The continuance of this state of things is simply intolerable, and it would lead to consequences which we would all regret. It will be necessary for the Premier to resent, in the name of the people and the Parliament of this colony, the retention of the 70th clause in the Constitution Act, and if it be not expunged, it will be necessary for the Premier to table in this House a very distinct resolution. I do not think the motion proposed by the Government is sufficiently distinct upon this question; and I propose, and I think the Government would be acting wisely in this particular case to support me, to add the motion of the member for Geraldton to that submitted by the Premier, so that one will introduce the other. I do not think there is a word in the motion of the member for Geraldton that is uncalled for under the circumstances; and by uniting the motion and amendment I think it might be possible to get absolute unanimity in the House upon this question. I think it is desirable that we should be unanimous, if it is possible, upon this question; I think it is important that we should be unanimous. I am sure there is no difference of opinion on the main question in any part of the House, and if we could agree upon the wording of the resolution to be sent to the Home Government, we should

gain a great point. I think the motion of the member for Geraldton would be a proper and necessary climax to the proposal of the Government. I would like to move that the motion and amendment be blended in the way I suggest, and perhaps all sides of the House could then be in perfect agreement.

MR. JAMES: Whilst I recognise that the Premier and the Government have a certain amount of difficulty about accepting the motion of the member for Geraldton, I do not think the amendment which the Government are asking the House to pass is at all in accord with the views of the Premier, nor that it goes as far as this House should go on this occasion. We have, I think, on a previous occasion, passed a resolution somewhat to the same effect as that now proposed by the Premier. I think it is time that we should have done dealing in good homely platitudes, and should let it be understood distinctly, in our own small way and in our own small voice, that this constant refusal to give what we consider to be a right is subversive of the rights of the people, and is not calculated to inspire confidence in the Imperial recognition of colonial self-government. I do not think the motion of the member for Geraldton goes a bit too far, and I shall have great pleasure in supporting it. We find ourselves in this position; that the Parliament of this country is absolutely unanimous on the question; and there is not only this unanimous feeling in Parliament, but the people throughout the length and breadth of the country, if we except the half dozen individuals who live on this board, also believe that the Aborigines Protection Board should be abolished. I say that, with these exceptions, there is hardly a dissentient voice on the subject of the resolutions which have been passed by this House urging the abolition of that board. When we find the people and the Government so unanimous in asking that this part of the Constitution Act should be amended, why should we bow down obsequiously in repeating our request, and have these empty platitudes brought up time after time in this House? Why should this distinction be drawn between this part of the Constitution Act and any other part of the Act? If a part of the Constitution Act said we should not

borrow more than a particular amount of money, and if we in this colony found that the growing necessities of the people required that we should borrow more, and if we passed a Bill for amending that part of the Constitution Act, would there not be indignation on the part of the people and on the part of the Government if we were thwarted year after year by the Governor, representing Her Majesty in this colony? I say the Imperial authorities, by persistently refusing the requests of the Parliament and the Government of this colony, to have this particular part of the Constitution Act amended, are doing away with the principle of self-government in this part of Australia. Is it not a boast from the Press, as well as from intelligent men, in England, that the tie which binds the people of these colonies to the old country is twice as strong under the system of self-government as it was before. And the reason for that greater loyalty is that we feel the old country gives to her colonies the freest and fullest self-government. Yet we find ourselves refused the recognition of that very principle which is recognised throughout the length and breadth of the British dominions. I say that refusal is not right, is not just; and I, as a native of Australia, protest against the amendment which has been moved by the Premier being placed on record, because it does not go further than the resolutions we have previously passed. Is it not a fact that we find our wishes thwarted because half-a-dozen inexperienced men, who may mean well, but are ignorant on this particular point, stand in the way of our request being granted. Are we to allow the honour and fame of our own country and of our public men to be slandered and injured, because these half-dozen inexperienced men set up their opinions against the wishes of the colony? I say it is not right, and we ought to take a firm stand; and I do hope the members of this House will do so. This motion of the member for Geraldton does not go a bit too far. I say it does not inspire confidence in the Imperial recognition of self-government, when we find our wish so repeatedly expressed, so persistently refused by men who have had no experience in matters affecting the natives of this colony. It does affect our honour,

and it does affect that question of Imperial recognition of self-government. I do hope the members of this House will pass the motion of the member for Geraldton, and let the Imperial authorities know that we think we ought to have some more serious attention paid to us, and that they should not cast our request into the waste-paper basket, merely because some permanent clerk in the Colonial Office in London does not quite agree with our views.

