

"duty to bring to your notice. Shortly after the close of the Session my attention was called to the very unsatisfactory manner in which the carriage of the European Mails between these places was conducted, especially by the overland route: letters from Europe being rarely delivered in time to be answered by the outgoing steamer. On enquiry, I found that it was possible to effect great improvements in the service by entrusting it to the Police, but that the first cost of the arrangement would be considerable. It became, therefore, my duty to consider whether I ought to leave matters as they were for another year, until I could procure the sanction of the Legislature to the necessary expenditure, or to assume the responsibility of authorising it myself. I decided on this latter course, and I believe that a review of the circumstances under which I did so, and the result it has led to, which are fully explained in a paper laid before you, will be held to justify the step.

"And this seems a suitable occasion to point out to you that the Governor has thrown upon him, at times, a responsibility which, so far as my experience goes, he is not exposed to in any other Colony, from his inability to obtain the opinion of the Legislature upon, or their assent to any measure, no matter how serious may be the interest at stake, except during the short period, once a year, that they are in Session. I think you will agree with me that when such cases arise, the course which the Governor may have felt called upon to follow is entitled to the favorable consideration of the Legislature.

"Such, Mr. Speaker and Gentlemen, are the most important of the subjects to which your attention will be directed during the Session now opened. It may be that others, calculated to exercise a still greater influence over the future of the Colony, may present themselves for your consideration during its progress, but whatever be the character of the measure upon which you are called to decide, my own observations of the manner in which you have hitherto performed this duty, satisfies me that you will deal with them in a spirit of patient, searching, unprejudiced enquiry, having for its sole object

"to discover what the true interests of the country demand—and may God in this direct your judgment aright."

HIS EXCELLENCY having handed a copy of the Speech to Mr. Speaker, withdrew from the Council Chamber.

PRIVILEGE BILL.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) moved for leave to introduce a Bill to regulate the appointment of certain public officers.

The Bill was read a first time *pro forma*, and leave given that it be read a second time on Wednesday.

THE GOVERNOR'S SPEECH.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) moved that the debate on the Governor's Speech be made an Order of the Day for Wednesday next, which was agreed to.

The House then adjourned until Wednesday evening.

LEGISLATIVE COUNCIL,

Wednesday, 30th July, 1879.

Public Officers Bill: second reading; in committee—Address in Reply to Governor's Speech—Adjournment.

THE SPEAKER took the Chair at seven p.m.

PRAYERS.

PUBLIC OFFICERS BILL.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) moved the second reading of a Bill empowering the Governor—whenever any public officer shall by reason of temporary incapacity, or by absence from the place where his functions are to be discharged, be unable to discharge the duties of his office—to appoint a *locum tenens*, who during his temporary

tenure of office shall be subject to all the penalties, disqualifications, and liabilities to which he would be subject in case he were the permanent holder. The hon. gentleman said the Bill had been brought forward by the Government in consequence of certain doubts existing as to the power of certain officers, temporarily appointed to discharge functions in connection with the Post Office Savings Banks Ordinance, and various other ordinances, to sign certain documents; and it was deemed expedient to remove all such doubts and to vest such power in any *locum tenens* appointed by His Excellency to discharge the duties of an absent officer.

The Bill was read a second time, and committed.

IN COMMITTEE.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) moved some verbal amendments in the first clause, which were agreed to without discussion.

The remaining clauses were also agreed to *sub silentio*, and the Bill reported.

THE ADDRESS IN REPLY TO THE GOVERNOR'S SPEECH.

MR. SHENTON, in rising to move that an humble address be presented to His Excellency the Governor in reply to the speech with which he had opened the Session, said that before formally moving the address he would briefly review the most salient points of the speech itself. In the opening paragraph His Excellency referred to the Act passed during the short Session held in January last for amending the Loan Bill. It would be in the recollection of hon. members that the Secretary of State in a despatch forwarded to the Governor recommended that the contribution to the sinking fund for the repayment of the loan should not commence before ceasing to borrow, as was contemplated in the Bill passed by the House at the previous Session. This recommendation had been adopted by the House, and the Bill as amended, as hon. members were aware, had been approved, and a moiety of the loan floated, on very favourable terms to the Colony. In placing the loan on the market, the Crown Agents, it appeared to him, had exercised a very wise discretion

