

sorry that all the legal members of the House were absent. Did the hon. member intend the provision of this clause to refer to English barristers? He did not know whether it would clash with the Imperial law, under which he understood an English barrister was allowed to practise in any Court of the Empire on presentation of his credentials.

**THE HON. J. G. LEE STEERE** presumed the clause in the local Act would not have been inserted, if it was in conflict with the English law.

**MR. BROWN** said, whatever the English law might be, it was necessary that barristers seeking admission to our Colonial Courts should prove their right of admission, and he thought, whatever the form of admission might be, the applicant should be made to pay the duty.

The new clause was then agreed to.

Preamble and title agreed to.

Bill reported.

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

## LEGISLATIVE COUNCIL,

*Friday, 12th September, 1884.*

Message (No. 38): Replying to Addresses—Frivolous actions in the Supreme Court—Quarantine of s.s. "South Australian"—Immigration from the South of France—Northern Telegraph Line: Deviation from Point Cloates—Expenditure on Water Police—Loan Estimates, 1885: in committee—Mr. Hardern's Contract for construction of railway between Beverley and Albany—Proposed visit of Sir John Coode re Harbor Works at Fremantle—Presbyterian Church Bill: recommitted; third reading—Beverley-Albany Railway Bill: recommitted; third reading—Appropriation Bill, 1885: second reading; in committee; third reading—Kimberley Sugar Lands Bonus: adjourned debate—Loan (£255,000) Bill for Public Works: second reading; in committee—Imported Labor Registry Bill: third reading—Supreme Court Ordinance, 1861, Amendment Bill: third reading—Adjournment.

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

PRAYERS.

## MESSAGE (No. 38): REPLYING TO ADDRESSES.

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

"The Governor has the honor to inform the Honorable the Legislative Council that he will take action in accordance with the recommendations contained in the following Addresses:—

"No. 32. Land Grant Railway from Beverley to Eucla.

"No. 37. Deviation in the Route of the Roebourne Telegraph.

"No. 38. Fortification of King George's Sound.

"No. 40. Sharks Bay Pearling Grounds.

"No. 41. Transfer of the Imperial Convict Establishment.

"No. 42. Sanitary Condition and Water Supply of Perth and Fremantle.

"With regard to Address No. 39, the Governor has the honor to state that, as the Secretary of State's Despatch bearing upon the appointment of Mr. J. G. Lee Steere to be an unofficial Member of the Executive Council is marked 'confidential,' he is precluded from laying it before the Legislative Council.

"Government House, Perth, 12th September, 1884."

## FRIVOLOUS ACTIONS IN THE SUPREME COURT.

**MR. MARMION** asked the Honorable the Colonial Secretary whether he had received a communication from the Chamber of Commerce, relative to the best means of preventing frivolous and vexatious actions being brought in the Supreme Court; if so, what course, if any, the Government proposed to adopt in the matter? He might state that the chairman of the Chamber of Commerce had written to him stating that the Government had been addressed on this subject by the Chamber, pointing out that it would be desirable if some check were interposed in the way of instituting frivolous actions in the Supreme Court, by persons who had nothing whatever to lose if the action went against them. What the Chamber of Commerce recommended was that all plaintiffs in actions brought in the higher Court should deposit a sum of £25, as a guarantee for

the expenses of the action, in the event of the plaintiff being non-suited or losing his case. It was rather late in the session now to initiate any legislation on the subject, but he should like to know what course, if any, the Government proposed to take upon the representations made in the matter by the Chamber of Commerce.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) replied that a communication had been received by the Colonial Secretary from the Chamber of Commerce, suggesting that the facilities afforded under the present laws for vexatious actions might be met by requiring a deposit of £25, but the Government were not aware of any facilities that exist here more than in other places subject to English laws for bringing such frivolous actions, and it would be against the principles of our laws to require a plaintiff to give security as a matter of course. He might further remark that it was no doubt most desirable that frivolous and vexatious actions should be prevented, as far as possible, but he thought the hon. member would be of opinion that, however desirable it might be, it would be most difficult to ascertain the nature of an action until it came on for trial and some of the evidence had been gone into and the facts of the case presented to view. Therefore it was that although the Government were most anxious, equally with the Chamber of Commerce, to prevent frivolous or vexatious actions, they did not at present see their way to do it,—at all events in the way suggested, for to require a deposit of £25 to be made would in many cases be to deny justice to persons in poor circumstances. The subject, however, would receive the very best consideration of the Government, but he was not prepared at this moment to make any definite statement on the subject.