THE ATTORNEY GENERAL (Hon. S. Burt): I am inclined to think the motion of the member for Geraldton, as proposed, may be a little stronger than there is any necessity for, and for this reason: that all the speakers hitherto have expressed themselves quite strongly enough on the matter, and the Secretary of State has had an opportunity of perusing a report of the debate which took place last session, in reference to the refusal of the Imperial authorities to give effect to the Bill which had been forwarded from this colony for Her Majesty's assent. Resolutions were carried in both Houses on that occasion, and the Secretary of State has had opportunities of seeing a report of what was said. If the despatch of the Secretary of State is perused carefully, it will be observed that it makes no imputation on the people of the colony; but the Secretary of State says, in effect, that we are incapable of protecting the interests of the aborigines. He sets up that ground, a very tenable ground, and we must find it impossible to disagree with his reasoning that the clause in the Constitution Act, which we desire to cancel, was part of the compact we entered into when the Imperial Parliament granted to us Responsible Government. In his despatch of 27th December, 1895, Mr. Chamberlain says: "The maintenance of the arrangement is not, as Mr. Simpson seems to think, subversive of the rights of the colony. Those rights are defined by and take their origin entirely from the Imperial Act, and Her Majesty's Government have no wish to impair them in the smallest degree, or to interfere with their enjoyment to the fullest extent." In the same despatch he further says: "This correspondence" (the correspondence which took place between ex-Governor Sir Frederick Napier Broome and Lord Knutsford) "was

"before the Imperial Parliament when considering the Bill, and the provision respecting the Aborigines Protection Board was clearly understood to be one of the conditions of the grant of Responsible Government. Mr. Parker, the senior delegate from Western Australia, stated before the Select Committee of the House of Commons: 'We have accepted Responsible Government on the special understanding and arrangement that this Aborigines Protection Board shall be established, or rather (for I may say that an Aborigines Protection Board is now in existence and is no new thing) that it shall continue.'" That is what our delegates said, before the House of Commons Committee. The Secretary of State's despatch goes on to say: "My predecessor indeed stated that he considered the provision was of a temporary nature, and I do not wish to be understood to differ from him in principle on that point; but Ministers and members of the Legislature will, I trust, see on reconsideration that, without further directions from the Imperial Parliament, I should not be justified in advising Her Majesty to assent to a measure which would sweep away entirely the reservation which it made on behalf of the natives at so recent a date." Therefore we cannot disguise from ourselves that Mr. Chamberlain has something like good ground to go upon. The Premier, in replying to that despatch, admitted that the main contention in Mr. Chamberlain's despatch is that, as the colony accepted Responsible Government subject to the 70th section of the Constitution Act, it is not reasonable the colony should ask for its repeal. And then the Premier went on to show why it is, and of course all the arguments we can put forward will show conclusively that the Aborigines Protection Board is absolutely unable to perform the functions it professes to undertake, and that it is only in the interests of the natives themselves that the Government and Parliament are seeking to do away with this unnecessary board. Mr. Chamberlain, in his despatches, does not dispute the fact that it would be better for the condition and welfare of the natives, if their care were entrusted to a department of the Government in this colony under the