in deciding that the debentures should bear interest at the rate of $4\frac{1}{2}$ per cent., instead of 5 per cent. as contemplated by the House when passing the Bill. They succeeded in floating the loan of £100,000, at the lesser amount of interest, for £98,802 8s., or £98 16s. per cent., which was equivalent to £109 15s. at the rate of five per cent. The 1873 loan, which was issued at five per cent., realised £98,945 5s. 8d.—a difference of £143, as compared with last year's loan, which floated at $4\frac{1}{2}$ per cent. would save the Colony £1000 a year when the whole amount (£200,000) was raised. This saving would suffice to pay the interest on a further loan of £22,000, so that he thought the House and the country might fairly be congratulated on the success which attended the efforts of the Crown Agents. His Excellency next referred to the contract for the Eastern Railway having been taken and the work commenced, and he (Mr. Shenton) thought the Colony had equal cause for congratulation with respect to the terms upon which the contract for this work had been undertaken, the amount of the tender accepted by the Government being £74,591 19s. 5d—a far less sum, he believed, than the original estimate. The Colony, also, had been very fortunate indeed in the purchase of the rails for this line, which, though of steel, and 10lbs. heavier than the rails obtained for the Northern line (which were of iron), had been bought at the same price. The freight paid for bringing the rails from Barrow-on-Furness and delivered on Fremantle Green had also been arranged on very favourable terms to the country, the amount paid being only 40s. per ton. On the whole, therefore, he thought there was much cause for satisfaction with the success and the good fortune that had so far attended the commencement of this undertaking, which he trusted would be carried out to completion under more favourable conditions than the unfortunate Railway at Champion Bay. The next subject referred to in His Excellency's Speech was the Bill passed last Session repealing the Act relating to the audit of District Road Boards. It had been pointed out that the whole repeal of this Act was undesirable, and that there should be some check on the expenditure of the funds of such bodies. The

Government, therefore, intended bringing forward a measure this Session for the partial re-enactment of the original Act, and such measure would no doubt receive the careful attention of the House. His Excellency further intimated that the consideration of the House would be invited to proposals for abolishing the game laws, and substituting in lieu thereof a small tax on guns used for sporting purposes. The House in dealing with this proposal would have to be careful not to render it of universal application throughout the Colony. A tax on guns might answer very well in the centres of population such as Perth and Fremantle, but in the country districts it would involve great hardship. He was very glad to find that a Bill was to be introduced to prohibit the use of dynamite or other explosive substances for the destruction of fish—a practice which had of late been resorted to on the river, causing an enormous and wasteful destruction of fish. The next paragraph in the Governor's speech had relation to the financial condition of the Colony, but before dealing with this subject he would cursorily glance at the remaining portions of the address. Various papers were promised, among them being some relating to the importation of foreign stock—a subject in dealing with which the House would have to exercise great care. Every encouragement should be afforded for the importation of fresh stock into the Colony, but at the same time every caution should be exercised to prevent the introduction of disease. Reference was also made to the sanitary condition of Perth, and to the desirability of adopting some measures for putting an end to the unsatisfactory and dangerous state of matters now existing. When the present Municipalities Act was framed, one of the provisions which its framers regarded as of the utmost importance was that prohibiting the keeping of pigs in the more populous parts of the city. This section of the Bill was, however, strenuously and successfully opposed by two members of the Executive,—who, however, were not now in the House;—and he trusted if the same provisions were brought forward again they would meet with a better fate, and the city would get rid of this nuisance. With regard to the extension of the survey of

our coasts, it appeared His Excellency had been in communication with the Home Authorities on the subject, and had succeeded in inducing the Admiralty to lend their assistance to carry out this work. What the Admiralty recommended was the purchase of a sailing vessel of about 100 tons, suitable for carrying out a survey of the outlying shoals which surrounded our coast, which was all that was necessary to complete the work undertaken a few years ago, and carried out so far at the joint expense of the Imperial and the local Government. It was now proposed that the purchase of the vessel to be employed in completing the work should be borne equally by the Admiralty and the Colony, as also its maintenance, for which latter purpose it was assumed that an additional £1000 a year would suffice—that was to say, £500 from the Admiralty and £500 from this Colony. This would make up the Admiralty contribution towards the expense of the survey to £2000 a year, and that of the Colonial Government to a like sum. In the matter of the Sydney Exhibition, he thought regard being had to the short notice received by the Government, they acted wisely in declining the responsibility of taking any part in that show. As to the Melbourne Exhibition next year, he approved of the suggestion made by His Excellency that the Government should restrict itself to assisting the efforts of persons who might be willing to exhibit on their own account, and should not make any attempt to exhibit on behalf of the Colony at large. He looked upon the £1000 voted for the Paris Exhibition as money thrown away, and in future they ought to be very careful how they expended public funds on such matters. The next subject referred to in His Excellency's speech was that of Immigration, which no doubt would engage the attention of the House in the course of the Session. At the present time, he believed, there was a great want of labor. So many men sought employment on the railway that he was afraid the farmers, during next harvest, would find themselves in a dilemma, unless some steps were taken to recruit the labor market. If, however, it should be resolved to resume the system of free Immigration, he thought some provision should be made to afford the newcomers temporary

employment near Perth, on public works, at a fixed pay, until they were drafted out to the country districts. The contract with the owners of the *Otway* and the *Rob Roy* terminated at the close of the year, and as he had already moved for a copy of this contract he would defer what he had to say on this subject until his request was complied with. In the meantime, he might say that, as they were now aware that the new contract with the P. & O. Company provided for a fortnightly service with the other Colonies, there would, in his opinion, be no necessity for continuing the present subsidy to the *Otway*. The money thus saved might be devoted to subsidising any company that chose to run a steamer regularly between Fremantle and Nickol Bay. He considered it most important that the North-West settlements, which were yearly growing in importance, should possess the means of direct and regular communication with these parts of the Colony. He was aware there was a notice of motion relating to establishing telegraphic communication between them, but, even supposing this project were undertaken, it would take two or even three years before the work would be completed, and even then it would only provide for telegraphic messages. What was wanted was monthly steam communication for the conveyance of mails, passengers, stock, etc., and he thought, considering the large amount which the North-West districts contributed to the revenue, and the increasing importance of those settlements, they were fairly entitled to some consideration at the hands of the Council in the way of assisting to provide them with more regular means of communication than they at present possessed. Attention was also drawn by His Excellency to the new mail service between Perth and Albany. He (Mr. Shenton) had heard a great deal said outside with regard to what was facetiously called the "red and yellow van," and he was very glad to find, on looking over the papers laid on the Table of the House the other day, that the cost of this mail service, after all said and done, did not exceed £1,250 a year. For this expenditure, the Colony obtained a bi-monthly service, performed with punctuality and with some regard to speed, whereas the old arrangement