MR. MARMION agreed to a certain extent it would be a hardship in the case of a poor person if he had to deposit £25 before he could bring an action, but, in speaking on the subject to an hon. and learned member of the House, he was informed that in Victoria there was an Act in existence which required a sum to be paid down or recognisances entered into by a plaintiff before bringing an action, in order to defray the expenses of

the action in the event of his being non-suited, and that, in order to meet the difficulties referred to by the Attorney General, a man who had not the means of depositing the sum required might sue *in forma pauperis*, and in that case he understood the action was conducted by the law officers of the Crown. [THE ATTORNEY GENERAL: Oh.] Possibly that could not be done here; but he had been informed that cases had occurred lately in which hardship and inconvenience had been inflicted upon persons who had had frivolous actions brought against them in this colony by persons who had no means, in the event of their losing the action, of paying [the costs of the case, and it seemed to him very desirable that something should be done in the matter, and he was glad to hear the hon. and learned gentleman say that the matter would receive the attention of the Government during the recess.

#### QUARANTINE REGULATIONS AND S.S. "SOUTH AUSTRALIAN."

MR. MARMION, with leave, without notice, asked the Colonial Secretary to lay upon the table all telegrams and correspondence that had passed between the Government and the Health Officer at Fremantle, or other persons, in connection with the quarantining of the s.s. *South Australian*. He might state that at a public meeting of the inhabitants of Fremantle held the other night regret was expressed, and he might say indignation was expressed, at what the public conceived to be the somewhat lax way in which the quarantine regulations had been put into effect in the case of the steamer referred to, and, as the result of the meeting, he had been asked by the Mayor to bring the matter under the attention of the Government. The matter, he might say, had caused considerable excitement at Fremantle, and the action of the Government had been the subject of much adverse comment.

THE COLONIAL SECRETARY (Hon. M. Fraser) said that under ordinary circumstances he should have politely asked the hon. member to have given notice of his question, but as the hon. member had informed him verbally of his intention to bring the matter before the House, he had prepared himself to a

certain extent with an answer. Hon. members were doubtless aware of the action of the Government with regard to the quarantining of a steamer that had lately arrived from the other colonies. It must be remembered that this steamer, though coming in the first instance from Melbourne, put in on her way here at Adelaide, and that she sailed hence from Adelaide with a clean bill of health. He would read to the House a telegram he had received that afternoon from the Chief Secretary of South Australia, showing the position which the Government of that colony had assumed in the matter of preventing the introduction of small-pox in that colony. The Chief Secretary informed him that all vessels arriving at Adelaide from Victoria and New South Wales were subjected to strict inspection before they were permitted to land passengers, and that in the case of vessels carrying a surgeon, a written certificate from the surgeon to the effect that he had made a special examination and that there was no case or suspected case of small-pox on board would be accepted as sufficient, but that in the event of suspicious cases occurring amongst passengers the ship would have to provide a boat for the conveyance of such persons to the quarantine ground. That showed what was being done in Adelaide as regards vessels coming from Victoria or New South Wales. With reference to the s.s. *South Australian* recently arrived at Fremantle, although sailing in the first instance, as he had already said, from Melbourne, she went afterwards without any difficulty into the port of Adelaide, and took a fresh departure from that port for Albany, with a clean bill. The precautions which had been taken by this Government were such as were deemed advisable under the circumstances. He need not enter into the details of those arrangements—hon. members were aware of what had been done, and it would suffice at present if he gave a formal reply, which would appear on the notice paper, and which would be to this effect: The action taken by the Government in the matter of quarantine had been carefully considered in consultation with the chief medical authority in the colony. The Government believed that its action had been sufficient to meet the circumstances of

the case; but, with the view of allaying public alarm, instructions still more stringent had now been issued. It would be inexpedient to produce any papers in the matter at present. Full information would be given at the proper time, and the honorable member might rest assured that the Government was fully alive to the public duty it had to perform.

MR. MARMION said there had been some little ridicule—and it appeared to him not without cause—thrown upon the action of the Government in this matter, and a pretty strong feeling, akin to indignation, had undoubtedly been aroused in the public mind, and he thought it was very desirable that the responsibility, if any, should be removed from the shoulders of the Health Officer, who, it was stated at the meeting referred to, had not been consulted by the Government with reference to the course of action taken as regards the *South Australian*. It appeared to him if such was the case, it would only be justice to that officer—if the responsibility taken by the Government in the matter had been taken without consulting him—that the fact should be publicly stated.

THE COLONIAL SECRETARY (Hon. M. Fraser) said he had gone a little out of his way to give an answer to a question put without notice by the hon. member, and the hon. member having got his reply might be satisfied with it, without proceeding to address the House on a subject that was really not before it.

MR. MARMION explained that he was not putting forward his own individual views, but the views of the inhabitants of the town which he represented, and where a very strong feeling had been excited by the action of the Government in this matter.

#### IMMIGRATION FROM THE SOUTH OF FRANCE.

SIR T. COCKBURN - CAMPBELL asked the Colonial Secretary whether he could now state why it was considered that the present immigration regulations prevented the introduction under those regulations of immigrants from the South of France or other portions of continental Europe?