control of Parliament; nor does the Governor dispute it in his despatch of 19th May, 1896; for in reply to the third question put by the Premier, His Excellency says: "There is no reason whatever why the existence of the board should be continued, provided proper arrangements are made for the continued discharge of its functions, and that the amount provided for native protection and welfare be not left to the vicissitudes of an annual debate in Parliament." His Excellency takes that paragraph really from the despatch of Mr. Chamberlain himself, as His Excellency knew that was the exact position which the Secretary of State had taken up, because we find in the despatch of 27th December, 1895, Mr. Chamberlain says:—"In my despatch, No. 22, of the 20th August last, I intimated that I was prepared, as I still am prepared, to advise Her Majesty to assent to a measure by which those portions of the section which confide the expenditure to an unofficial board, independent of the colonial Ministry and Parliament, and subject to the personal control of the Governor, would be omitted." So that the Secretary of State is prepared to assent to the Bill for doing away with the board altogether. Mr. Chamberlain next proceeds to say:—"The control of expenditure would thus have been in the hands of the Colonial Government in exactly the same way as in any other department of Government, nor indeed would there have been anything to distinguish this expenditure from any other, were it not that a minimum appropriation would still have been fixed by law." That was all he asked for, that we should have a minimum appropriation for this service. That despatch of December, 1895, was in answer to the memorial which this Parliament had submitted; and the reply to that memorial really is that the Secretary of State will advise Her Majesty to assent to everything we require, if we will stipulate that there shall be a minimum sum appropriated permanently for this service. It has been suggested that a sum of at least £5,000, subject to increase at the will of Parliament, should be voted for this service. Mr. Chamberlain reiterates this in his most recent despatch, for, on the 21st August of this year, he said: "In my despatch, No. 35, of the 27th of

December, I stated that I was prepared to advise Her Majesty to assent to the reserved Bill repealing Section 70 of "The Constitution Act, 1889," so far as it confided the expenditure of the sum appropriated to the welfare of the aboriginal natives to an unofficial board, independent of the colonial Ministry and Parliament." Thus he is prepared to advise Her Majesty to assent to it, and to do away with the board altogether; and he goes on to say: "But I was in favour of maintaining the minimum appropriation at present fixed by law, namely, £5,000 per annum, or, if the gross revenue of the colony exceeds £500,000, an amount equal to one per cent. on that revenue instead of the £5,000." Therefore we have gained our point with regard to the abolition of the board, and the substitution of the Government of the colony for taking care of the aboriginal natives; and the only thing at issue at present is whether the sum to be appropriated shall be fixed at £5,000, subject to the substitution of 1 per cent. of the revenue of the colony, or whether it shall be fixed at £5,000 subject to increase at the will of the Parliament of the colony. In the proposal submitted by the Premier this evening, we propose to provide that there shall be an annual vote of not less than £5,000, subject to increase at the will of the Parliament of this colony; but we disagree with Mr. Chamberlain's further suggestion, "That in any year when the gross revenue of the colony exceeds £500,000, an amount equal to 1 per cent. on that revenue shall be so applied instead of the £5,000." Mr. Chamberlain, in his last despatch, concludes with this paragraph:—"I have now, therefore, to request you to inform Sir John Forrest that, after further consideration of the representations which he has made, I am prepared—if he will state what arrangements he proposes to make for fixing definitely the responsibility for estimating the requirements of this service, and for the distribution of the funds provided by the Legislature to meet those requirements, in such a manner as is indicated in paragraph 16 of your despatch—to lay the correspondence before Parliament, with a view to ascertaining the general feeling of the House of Commons on the