involved an expenditure of only £50 a year less, although it only provided for a single monthly service, performed in a very indifferent manner, the journey occupying about 75 hours, instead of 58 hours, the time in which the trip was now performed. Under the existing arrangement, except on two occasions, the mails had been received and the letters distributed in Perth and Fremantle in time to be replied to by the next outgoing homeward mail, which was never the case under the old system. So far from being deserving of any blame in this matter, he thought His Excellency was entitled to a great deal of credit for organising and carrying out this new service, which, at an annual outlay very little in excess of the old contract service, secured many advantages to the public. He was also glad to notice a suggestion that the mail horses employed in this service might be utilised, when not required for mail purposes, for posting by the general public—an arrangement, which, while it would prove a great boon to the travelling public, would at the same time tend to diminish the expenses of the mail service. Reverting to that portion of His Excellency's speech relating to finance, the attention of the House was first called to the falling off in the Revenue which had recently occurred in consequence of the generally depressed condition of trade throughout the Colony. This commercial depression was not peculiar to Western Australia, but was felt more or less throughout the whole civilised world, and we could hardly expect to escape its effects. From an analysis of the Revenue and Expenditure during the past three years it appeared that, in 1876, the actual amount of revenue received was £162,189, the Expenditure for the corresponding period being £159,334, leaving a balance of £2,655 in favor of the Revenue. Next year the state of affairs was still more satisfactory, the Revenue reaching £165,412, and the Expenditure amounting to £159,043 showing an excess of receipts over Expenditure of £6,369. Last year, however, there was a deficit of £7,247, the Revenue for that period being £163,344, and the Expenditure, £170,591. On looking, however, through the returns, he found that last year the tea ships, which usually arrive in November or December,

did not arrive until the year had closed, and he reckoned that the revenue from this cause had suffered to the extent of about £3,500. Then again it was estimated that they would have received about £1,800 in receipts from the Northern Railway, whereas in reality nothing had been received from that source, simply because the line had not been opened in time. Land sales had also realised about £3,380 less than the estimated amount—a falling off attributable in a great measure to the system of deferred payments, which although a great boon to the agriculturist must necessarily cause a falling off in the Revenue. Adding these various items to the deficit, it would be found that the Revenue and Expenditure would have been about equal. He found, on examining the returns, that the receipts from *ad valorem* duties had very much decreased last year, which he thought was attributable to the heavy importations of the preceding year. The duty received from imported beer had also fallen off very considerably, owing to the increased consumption of the colonial article. He regarded this decrease in the revenue derived from imported beer, so far from being a loss to the country, a positive gain, for thousands of pounds which formerly went out of the Colony in payment for English beer was now retained and circulated in the Colony. Although, as had been pointed out, there had undoubtedly been a falling off in the Revenue, still he did not regard it as anything very serious, and no doubt if the Colony were blessed with a good season, of which there was every prospect at present, the Revenue would again reach what it was in former years. On referring to the Revenue returns for the first quarter of this year, he found that the receipts amounted to £50,120 6s. 7d., which, with the Imperial grant in aid of the Magistracy and Police (£3,250) made £53,370 6s. 7d.—a very fair sum. Of course the first quarter of the year was always the best, as regarded the Revenue; still, taking the amount as the basis of calculation, he thought they might fairly estimate that the Revenue for the current year would maintain its elasticity. That portion of His Excellency's speech explaining the present financial condition of the Colony with regard to unexpended balances, however,

afforded matter for grave and serious consideration. Four years ago he had the honor of moving the address in reply to the then Governor's speech, in the course of which the House was informed that on January 1st, 1875, there was a balance on hand of £38,000. Of course, hon. members were naturally very jubilant over this announcement, and proud of the flourishing state of the Revenue; but it now appeared there was no real ground for such exultation. He did not for one moment imagine that the then Acting Colonial Secretary wilfully misrepresented the financial condition of the Colony, and he thought the error arose in this way. When he made this statement as to the unexpended balance in the Treasury, there was that balance to the credit of the Colony at the time, but he omitted to take into account, and deduct from the sum named, the amount of the Government's liabilities—the outstanding accounts. This he (Mr. Shenton) thought was how the mistake occurred, and the disclosure did not now come altogether unexpectedly, for hon. members would remember that when His Excellency the present Governor opened the Legislative Session of 1878, he said: "This time last year, there seems to have been reason to believe that at that time there was a considerable balance to the credit of the Colony, and it was anticipated that it would be larger by the end of the year. I regret to say that these anticipations have not been fulfilled." From this it would be seen that, so far back as last year, the Governor entertained apprehensions that the financial condition of the Colony was not quite so flourishing as was supposed, and His Excellency determined upon making a searching inquiry into the matter, which inquiry had resulted in showing that the Colony at the commencement of the year was in debt to the extent of £35,000. On referring to the "Votes and Proceedings" of the House for the last year, he found that the hon. member for Perth called for a return showing the financial condition of the Colony on the 1st January, 1878. That return showed that the Colony was at that date in debt to the extent of £11,651 17s. 5d. On reference to the official returns for last year, he found that the overdraft on the 31st December was £31,028 0s. 7d. He