**THE COLONIAL SECRETARY** (Hon. M. Fraser) said the difficulty had arisen from the fact that the only system of immigration now in operation was the nominated system. If those who wished to introduce these immigrants from the South of France would appoint an agent here, who might nominate them and undertake that they should not become chargeable to this Government, probably the difficulty referred to might be removed.

#### POINT CLOATES TELEGRAPH STATION.

**THE HON. J. G. LEE STEERE** asked the Director of Public Works if he had communicated, as he promised to do, with the contractor for the construction of the Roebourne telegraph line, as to the cost which would be entailed if the line, instead of being taken to an inhospitable place like Point Cloates, were taken more inland, so as to be of some service to the settlers in that part of the colony.

**THE DIRECTOR OF PUBLIC WORKS** (Mr. C. T. Mason) said he had placed himself in communication with the contractor, who informed him that he would be prepared to carry out the deviation, as proposed, at an extra cost of £4,500. He might, however, add that as the deviation would considerably shorten the line (which was being paid for at so much per mile), there would be a saving on the original estimate of £1,600, so that the actual amount of extra expenditure which the deviation inland would entail, consequent upon the cost of haulage, etc., would be £2,900.

**MR. MARMION:** Would the deviation affect the validity of the original contract?

**THE DIRECTOR OF PUBLIC WORKS** (Mr. C. T. Mason): The provisions of the contract would be in no way interfered with, except in respect of the deviation.

**MR. CROWTHER** said he would have preferred to have the opinion of the Attorney General on that point, but as the Attorney General was not in his place the House he presumed must be satisfied with the opinion of the Director of Public Works. They paid the Attorney General £600 as a sort of retaining fee—and he (Mr. Crowther) looked upon it merely as a retaining, and in no way a

salary—but the Attorney General it appeared found that other retaining fees paid him better than attending to the interests of the country. He did not blame the Attorney General in any way. He had a perfect right to private practice, and if he found it paid him better to work for private individuals than for the public no one could blame him for it. At the same time, to alter the terms of a contract was a ticklish business, and he should have liked to have had the opinion of the legal adviser of the Government on the subject.

**MR. BURT** said as the House had already agreed that it would be very desirable to make this deviation, and that the advantages to be derived would fully justify the extra expenditure, he would move, with leave, without notice: "That an humble address be presented to His Excellency the Governor, representing that this House, having been informed by the Government of the probable cost of carrying the overland telegraph line to Roebourne through the settled districts in the vicinity of the Minilia and Lyndon Rivers to the Ashburton, instead of along the coast to Point Cloates, is of opinion that the advantages to be derived from such a deviation fully justify the extra expenditure that must be incurred, and praying that His Excellency will be pleased to take the necessary steps to carry out such deviation."

**MR. BROWN** moved that this motion be considered in committee of the whole Council.

Question—put and passed.

The Speaker left the Chair.

#### IN COMMITTEE.

Question—"That the humble address be presented"—put.

**MR. SHENTON** drew attention to the fact that no money had been voted by the House to carry out the proposed deviation.

**THE COLONIAL SECRETARY** (Hon. M. Fraser): Under the circumstances I cannot see the utility of it.

**MR. BROWN** said no doubt it would be in the interest of the colony that the line should be diverted, as proposed, and as His Excellency had in the message sent to the House that evening expressed

his readiness to take steps to carry out the wishes of the House in accordance with the resolution passed the other day, he supposed the object of the present resolution was to strengthen the hands of the Government in the matter. It must be admitted that sooner or later, and ere long too, the line must be carried inland, and, as the contractor was now in that part of the country with his staff, and his plant, we could never get the work done at as little cost as now. For this reason he thought the resolution ought to be adopted.

MR. S. H. PARKER said that personally he had no objection to the address—in fact, he thought it would be most wise to divert the line as proposed. Apparently some mistake was made in the first instance with regard to the route, probably owing to the absence of information as to the character of the country, in the dearth of settlement. It was simply a question of finance. If they had £2,900 out of loan money to spend on the deviation, certainly let them undertake it; or if they had any balance of revenue which they did not know what to do with it would be well to expend it upon this work. But, so far as he could see, all the loan raised for this Northern Telegraph had been expended, and £5,000 more had to be provided for in the new loan, to carry out the original design. They knew too that the revenue for the coming year had been appropriated, and it appeared to him it would be perfectly useless to pass this resolution. Again, he had a very strong objection, in view of the action of the Government in former years, to pass any resolution involving an expenditure of public money unless the House at the same time provided the necessary funds. They all knew that this was the cause why our finances got into such a chaotic state in former years, and they all remembered how the Legislature was blamed in the matter, and how the Legislature blamed the Government.

MR. BROWN: Where is the large Treasury balance of which we have heard?

MR. S. H. PARKER understood the Treasury balance was not larger than the Government considered it necessary to have at their command.