"subject." Although in this despatch he quotes his previous statements of August and December, 1895, that he was prepared to do away with the board if we would appropriate a fixed sum of £5,000 for the welfare of the aboriginal natives, subject to the substitution of an amount at the rate of 1 per cent. when the gross revenue exceeded £500,000, yet he now says that, after further consideration of the representations made by the Premier, he is prepared to lay the correspondence before the Imperial Parliament, if the Premier will state what arrangements he proposes to make for fixing definitely the responsibility for estimating the requirements of this service, and for the distribution of the funds provided by the Legislature to meet those requirements in such a manner as is indicated in paragraph 16 of the Governor's despatch. This despatch of the Secretary of State says the last word of Mr. Chamberlain on the point as to what he should be prepared to advise Her Majesty to assent to. The Governor, in paragraph 16 of his despatch, says: "I had hoped that, in reply to 'my communication, the Premier would 'have been able to give some assurance 'that the statutory obligations would be 'entered into by my Government which, 'while repealing Clause 70 of the Constitution Act, 1889, enacted amended 'statutory provisions with reference to the 'amount of the funds and their control, 'and, in substance, give some security for 'the discharge of the functions of the 'board which would be abolished. To 'an amended Bill of that character you 'might have felt able, at no distant date, 'to advise Her Majesty to record Her 'assent. To rely, as Sir John Forrest 'apparently proposes to do, merely upon 'the existing machinery of Government, 'already heavily overtaxed by the continuous and increasing prosperity of the 'colony, without the formation of some 'special sub-department of State charged 'with native affairs, would be fallacious; 'and to enact that the funds should be 'such as might be provided by Parliament from time to time' would give 'insufficient security for their provision 'under unforeseen changes of Government and public sentiment. While my 'present responsible advisers are in 'office, I should have no fear on this

"point; but it is necessary to remember 'that legislation, to be wise and beneficial, 'in such a matter as this, must provide for 'all possible eventualities." Therefore the Secretary of State now asks that we should say what proposals we would make for definitely fixing the amount of money to be provided annually for the welfare of the aborigines, and what sub-department of State we propose to entrust with the care of native affairs. The words "native affairs" seem somewhat high-sounding, but it seems to me that some persons do not understand what is the condition of the natives in Australia, for they seem to class them with the natives of South Africa, or the natives of India, where the natives are really far more like men than are the natives of this colony. Persons who talk in that way forget or do not know that the natives here are very few in number, and that there is no such thing in this colony as a department of native affairs. As to the enumeration of the duties of the board, His Excellency finds himself in great difficulty when he comes to write it down. If he were dealing with native affairs in South Africa or New Zealand, or native affairs in other parts of the globe, he would find a great deal more in the shape of duties than the application of funds for the distribution of blankets, clothes, and other relief; and, by-the-by, they are as bad blankets as you can find, and the board have the audacity and the impudence to supply those rotten blankets. In fact, the natives can hardly sell them. The duties of the board are set down, in the despatch to the Secretary of State, as the distribution of blankets, clothes, and other relief, submission of proposals for the care and custody of children, the provision of medicines and medical attendance, rations, and shelter to the sick, aged, and infirm. I think the Government could undertake all these duties. A further duty of the board is to "manage and regulate native reserves." There is some excuse for the Secretary of State talking about the management and regulation of native reserves; but it is a fact that it is impossible to get the natives to live upon those reserves, and that they prefer to be near the settlers and on the stations. The Government I think do more than the board, in the direction of protecting and helping the natives. My experience

teaches me that the board have been grossly imposed upon by a good many of the settlers, who think it their duty to report the presence on their stations of infirm and sick natives. The settlers in the past have been accustomed to maintaining all these old natives but the board now pay for their maintenance. It is only right that the old and infirm natives who have been working on stations for years should be maintained by the owners of the station. I do not remember ever being on a station without seeing blind and infirm natives provided with soup and anything that is going in the kitchen, and getting rations regularly; but when settlers are taught that they have only to write a letter about the blind and infirm natives to the board in order to shift the responsibility from themselves to the board, they are only too glad to do it. His Excellency the Governor has, I believe, written to the Secretary of State to the effect that there is no reason why the existence of the board should be continued. Those who have taken up the fad of the protection of the natives, do not care to climb down altogether without some show of getting something in return. This is what the Secretary of the State is doing now, and he has asked this Parliament to say what it proposes. If we tell him that we propose to allot £5,000 per annum permanently, and any additional sum, as necessity arises, for the benefit of the natives, I think he will feel that it is enough. We have, I think, used strong words enough, and I cannot quarrel with anyone who uses strong language on this subject. It is absurd that natives liable to neglect and ill-treatment should be deprived of the care and protection of the Government, and be placed in the hands of a board who know nothing about them, and only seek to run about and get instances of alleged ill-treatment, in order to say that the natives are suffering at the hands of the settlers. The Government are better able to deal with cases of ill-treatment than the board could possibly be, and the more the board listens to tales about ill-treatment—and we know where those tales come from—the more they listen to those things, the greater becomes the necessity for the transfer of the protection of the natives to the Government from the hands of