had already pointed out that the deficit in the Revenue for that year as compared with the Expenditure was £7,247. These three items added together amounted to £49,926 9s. 3d. Deducting from this sum, the amount advanced for the Northern railway, £16,738 0s. 2d.—since repaid from the Loan—they would find the deficit at the commencement of the present year to be £33,188 9s. 1d.,—the difference between that amount and the sum named by His Excellency as the indebtedness of the Colony at that date (£35,000), being, he presumed, made up of outstanding accounts then owing by the Government. He congratulated the House upon the very lucid statement of the financial condition of the Colony which they had had presented to them by His Excellency; in no previous year, he thought, had so clear and explicit a statement of the state of the country's finances been placed before them. The fact of a deficit having been established, it of course became the first duty of the House to see how this deficit could best be met. He noticed that His Excellency directed the attention of the Council to the necessity for making some provision—at all events temporarily—for the falling off in the Revenue, and to this end the Government, it appeared, proposed to impose certain stamp duties. So far as he was concerned, he was opposed to the imposition of any fresh taxation for the purpose of meeting this deficiency, or for any other object save to pay the interest on any debts incurred for carrying out public works. Hon. members were aware that a strong feeling prevailed in favor of the extension of the railway now in course of construction between Fremantle and Guildford, to the Eastern Districts—that it must not stop at the latter town, but that if it is ever to be of any use, or prove in any way a reproductive work, it must be extended to the corn-growing districts eastwards, which would probably involve an expenditure of £200,000 or £250,000. The interest upon the money borrowed to defray that expenditure would of course have to be provided out of fresh taxation, in some way or other, and he thought the simplest, and at the same time the most expedient, way to deal with the £35,000 deficit would be to raise the money to

pay it off by means of a loan, so as to wipe it off at once and make a fresh start. His Excellency in the course of his speech referred to the responsibility which at times is thrown upon the Governor in this Colony, owing to his inability to obtain the opinion of the Legislature except during the short period, once a year, they were in Session. The House could not fail to recognise this fact, and from what had transpired last year he thought the Council and the Colony at large had no occasion to find fault with the manner in which His Excellency had realised this responsibility. Few hon. members, he supposed, were prepared to give their attendance in that House during three or four Sessions in the year, so as to relieve the Governor from the responsibility cast upon him of acting, at times, without having the opportunity of obtaining the opinion or the assent of the House, and he thought that in these emergencies, the course which the Governor might feel himself called upon to adopt was entitled to the favourable consideration of the House. Knowing as they did that His Excellency could only be animated by one desire, namely, the welfare of the Colony committed to his charge, he thought that in matters of this kind they might safely trust to the Governor doing the best he could in the interests of the public. From what he (Mr. Shenton) could see, the only expenditure which had been incurred last year without the assent of the Legislature was that in connection with the Royal Mail service, and he thought hon. members would agree with him that in that matter His Excellency had exercised a very wise discretion. The hon. member concluded by formally moving that an humble address be presented to His Excellency in reply to the speech with which he had opened the Session.

Mr. L. C. BURGESS—whose remarks were for the most part inaudible to the reporters—briefly seconded the motion, and was understood to be in favour of retrenchment rather than any scheme of fresh taxation, to meet the deficiency in the Revenue, and that His Excellency was entitled to the thanks of the House and of the country for boldly placing the real position of affairs before them.

MR. S. H. PARKER said he had expected that his hon. friend the member for Geraldton, who occupied the position of leader of the elected side of the House, would have taken upon himself the task of reviewing His Excellency's speech. When he came to the House he had no intention of commenting upon the speech, but finding that the hon. member for Geraldton did not seem inclined to offer any remarks he felt bound to do so himself. He agreed with the hon. member who had seconded the address that the Governor was entitled to great credit for coming forward boldly with a statement showing the real financial position of the country; at the same time, he must say, he regretted extremely this was not done last year. If hon. members would look at the financial returns he had asked for last Session and the way in which those returns were furnished, he thought the disclosures now made by His Excellency would have come with very much better grace than they did now, for no one who possessed any knowledge about the state of matters could help thinking and saying that the statements now made were made under pressure. It could not be said that it was a voluntary and spontaneous statement. Nevertheless, as already said, he felt grateful to the Governor for coming forward boldly, even at this date, and frankly explaining the real position of affairs. He could not, however, help reminding hon. members of the returns he had moved for last Session, dealing with the financial condition of the Colony. In one of those returns, he had asked for the amount of the balance in the Treasury chest, available for ordinary public expenditure, on 1st January, 1877, on the 1st January, 1878, and on 1st July, 1878. In moving for such a return, it must have been evident to every hon. member that what he required to know was the actual balance in the public chest at the dates mentioned available for expenditure, after providing for any debts owing by the Government at the time. What did those returns show? That on the 1st January, 1878, there was an unexpended balance of £4,063 18s. 10d. available for ordinary expenditure. What did they find now? So far from there having been any such balance, the Colony was actually in debt at this very