MR. BROWN said it remained for the Government to say either that they had no money at their disposal for carrying out the deviation, or to come to the Legislature and ask for an authorisation—for he did not look upon this resolution as an authorisation—to appropriate a sufficient sum for the work. If necessary, he failed to see why a Supplementary Estimate should not be brought in, even at this eleventh hour.

THE COLONIAL SECRETARY (Hon. M. Fraser) said there was a difficulty in connection with this matter. Allusion had been made to the mal-practice which in past years had brought the colony, financially, upon evil days, no less than £25,000 in one year, he believed, having been expended over and above the Estimates. Those days, he hoped, had passed, never to be brought back again. With regard to this Northern Telegraph line, it had been from the first somewhat unsatisfactory that they had no proper estimate of its cost. Speculatively, £50,000 was added to the Loan of 1882 for the purpose of constructing a line from Northampton to Roebourne. From this sum had to be deducted, in the first place, the difference between the amount authorised to be raised and the sum actually realised; and, again, there had been considerable expense in surveying the line. Still, they were in the dark. Although it had been stated that this proposed deviation would be so many miles shorter than the original route laid down, it was not at all apparent to him, looking at the extra cost of haulage, how they could be certain as to what the exact difference in the expense would be. Neither had they been informed up to this time what would be the actual cost of the whole line, as originally designed. An extra sum of £5,000 had already been asked for and appropriated, and there was now this difficulty, which he had already referred to. If the matter had been brought forward earlier in the session, and there had been ample time for giving it due consideration, probably the difficulty might have been less. He confessed, himself, that although the address was a very proper one in itself, he was unable to say at present what the upshot might be if the House passed it. As he had already said, they did not yet know what the line would

cost to finish it, as they did not know exactly what its length would be; and, although it was all very well to say that the proposed deviation would shorten the line, there were no reliable data to go upon as to what the additional cost might be or how much might be saved. In any case, it would be a departure from the terms of the contract, and it was always a dangerous thing to meddle with contracts formally entered into and in course of being carried out. Under the circumstances, he thought the committee should hesitate before they adopted this address. Hereafter, no doubt, branch lines would be required for the convenience of the settled districts inland, as population increased. There was one advantage in having the line along the coast, if, as was thought, there was in proximity to Point Cloates a harbor or waterway which vessels could use, and which might in the future be made available for trading purposes.

MR. SHENTON said no doubt it would afford considerable facilities to shipping to have a telegraph station at Point Cloates, so that steamers passing there might be notified. It might be utilised as a signalling station.

MR. BURT said the object of the line was to afford facilities to the settlers and not to signal passing steamers. He thought this deviation was a case of emergency. It was only within a very recent date that they had ascertained the character of the country, and that the deviation was desirable. Were they going to run away from it because of an abstract difficulty, after passing a loan schedule involving an expenditure of over half a million upon a lot of works one-third of which were of a most trumpery character and in no way works of necessity. The present loan money which was being expended upon this telegraph line would not be expended at the end of this year, and there would be ample time next year to provide the necessary funds for this deviation.

The address was then put, and, upon a division, there appeared—

Ayes	...	...	9
Noes	...	...	6

Majority for 3

AYES.  
Mr. Brown  
Mr. Crowther  
Mr. Davis  
Mr. Glyde  
Mr. Grant  
Mr. McRae  
Mr. S. S. Parker  
Mr. Randell  
Mr. Burt (Teller).

NOES.  
Sir L. S. Leake, Kt.  
Mr. Loton  
Mr. S. H. Parker  
Mr. Shenton  
Mr. Veun  
Hon. J. G. Lee Steere  
(Teller).

Resolution reported.

#### MAINTENANCE OF WATER POLICE.

MR. S. H. PARKER, in accordance with notice, moved the following resolution: "That, in the opinion of this House, no further advances should, after the end of the current year, be made by this Government to the Imperial authorities on account of the Water Police service." Hon. members were aware that this service was organised purely for Imperial purposes, in connection with the convict system, but that some two or three years ago the Imperial Government expressed their intention of withdrawing their contribution towards the maintenance of the service. Successive Governors had been in correspondence with the home authorities on the subject, pointing out how unfair that would be, under the circumstances; but no satisfactory arrangement had yet been arrived at. The matter was first prominently brought before the House when the Excess Bill for 1881 was under consideration, one of the excess items being a large amount then due from the Imperial Government in respect of the Water Police, which that Government had refused to pay, and which was surcharged to the colonial Government, and this amount had been increasing every year, until it now amounted to something like £5,000. The subject had cropped up on several occasions in the House, and the Government always told them they were sure the money would be refunded eventually. But he saw no prospect himself, judging from the tenor of the despatches on the subject, of its being ever refunded, or that the Imperial Government intended to contribute a penny more towards the maintenance of the Water Police. They had been told, he believed, by the Governor, that the force might be dispensed with, and it appeared to him if the House passed this resolution, that would be the result. The local Government

might call this money advances made to the Imperial Government, but there was nothing that he could see to show that the Imperial authorities regarded it in that light; and, as a matter of fact, the colonial Government had been maintaining the force for some years now without any vote or authority whatever from the Legislature. He thought the Government themselves must by this time have abandoned all hope of recovering the money advanced, and he thought it would be folly for us to allow the present unsatisfactory arrangement to continue without entering our protest against it.