the board. The board cannot do anything at all to protect the natives against ill-treatment, if it really does take place. The Premier has told you of the prosecutions the Government have instituted at different times in cases of alleged ill-treatment, and I venture to say the board would never have been able to discover those cases at all or take steps in regard to them. They never have prosecuted anyone, and on the other hand the Government have prosecuted in a number of cases. It comes to this, then, what shall we propose to do? We propose to put native affairs in charge of a sub-department, and set aside £5,000 a year for the benefit of the natives. We wish to be generous, and we do not want to tie the hands of the Government. If we do not spend that £5,000, the balance will remain in the Treasury, instead of being paid to the Aborigines Protection Board, who do not show what they are doing with the money. Then if more money is required than £5000 a year, the Government can come to the House and ask for a vote, and will get it. The resolution we have submitted to the House expresses regret that any undertaking of the kind required by the Secretary of State should be considered necessary. I appeal to hon. members to fall in with the views of the Government on this matter. I have strong feelings on the subject, but I have tried to talk quietly, and not to say anything that perhaps I might regret to-morrow; but it does make one very angry to read these papers. I really think that we would do well to meet the views of the Secretary of State, who is able to base his despatches on the compact included in the Constitution Act. Mr. Chamberlain is doubtless quite right where he says that this Parliament agreed to that compact, although the fact is we were forced into it. We must remember that the Imperial Parliament had to be reckoned with, in order to gain its concurrence with regard to the Constitution Bill. We should be reasonable, and tell the Secretary of State what we propose to do, and I think that will be the end of the whole controversy. I think the proposal of the Government is a very good one, and in the second clause of it we fire a final shot.

MR. SIMPSON: It is only powder. There is no shot in it.

THE ATTORNEY GENERAL: It will, I think, settle the matter, particularly as the Governor has reported that it will be impossible for the board to continue, as it is ineffective through having no executive, and that if the Government choose to oppose them they can do nothing at all. We have never opposed the board, but, on the other hand, we have always tried to assist them, and in return they have treated us with contempt by appointing an inexperienced youth from London to go into the Kimberley district, an appointment that was little more than a farce. The Secretary of State asks us simply to give an idea of what we proposed to do, and if we do that there will be an end of the matter.

MR. SIMPSON: I am not at all satisfied with the amendment. In the first place it will be observed the Secretary of State says:—"I have now, therefore, to request you to inform Sir John Forrest that, after further consideration of the representations which he has made, I am prepared—if he will state what arrangements he proposes so make for fixing definitely the responsibility, for estimating the requirements of this service, and for the distribution of the funds provided by the Legislature to meet those requirements in such a manner as is indicated in paragraph 16 of your despatch—to lay the correspondence before Parliament, with a view to ascertaining the general feeling of the House of Commons on the subject." It will be observed that Clause 16 of the Governor's despatch to the Secretary of State is the key of the whole position, and that clause says, and I should like hon. members to pay exact attention to these words contained in it: "To an amended Bill of that character you might have felt able, at no distant date, to advise Her Majesty to record her assent." We have heard this subterfuge as to temporary provision before. The changes are rung between that phrase "temporary provision" and the phrase "at no distant date," and that is the key to the position. It goes on:—"To rely, as Sir John Forrest apparently proposes to do, merely upon the existing machinery of