time to the extent of £17,000. Not satisfied with the return furnished on that occasion, and believing there must have been some mistake, he had moved for another showing the exact financial condition of the Colony on the above date. That return showed that, instead of there being £4,063 available for expenditure, as stated in the previous return, there was an overdraft of £11,651. It now appeared, that the overdraft at that time was £17,000. As he had already said, while prepared to give His Excellency every credit for boldly acquainting the House with the real state of affairs in the speech with which he opened the present Session, still he must repeat that this statement would have come with much better grace last year, instead of being made, as it was now made, simply under pressure. With regard to the items of expenditure incurred by the Government without the assent of the House, he could not agree with the hon. member the mover of the address that the Royal Mail service was the only unauthorised item of expenditure. So far as he could make out, there were many other items that came under the same category, as he believed would be seen when the returns of which he had given notice that evening were furnished. He did not stand there to cavil at every measure of the Governor, nor did he mean to say for one moment that His Excellency had no right to spend a single penny of public money without the authority of the Legislature. He fully recognised the fact that the Governor, at times, had grave responsibilities cast upon him in this respect, and he was perfectly willing to admit that, under the circumstances, His Excellency should be allowed considerable latitude as to expenditure. He further believed that when they found that the Governor, in incurring unauthorised expenditure, had acted in the belief that he was acting in the best interests of the Colony, and that he acted under due and proper advice, the Legislature was bound to support him. But he could not admit that His Excellency had fairly stated the case when he said in his speech that he was unable to obtain the opinion or the assent of the Legislature oftener than once a year. Hon. members would remember that they were called together in January last, and had His Excellency been at all

anxious to consult the House, or to obtain the opinion of the House, as to the financial condition of the Colony, he might have done so then, had he thought fit to do so. So that he thought His Excellency was not fairly entitled to say, he only had an opportunity of consulting the Legislature once a year. With regard to the other subjects referred to in His Excellency's speech, it was a source of much satisfaction to him, as also of congratulation, that after twelve months' deliberation the Government had arrived at the same conclusion as he had arrived at last Session, as to the desirability of abolishing the game laws. As to the proposed prohibition of explosive substances for the destruction of fish, he did not regard this as of very great importance, though at the same time he was glad to find that the Government intended legislating in the matter. The next subject referred to in the speech was the proposed imposition of certain stamp duties—a proposal which he thought would demand the very grave consideration of the House before they adopted such a measure. No doubt there was a good deal to be said on both sides of the subject, but the real question for their consideration was this: they were bound to provide sufficient revenue from some source or other to meet the existing deficiency, and the question was, would stamp duties supply this deficiency? It appeared to him that such an impost would bring in but a very small amount of revenue, while at the same time it would be productive of a great deal of annoyance, for unquestionably it would be a most vexatious tax. He noticed that His Excellency in his speech drew particular attention to the sanitary condition of Perth, which His Excellency thought would excite their surprise. Personally, he must say he had been much surprised to find the subject referred to as it was by His Excellency, and had been still more surprised on reading the papers relating to the same subject which had been laid on the Table, among them being the Colonial Surgeon's report on the health of the city during the past year. In that document the Colonial Surgeon expressed his regret that "little or nothing had yet been done towards remedying the grave shortcomings in the way of sanitation which existed in

Perth",—from which one would infer that city was in this respect in a very dreadful state indeed. It might be regarded as extraordinary that the Colonial Surgeon, who during the year under review had occupied the position of health officer to the City Council,—a position which, it was true, that gentleman regarded as one only entailing upon him the duty of giving advice to the Council, upon the payment of a fee: still it must appear extraordinary that if the sanitary condition of Perth was really so deplorable as it was represented, the Colonial Surgeon in his capacity as health officer to the corporation did not make a single representation to the Municipal authorities relating to the existence of any nuisances dangerous to the health of the inhabitants—a fact which appeared to him (Mr. Parker) to show that the sanitary condition of the city was, after all, not so bad as it was represented by some people, who appeared to have made a mountain out of a mole-hill. In reading the Colonial Surgeon's report, hon. members would observe that the Doctor told them that a certain class of diseases were for the most part traceable to the neglect of sanitary laws, namely the zymotic class of diseases; yet it was worthy of note that Perth ranked the lowest of any town in the Colony with regard to the proportion of mortality from these diseases—a fact which spoke for itself. He felt bound to make these observations, not only as one of the representatives of the metropolis, but also as chairman of the City Council, for he could not allow the statements made as to the dreadful insanitary surroundings of the city to go forth to the world unchallenged, and without showing that they were not wholly to be relied upon. At the proper time, and if the House were willing, he would be quite prepared to agree to a motion for a Select Committee to inquire into the sanitary condition of the city—a step which not only in the interests of Perth but of the whole community might be regarded as desirable. The hon. member who moved the address in reply made mention of the fact that in his opinion His Excellency the Governor was deserving of every praise for having initiated and organised what was popularly known as the "red and yellow van" overland mail service. He