THE HON. J. G. LEE STEERE said he had great pleasure in seconding the motion. He thought it was quite time we should put a stop to any more payments in respect of this force, which His Excellency himself told them was not required. He had himself intended to have brought forward a similar resolution to this two years ago, but he was dissuaded from doing so at the time by the Government, who thought it might possibly have the effect of making the Imperial authorities refuse to refund us what had already been advanced on account of the force out of colonial funds. He thought the time had now arrived for taking some decisive action in the matter.

THE COLONIAL SECRETARY (Hon. M. Fraser) pointed out that, as the House had recommended the appointment of a commission to inquire into the whole question of the proposed transfer of the Convict Establishment, and as that question would involve the consideration of the maintenance of the Water Police, this resolution if adopted might considerably hamper the action and inquiries of the Commission. That being the case he would suggest to the hon. member the expediency of withdrawing the resolution. He thought it would look like a bit of childish spite on our part to treat the Imperial Government in this petulant way. He had no doubt whatever that all equitable claims we might have against the Imperial authorities would be recognised. He could understand the action of the hon. member for Perth who was yet (politically speaking) in his teens, but he could not understand the hon. member for the Swan endorsing such childish action.

He thought it would be both impolitic and inexpedient for the House to adopt the resolution, which was not only petty but spiteful.

MR. SHENTON thought that in view of the appointment of a Commission such a resolution as this would certainly tend to hamper the work of the Commission very considerably. He thought they might safely leave the matter in the hands of the Commission to deal with it.

MR. S. H. PARKER said that, so far as he had seen, not a word had ever appeared with reference to these Water Police claims in the correspondence with respect to the transfer of the Convict Establishment, nor did he himself believe that the Home Government would entertain our claim. But, as some hon. members seemed to think that the resolution might hamper the Government or the Commission, and prejudice our claims, he would not press it.

Motion, by leave, withdrawn.

#### LOAN ESTIMATES, 1885.

The House went into committee for the consideration of the Loan Estimates for 1885.

*Eastern Railway*, extension and completion to York, £41,355 12s. 2d. :

MR. SHENTON said he noticed that provision was made for the salaries of the constructing engineers and inspectors for eight months of the year 1885. This would lead to the belief that the line would not be completed to York until the end of August. Was there any likelihood of salaries having to be paid so long as that?

THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason) said the contract would not expire until eight months, but, in consequence of the rapid progress at which the work was being proceeded with, the probability was the line would be opened much earlier. At the same time it was considered expedient to make this provision.

The item was then agreed to, as printed. *Northern Telegraph Line*, £15,366 18s. 10d. :

MR. MARMION asked for some information as to the item "Salaries and allowances, Surveyor and Assistant Surveyor."

**THE DIRECTOR OF PUBLIC WORKS** (Mr. C. T. Mason) said the Government were obliged to employ a surveyor and a supervisor to see that the contractor carried out his work faithfully, and there were other services required from these two officers. The surveyor was paid at the rate of £350 a year, and his assistant at the rate of £278 15s., and there was a fixed scale of allowances, including 10s. a day field allowance.

The item was then put and passed.

Estimates reported.

#### THE CONTRACT WITH MR. HORDERN: BEVERLEY-ALBANY RAILWAY.

**THE HON. J. G. LEE STEERE**, in accordance with notice, moved: "That an humble address be presented to His Excellency the Governor, informing His Excellency that the Council is of opinion that at this late period of the session it is inexpedient to insist upon the recommendations contained in subsection 43, clause 7, of the report of the select committee appointed to consider Mr. Hordern's proposals for the construction of a railway on the land grant system between Beverley and Albany; and that the Government, having been placed in possession of the views of the Legislature as regards the terms of the contract, be empowered to conclude the same in the manner already approved by the Council, without any further reference to the Legislature." The recommendation referred to, the hon. member said, was to this effect,—that a clause should be inserted in the contract providing that the contract itself shall be "subject to the approval of the Legislature." At the time that recommendation was made, the select committee thought there would have been ample time to have the contract prepared and submitted to the House for its ratification; but it appeared from what had fallen from the Attorney General the other day, that the contract would take a considerable time to prepare; and, as the session was on the eve of closing, he had brought forward the present resolution, which would obviate a further reference of the contract to the Legislature.

The motion was agreed to, *sub silentio*.