Government, already heavily overtaxed by the continuous and increasing prosperity of the colony, without the formation of some special sub-department of State charged with native affairs, would be fallacious; and to enact that the funds should be 'such as might be provided by Parliament from time to time' would give insufficient security for their provision under unforeseen changes of Government and public sentiment." It is one of the most astounding statements ever written in an official despatch that the increasing prosperity of the colony had overtaxed the Government. It might be supposed, by those who read this despatch, that some day we might adopt the policy pursued in South Africa, and go out with Maxim guns and shoot the natives who are armed with spears, and if any of the spears killed the Europeans we would call it a massacre. The whole proposal of the Secretary of State is on the lines of Clause 16, and I would ask hon. members to consider whether Clause 16 indicates the lines upon which this colony should deal with this question. I have no hesitation in saying that the continued withholding of the assent to the Constitution Act Amendment Bill is an insult to the country, and a continued insult to the country. I want to get away from the question of personalities. We know the board is useless, and that it never was of any use. I want to get beyond that to the treatment of the people of Western Australia in our Constitution Act. The mark of the broad arrow was put on that Constitution Act when that clause was inserted in it. That clause was insisted on by those having the power, because they knew we were weak. Is that just or right? And shall we support it now, and do what the Government ask us to do? I say it with deference that I think the Government are a little ruled by their desire to smooth things over and get rid of the board. I want to abolish that board with honour to ourselves, and with a distinct statement of the fact that what they compelled us to do in our weakness we now resent in our power. The amendment proposed by the Premier says that the members of the Assembly "regret," but I would prefer to use the word "resent." According to this proposal, it will take a couple of

years before the matter can get through, for the British Parliament will not be in session when this matter gets home, and, owing to the great pressure of business, the matter may not receive attention even in the next session. I would ask the Premier and the other Ministers to meet us in this matter, and send a communication indicating that the attitude adopted with regard to this subject is an insult to the people of this colony. We have taken care of the natives, and provided for them, and now to be called upon to say in what way we will treat the natives if we get the care of them is, I say, an insult. I hope the Ministry will give us an opportunity of being unanimous on my motion, which I will not abandon. I will ask the House to distinctly bear in mind that there are some things which can be bought too dearly—can be bought at a sacrifice of honour. We have to assert that the continued reservation of assent to the Constitution Act Amendment Bill, after years of deliberation, after years of careful inquiry, is subversive of the rights of the people, because I cannot recognise rights that are dissociated from duties. I hope the House will see fit to adopt the motion, and that hon. members will recognise that I have only one object and the House only one object in view. It will be the duty of His Excellency to forward the report of this debate to the Secretary of State, and that report will indicate the intention of this House as to the treatment of the natives, and as to making provision at any time for the care of the natives. I am pleased to be able to move this motion as a protest against the undignified position occupied by the people of this country—a position that does not conduce to their being recognised as an independent, upright, and honourable people.

Question put, and a division taken on the point, that the words proposed to be struck out stand part of the question, with the following result:—

Ayes 12

Noes 10

Majority for ... 2

AYES.

Mr. Clarkson
Mr. Cookworthy
Mr. George
Mr. Higham
Mr. Illingworth
Mr. James
Mr. Phillips
Mr. R. F. Sholl
Mr. Solomon
Mr. Venn
Mr. Wood
Mr. Simpson (Teller).

NOES.

Mr. Burt
Sir John Forrest
Mr. A. Forrest
Mr. Lefroy
Mr. Loton
Mr. Monger
Mr. Handell
Mr. Richardson
Mr. Traylen
Mr. Piesse (Teller).

Mr. Simpson's motion affirmed, and the Premier's amendment consequently negatived.

THE PREMIER (Hon. Sir J. Forrest) moved that the following words be added to the resolution, to stand as paragraph 2—"That the welfare and relief of the aborigines will be best conserved under a sub-department of State, under the control of a responsible Minister of the Crown, with a statutory provision for the appropriation of a sum of £5,000 per annum for the use of the department, such sum to be supplemented as necessary by annual votes, in the discretion of the Legislature."

Question put and passed, and the resolution, as amended, agreed to.

Ordered—that the resolution be transmitted to the Legislative Council, and their concurrence desired therein.

ADJOURNMENT.

THE PREMIER moved that the House, at its rising, do adjourn until 7-30 o'clock, p.m., next day.

Agreed to.

The House adjourned at 10-53 o'clock, p.m., until next day.