(Mr. Parker) agreed with the hon. member, so far as this—that if the service could be maintained in a state of efficiency for £1,250 a year, it would certainly be most expedient to continue it. The red and yellow van, with its six spanking steeds, and the gorgeously-arrayed postillions, had already become quite an institution in Perth, and one of the periodical attractions afforded to the inhabitants, who—and not without reason—were proud of such a splendid turn out; and if the service could be maintained, as at present, for the sum named, he would be the last to express a hope that it should be discontinued. To Albany, even more than to Perth, such a gorgeous “turn out” must be the source of much pride and satisfaction. He had that evening given notice that he would move for a return showing the whole cost of the equipment of this service, as he thought it was only fair the public should be placed in possession of this information. While on this subject, he could not refrain from expressing his regret that the Council was not consulted in the matter at all, though it was in Session, if not at the very time when the scheme was organised, certainly a very short time previously. He would say no more. He had now briefly referred to the various subjects touched upon in the Governor’s speech, and whatever might be the views entertained by hon. members with regard to His Excellency’s actions, all must firmly believe this—that in all his doings His Excellency was actuated by an honest desire to do his best in the interests of the Colony, or, at any rate, what he conceived to be the best. He was also prepared to give the hon. members occupying the opposite benches this credit, that in all their actions, they were animated solely by a desire to do what they regarded would tend to further the welfare and prosperity of the Colony.

MR. CAREY said he had no intention to cavil at the speech with which His Excellency had opened the Session, but he was sorry he could not agree with the whole of it. The House was reminded in the latter part of it of the responsibility that was thrown upon the Governor of this Colony in consequence of the Council only assembling once a year, and that for a short period. No doubt a great deal of responsibility was thus cast

upon the Governor; at the same time, he could not help thinking that there were occasions when His Excellency had acted without the authority of the Council when it would not have been very difficult to have obtained the opinion of the House. He could not help thinking of the fact that they had scarcely closed the door of the Council Chamber last Session, when a fresh mail service of which the House had heard nothing was organised and carried out. Turning to the report of the Superintendent of Police upon the organisation and working of that service, he found the following paragraph: “In the course of last year (1878) His Excellency the Governor, having observed the extremely unsatisfactory manner in which the Perth and Albany Royal Mail service was performed, instructed me to report as to the practicability of the service being conducted under the supervision of the police.” Pursuant to these instructions, they found that the Superintendent of Police in the month of August in the same year—a few days after the prorogation of the Council—submitted a scheme for the organisation of the service in question, which scheme, with certain modifications, was approved by His Excellency, who thereupon instructed the Superintendent of Police to take the necessary steps to carry it out. If the scheme was thus matured a few days after the prorogation, there was every reason to believe that the new service was in contemplation while the House was in Session. Yet not a word was said about it by the Government: so that if any responsibility was cast upon His Excellency in this matter the responsibility was voluntarily assumed, and not thrown upon His Excellency because of “his inability to obtain the opinion of the Legislature upon, or their assent to” the measure. So far as he had heard of the service, though organised without the assent or the authority of the Council, it had worked very well, but that did not affect the principle at stake, and he could not help thinking that this was a case in which the Legislature might have been, and ought to have been, consulted. It must actually have been determined upon while hon. members were sitting in the House. Yet no information was vouchsafed to them as to the intentions

of the Government to organise such a service. He was sorry to find that the hon. member who sat on the extreme right of the elected members (Mr. Brown), holding the position which he did as their leader, had not, so far, thought fit to offer any remarks upon His Excellency's speech. He did think the hon. member would have had something to say, especially with reference to the very grave financial disclosures made in the speech. In September, 1876, when addressing the House, the then Acting Colonial Secretary, fresh from the Treasury, assured the House that "after defraying all expenses connected with the estimated expenditure up to the 31st July last, there remained in the public chest a balance unexpended of £26,119", and having indignantly repudiated some statements which had appeared in the *Herald* newspaper relating to the public accounts, added: "I now reiterate what His Excellency stated to the House and what I myself had occasion subsequently to repeat, that the actual balance lying in the public chest to the credit of the people of this Colony on the 31st July last, was £26,119." When the hon. gentleman made that statement, he (Mr. Carey) contended that as Acting Colonial Secretary, he must have known he was not making a correct statement. The hon. member for Toodyay had that evening given an explanation of the Acting Colonial Secretary's conduct, so far as to offer a sort of apology for him, to the effect that the hon. gentleman made a statement, rightly or wrongly, and having made it he stuck to it. That was about it. A great deal of the deficiency in the Revenue was now attributed to the expenditure in connection with the Eucla telegraph. His Excellency in his speech said he did not think the disappearance of the unexpended balance would cause much surprise when it was known that between 1875 and 1878 there was expended on the Eucla telegraph line the sum of £48,565. The House must be aware that a specific vote of £30,000 was made for that work—he forgot how much more in the shape of further votes had been made by the House for the same undertaking—so that there could not have been any necessity for spending much of any unexpended