#### VISIT OF SIR JOHN COODE *RE* HARBOR WORKS, FREMANTLE.

**MR. MARMION**, in accordance with notice, moved: "That an humble address be presented to His Excellency the Governor, praying that he will be pleased to make such representations to Her Majesty's Secretary of State for the Colonies, upon his according his assent to the Loan Act, 1884, as will induce arrangements to be made without delay with Sir John Coode, or some engineer deputed by Sir John Coode, to visit Fremantle at an early date, for the purpose of examining the features of the port, with reference to the report of that engineer, made in 1878, upon harbor works at Fremantle, and the recommendations made therein, and to supply all such information and data as may be necessary to determine the course that shall be pursued with reference to harbor works at Fremantle, and to provide such detailed plans and specifications of such harbor works as may be necessary to enable tenders to be called and a contract entered into for the construction of the said harbor works." The hon. member said he had slightly altered the wording of the resolution, as had been suggested to him, so that it might be more clearly shown that the intention of the Legislature was that the cost of this visit shall not come out of current revenue but out of the proposed loan. The object of the address was simply to bring prominently to His Excellency's notice the decision arrived at by the House in this matter, so that steps should be taken in the matter as early as possible.

The address was agreed to, without comment.

#### PRESBYTERIAN CHURCH BILL.

On the order of the day for the third reading of this bill,

**MR. S. H. PARKER** moved that the bill be recommitted, with the view of effecting a verbal amendment.

The amendment was agreed to, without comment.

**MR. S. H. PARKER** moved the suspension of the standing orders, with a view of passing the bill through its remaining stages.

Agreed to.

Bill read a third time.



## BEVERLEY-ALBANY RAILWAY BILL.

This Bill was recommitted, for the purpose of making a verbal amendment in the 4th clause, which was agreed to, without discussion.

The standing orders being suspended, the bill was read a third time.

## APPROPRIATION BILL, 1885.

THE COLONIAL SECRETARY (Hon. M. Fraser), without comment, moved the second reading of this bill.

Motion agreed to.

Bill read a second time, *sub silentio*.

THE COLONIAL SECRETARY (Hon. M. Fraser) moved the suspension of the standing orders, to admit of the bill being passed through its remaining stages.

Motion agreed to.

Bill read a third time.

## KIMBERLEY SUGAR LANDS.

## ADJOURNED DEBATE.

On the order of the day for the resumption of the debate upon the resolution submitted by Mr. VENN (*vide* p. 377 *ante*),—

MR. BROWN moved that the blank in the 24th line, be filled by the insertion of "twenty thousand (20,000)." The hon. member said he did not think 20,000 acres would be considered too large an area, in return for the large expenditure that would have to be incurred before the land could be claimed. He thought they all sympathised with the object which the hon. member for Wellington had in view,—that we should endeavor to encourage some person or persons to test whether these Kimberley lands are suitable for tropical culture. It was very plain that the present inducements offered were not sufficient. As he said yesterday, it would cost a great deal of money to conduct this experiment successfully, and there were many difficulties which would have to be surmounted. The quantity of land which he proposed to offer would, at the present upset price, be worth £10,000; but it should be borne in mind that before this could ever be claimed there would have to be an outlay of £20,000 or £30,000, and, if the experiment failed, the money would be lost altogether to the company or to the person making the

experiment. Possibly, if the matter had come on earlier in the session some fairer arrangement as regards persons generally who might choose to engage in the enterprise might have been agreed to, rather than that this inducement should be offered to those who first achieved success. But he did not think there was time now, at this period of the session, to go into the whole matter.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) thought that, at this very late stage, and considering that they had had the same subject before them already in another form, it would be somewhat inconvenient to discuss the resolution now before them. There was another reason why he thought it would be inadvisable to deal with this question now, and that was the probability that next year the whole question of our Land Regulations would have to be discussed. For his own part he did not think the present regulation dealing with this matter was very illiberal; and, if they were going to adopt the resolution at all, he thought 10,000 acres would be quite enough to offer, and he would move, as an amendment, that the blank be filled in with "ten thousand (10,000)."

MR. MARMION said he was inclined to agree with the Commissioner of Crown Lands, and, in any event, he should not be disposed to support the proposal to give 20,000 acres, which to his mind was too liberal altogether.

THE COLONIAL SECRETARY (Hon. M. Fraser) said he considered the present regulations on the subject of testing the tropical lands in the Kimberley District were liberal enough—he referred particularly to the 58th and 59th clauses of the regulations—and he was only sorry that somebody had not taken advantage of them. If the Kimberley lands were equal to the Queensland sugar lands, the bonus offered under the existing regulations—500 acres in fee simple—would represent a very large sum of money. Five hundred acres would be considered a large plantation in the West Indies.