balances in providing the necessary funds to complete the line. With regard to this question of the state of the public finances, he did hope and trust that hon. members would not allow the matter to pass over without causing a thorough investigation to be made, and that, let the blame rest where it may, the saddle should be placed on the right horse. He could not conceive how official statements could be made and reiterated, year after year, that there was a large balance to the credit of the Colony, when in reality the Colony the whole time was getting deeper and deeper into debt. Last Session, the hon. member for Perth called for a certain return showing the unexpended balance in the Treasury chest available for ordinary public expenditure on a certain date (1st January, 1878): the official return furnished showed the balance available to be over £4,000. Two days afterwards the same hon. member moved for another return, from which it appeared that so far from there being any unexpended balance on the date in question there was an actual deficit of over £11,000. It did seem to him very strange how such a glaring discrepancy should appear in official reports, emanating from the same department, and the Auditor General, or someone, must be to blame. As to the proposed scheme of fresh taxation—of course they all knew how the money had gone, and they must make up for the deficiency, but it certainly did appear to him that a stamp duty would be utterly inadequate for the purpose. They were some £30,000 or £40,000 to the bad, and it was a very serious question indeed how they were to make it good. He did not believe that a stamp duty would realise £1,000. Of course any tax would be more or less obnoxious, but a stamp duty would be specially vexatious, and after all would not bring in anything like the amount of the deficiency they had to make up.

MR. BROWN: It was not my intention to have taken up the time of the House this evening by addressing it, but I consider that I have, so to speak, been challenged to do so, especially by the hon. member for Vasse, and to a certain extent by the remarks that fell from the hon. member for Perth. I should not even now, however, have thought it

worth while to address the House were it not that I think it necessary to remove an impression which that challenge may create—an erroneous impression—that I am in any sense the leader of a party in this House. If I conceived that I in any way occupied such a position, I think that in treating such matters as the Governor's speech deals with, it would have been my duty to have consulted the feelings and the views of the members of that party, and, if I could do so, to give expression to those views. But I do not regard myself, as I have already said, in any sense the leader, or the exponent of the views, of any party in the House, and when I accepted the position of leader of the elected members I did not do so as the leader of an Opposition, but merely as a sort of executive officer, or "whip." As I have had to get on my legs, I will avail myself of the opportunity of briefly referring to a few of the subjects dealt with in His Excellency's speech. I notice that the two first measures alluded to are the passing of the Loan Bill and the commencement of the Eastern Railway. Well do I remember the strictures of the Press with reference to these measures last year—how, as soon as we passed the Loan Bill, the country was informed that we did not understand our duties in any way—that the Government and the elected members had so mismanaged the affairs of the country, that it would be utterly impossible for the Imperial Government to give their sanction to a Bill passed in the form in which that Bill was passed—that it would be absurd to expect to witness the commencement of the railway until some very distant date—a date which even at the present time would appear remote. It must be very satisfactory to the country to find that, however justified the Press considered itself in making these assertions, they proved to have been unfounded. We have the Loan Bill sanctioned, a portion of the loan itself raised, and the railway actually commenced. I am sure it must be a source of gratification to every hon. member in this House to acknowledge the promptitude shown by the Government in dealing with these matters, and the solicitude which they manifested in bringing them to a successful issue.

With regard to the proposal to impose certain stamp duties, the hon. member for the Vasse, I think, makes a very grievous mistake when he imagines that it is the intention of the Government that these duties shall make up the deficit in the Treasury. It is explained in His Excellency's speech that there is no such intention on the part of the Government. His Excellency distinctly tells us that the proposed imposition of a stamp duty on legal and business documents is intended merely to provide the small increase which is necessary to bring our revenue up to the requisite amount to meet the ordinary expenditure. As to the overdraft of £35,000, it will be seen on reference to the speech that His Excellency deals with this question in another paragraph, in which he expresses a hope that the details he has furnished will assist the House in coming to a conclusion as to the measures to be adopted for meeting the emergency, and for preventing a recurrence of it, by re-establishing the finances of the Colony on a sound and satisfactory basis. This, to my mind, will be one of the most serious matters we shall have to deal with during the present Session. A great diversity of opinion already exists as to the most legitimate and the most equitable means of providing fresh taxation, and it occurs to me that, if the thing is possible, the proper course for us to adopt to meet this indebtedness would be to raise a loan for that amount, or for a larger amount. Had it not been supposed that the Colony had a large surplus to its credit, this House would never have consented that the cost of the Eucla telegraph line should have been defrayed out of the current revenue. We now find that we acted under an erroneous impression as to the unexpended balance in the public chest when we undertook this work out of the general revenue, and I cannot see why we should not now raise the amount thus expended, by means of a loan, and place it to the credit of the Colony. If we do so, we shall be in a position to make a clear start, at any rate. I am sorry I cannot altogether agree with those hon. members who have spoken on the subject of this deficit. I cannot regard the figures placed before us at present, in any high sense satisfactory.