MR. GRANT pointed out that, whether the present regulations were liberal or not, they were evidently not liberal enough to induce anybody to take advantage of them. Looking at the enormous outlay that would have to be incurred,

he did not think 20,000 acres would be at all too much. It was no use for anybody going into the enterprise on a small scale, and it was no use for the House to deal with the matter in a petty spirit. No time could be more favorable than the present for bringing this matter forward. There was a considerable amount of irritation just now in Queensland, among the sugar planters, in consequence of the stringent regulations as to labor; and he thought the present would be an opportune time for us to offer inducements to these Queenslanders to come over here.

The amendment was then put—that the blank be filled in with “10,000”—and negatively on the voices, as was also the original proposition.

#### LOAN BILL FOR PUBLIC WORKS (£525,000).

THE COLONIAL SECRETARY (Hon. M. Fraser), in moving the second reading of a bill for raising the sum of £525,000 by loan for the construction of certain public works, said the items included in the schedule had been well discussed by the select committee, and subsequently confirmed by the House. The only change that appeared in the schedule was a rearrangement of the various works agreed upon, under distinctive heads, these heads being—(1) Harbor works; (2) Railways and tramways; (3) Telegraphs; (4) Works and buildings; (5) Miscellaneous. The bill, it would be observed, was much shorter than previous Loan Bills, for the reason that during the present session they had passed an Act providing for the inscription of stock, and other details which were no longer necessary to be incorporated in every Loan Bill.

MR. BURT: As I was not present when the select committee's report on these public works and the schedule were considered, I should like to put on record an expression of my entire disapproval of many of the works included in this schedule. I think it a wrong principle altogether first to agree upon raising a large sum of money and then look about for something to spend it on. Many of these works are not pressing works, or works which the country in any way has been crying out for. The committee, it appears to me, went all over the colony

throwing sops to every district; and I beg to record my protest against the bill.

The motion for the second reading was then put and passed.

THE COLONIAL SECRETARY (Hon. M. Fraser) moved the suspension of the standing orders, with a view of passing the bill through its remaining stages.

Agreed to.

#### IN COMMITTEE.

Clauses 1 and 2—agreed to *sub silentio*.

Clause 3.—Loan to be charged upon the general revenue:

MR. McRAE moved, as an amendment, that the following words be added to the clause: “Provided, however, that in the event of any part of the Northern District becoming a separate colony, none of the principal moneys and interest so chargeable shall become a charge upon the revenue and assets of the new colony, beyond the amount expended in the said district.” The hon. member said it was evident to himself and to many others that some of these Northern Districts would form themselves into a separate colony before long. It was not reasonable to expect that districts some of them situated 1,000 or 1,500 miles away from the seat of Government could be administered with any degree of satisfaction, and their requirements—which were altogether different from the requirements of this part of the colony—be properly attended to. Generally speaking, no expenditure of loan money in this part of the colony would be of any benefit to these Northern Districts; and it was in order to protect the interests of the North, that he moved this amendment.

Upon the amendment being put, and amid cries for a division,

MR. GRANT rose and said, although he did not expect to gain a single vote, he could not allow the amendment to be snuffed out without saying a word or two. He would refer hon. members to the Secretary of State's despatch on this subject. In his despatch of the 23rd July last year what did Lord Derby say? He said: “While I am of opinion that under Responsible Government the control of the Crown Lands generally would have to be vested in the Colonial Parliament, it appears to me, as at present advised,

"that it would be necessary to make an "exception in respect of those Northern "Crown Lands which"—the Secretary of State said—"would be likely to form a "separate colony at an early date." With a view to meet this contingency, Lord Derby said: "I think it desirable "that a separate account should be kept "of the revenue raised and expended in "each district of the colony; and it will "also have to be considered whether, in "any future Loan Bill"—hon. members would listen to that—"whether in any "future Loan Bill, it must not be declared that the lands and revenues of "the Kimberley and some other portions "of the Northern Districts will not form "part of the security for the loan." That was what the Secretary of State told them only a year ago, and he regretted to find that the House was not disposed to follow the Secretary of State's instructions. In fact, he did not see how we could send this Loan Bill home, seeing that it omitted the very provision referred to by the Secretary of State, as to excluding the revenues of the Northern Districts from being chargeable to this loan. He would say no more. He was afraid that by this time the North must stink in the nostrils of some hon. members.

MR. MARMION was sorry to see at this stage a feeling of discord and of jealousy introduced into their debates, and the cry raised of North against South. Anybody would imagine that the hon. member who had just sat down was the only person interested in the Northern Districts. The hon. member seemed to forget that there were others interested in the North as well as himself, and that there were members in that House who were amongst the hon. member's constituents, and who were largely interested in the North. Probably the hon. member's object had been achieved by having his amendment and his remarks embalmed in print, and, if so, he hoped the hon. member would not prolong the discussion any longer.

MR. LOTON said he simply rose to say that he should vote for the clause as printed. This loan was for carrying on public works throughout the whole colony, and not for the southern part of the colony alone, and, for his own part, he did not recognise any particular part

of the colony in this matter. The loan was a Western Australian loan, in every sense of the term.

The amendment was then put, and, a division being called for by the hon. member for the North, the numbers were—

Ayes ... .. 2

Noes ... .. 18

Majority against ... 16

AYES.	NOES.
Mr. Grant	Hon. A. P. Hensman
Mr. McRae (Teller.)	Hon. J. Forrest
	Mr. Mason
	Mr. Brown
	Mr. Burt
	Mr. Crowther
	Mr. Davis
	Mr. Glyde
	Sir L. S. Leake, Kt.
	Mr. Loton
	Mr. Marmion
	Mr. S. S. Parker
	Mr. S. H. Parker
	Mr. Randall
	Mr. Shenton
	Hon. J. G. Lee Steere
	Mr. Venn
	Hon. M. Fraser (Teller.)

The amendment was therefore negatived, and the clause put and passed.

Clause 4—agreed to.

Schedule:

THE HON. J. G. LEE STEERE thought some provision ought to be made for the proposed deviation of the Northern Telegraph line from Point Cloates, as agreed upon. He thought it might be taken out of the item "Roebourne Telegraph: completion of line, £5,000," and if a further sum should be required to finish the line to Roebourne, by reason of the extra expenditure upon this deviation, there would be ample time to appropriate on next year's Loan Estimates a sufficient sum to complete the line.

THE COLONIAL SECRETARY (Hon. M. Fraser) said, if the schedule were passed as it stood, he would bring to His Excellency's notice the desire of the House in this matter; and, under the circumstances, he could not think himself there would be any great difficulty in accomplishing what the hon. member desired. He understood that the necessary funds shall be forthcoming if required.

MR. BURT: I would point out that it will be necessary to determine whether this deviation shall be made before the Governor starts for the North.

THE COLONIAL SECRETARY (Hon. M. Fraser): Quite so.

The schedule was then put and passed.

Preamble: "Whereas it is expedient "to construct certain public works, at an "estimated cost of upwards of £500,000; "and whereas it is probable that the "construction of such works will occupy "a period of four years; be it enacted, "etc.:"

THE HON. J. G. LEE STEERE asked what was the meaning of the words "whereas it is probable that the construction of such works will occupy a period of four years?" He thought that was very doubtful.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said the reason why these words were introduced was this. The general Act passed this session, dealing with loans, was an Act the draft of which was sent out by the Crown Agents, the provisions of which were to be incorporated in all future loans; and the Crown Agents at the same time sent out certain explanations and suggestions to the effect that in any future Public Works Loan Bills it would only be necessary to enact certain things, and only necessary in the preamble to recite that the works were likely to occupy so long, and that the sinking fund clause should be made to commence from the date of the works being completed, or likely to be completed. He did not think the words were of any great importance here: they were in the principal Act.

THE HON. J. G. LEE STEERE said, if they were not of much importance, he would move that they be struck out.

Question put—That the words "and whereas it is probable that the construction of such works will occupy a period of four years" be struck out.

Agreed to.

Preamble, as amended, put and passed.

Title agreed to.

Bill reported.

#### IMPORTED LABOR REGISTRY BILL.

Read a third time and passed.

#### SUPREME COURT ORDINANCE, 1861, AMENDMENT BILL.

Read a third time and passed.

The House adjourned at a quarter to eleven o'clock, p.m.

#### LEGISLATIVE COUNCIL,

*Saturday, 13th September, 1884.*

High School Governors—Lighthouse at Cape Leeuwin—Sir Julius Vogel's Submarine Cable Scheme (Message No. 31)—Mr. Waddington's proposals for a Land Grant Railway to Champion Bay (Message No. 3)—Loan Bill (£325,000) for Public Works: third reading—Message (No. 39): Replying to Addresses—Message (No. 40): Replying to Addresses—Message (No. 41): Assenting to Bills, etc.—Prorogation.

THE SPEAKER took the Chair at ten o'clock, a.m.

#### PRAYERS.

#### HIGH SCHOOL GOVERNORS.

THE HON. J. G. LEE STEERE having signified his intention to resign his governorship of the High School, owing to his residing out of town, the hon. member moved that Mr. S. H. Parker be elected in his place, which was unanimously agreed to. Mr. Shenton, also, whose term of office as a governor of the school was about to expire, was re-elected, without opposition.

#### LIGHTHOUSE AT CAPE LEEUWIN.

MR. VENN asked the Colonial Secretary whether the Government had taken any steps in regard to establishing a lighthouse at Cape Leeuwin, and whether they had communicated with the other colonies on the subject?

THE COLONIAL SECRETARY (Hon. M. Fraser) said the Government had been in communication with the Governments of the other colonies on the subject and the negotiations were still in progress. The colony of Victoria had signified its willingness, with the approval of its