It may be mere obtuseness on my part, but I am free to confess that these figures appear to me vague in the extreme, and I consider that up to the present time we have just as much authority for supposing that there was a sum of £17,400 to the credit of the Colony on the 30th June, 1877, as we have now for believing that the country was at that date in debt. We have the statement of one Governor to the effect that there was a surplus, and, on the other hand, we have the statement of another Governor that there was not. But we are not shown how these figures have been arrived at, nor is it very clear to me that His Excellency himself has spoken very emphatically on the subject. I would ask the attention of hon. members to the wording of the eighth paragraph in His Excellency's speech. His Excellency says: "The examination of the accounts to which I have referred establishes"—what? Not that the Colony actually had not £26,119 to its credit on the 31st July, 1876, but that such "could hardly" have been the case. There is a vagueness about that, which I do not think is either satisfactory or conclusive. It shows, I think, that the Government contemplate affording more information on the subject to the House. We cannot, at any rate, take it for granted that positively there was no such sum to the credit of the Colony. What His Excellency says is that such could hardly have been the case, and he bases this assumption on the fact that, six months afterwards, instead of having a surplus to carry over to the next year, the Colony was actually in debt, £338. Surely it cannot be said that it necessarily follows because the country was in debt in December it could not have had a balance to its credit in June. It would be as reasonable to say of a man who on the 1st of the month came to town with £5,000 in his possession but who at the end of the month had only £1000, that he "could hardly" have had £5,000 to his credit at the beginning of the month. The same style of reasoning is adopted to show that there was no surplus of £17,400, as alleged, on 30th June, 1877, "because on the 31st December of that year the Colony owed no less than £17,885." In fact, as I have already said, the information as yet afforded with regard to these accounts

is vague and unsatisfactory, and it will, I am sure, give the Governor and the Executive great pleasure to have this matter thoroughly sifted, so as to arrive at the exact state of affairs. I was extremely sorry to hear the statement that fell from the hon. member for Vasse, that the late Acting Colonial Secretary when he informed the House that there was an unexpended balance in the chest knew that he was stating what was not correct. I am sure that feeling is not shared in by other hon. members of this House with regard to the Acting Colonial Secretary. There is another matter to which I would like to refer, and with regard to which I am not in accord with those hon. members who have spoken on the subject: I allude to the contract with the owners of the *Rob Roy* and the *Otway*. It appears there is a growing feeling in favor of dispensing with the services of the *Otway* at the termination of the existing contract. I shall be open to conviction, but I must say that I have heard nothing yet urged to convince me of the desirability of adopting this step: on the contrary, I think it will be highly desirable to keep up the communication which we have established by means of this service with the other Colonies. Possibly it may be done without a subsidy; but if not, I should be sorry to see the steamer withdrawn if a moderate subsidy would serve to retain her. The intercolonial trade is steadily increasing, and two years ago was in excess of the trade between this Colony and England. I believe there is scarcely a trip made by the steamer without her having to refuse cargo. It is urged that next year the P. & O. Co. will run a fortnightly mail, but this circumstance does not to my mind affect the question of discontinuing the *Otway* service at all. If no other steamer enters into competition with the P. & O. Co., that company's steamers will have the entire monopoly of the trade, and the question arises will they continue to carry goods at the same reasonable rate as at present? I am afraid not. I was told by a fellow passenger on board the *Assam* the other day that they had to pay £4 per ton for coffee brought down by the P. & O. steamers from Galle to Melbourne, whereas the freight from England would only be £2 per ton, the reason being that the company had the

monopoly of the trade between Galle and these Colonies, but not so from England. With regard to other subjects referred to in His Excellency's speech, I am perfectly in accord with the hon. member for Toodyay as to the desirability of bringing the North-West districts into closer and more regular communication with these parts, and I shall be prepared to support any reasonable measure to that end. With reference to the Royal Mail overland service I am pleased with the tone in which all hon. members so far have alluded to this service, and I am glad to find the House so readily acquiescing in the statement made by His Excellency as to the responsibilities which are at times thrown upon a Governor of this Colony, and that, when such emergencies do arise, the Governor is entitled to the favorable consideration of the Legislature. There is one thing in connection with the action taken by His Excellency with regard to this mail service which I think has been overlooked; at any rate it has not been referred to in the course of this debate. I allude to the fact that it was not a fresh service that was undertaken, but an old one re-modelled. The Government were authorised to spend a certain sum of money in connection with mail communication between here and Albany. The old system, it must be admitted, was susceptible of improvement, and by no means reflected any lustre upon the Colony, and, if at a slight increase of cost in the original vote, the Government have succeeded in organising a much more efficient service, I think the Colony has cause for congratulation rather than complaint. A sum of £1200 a year was, I believe, already voted for the overland mail service between Perth and Albany, under the old arrangement, and what the Governor has done is to appropriate this sum, and possibly a little more, to provide a more efficient service.

Motion for the presentation of address agreed to.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) then moved that the following gentlemen be appointed a Committee to prepare the address in reply:—Mr. Shenton, Mr. Burges, Mr. Brown, Mr. Monger, and the mover.

The motion was agreed to: and the House adjourned during pleasure pend-

ing the preparation of the address. After a brief absence,

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) brought up the address, which was read by the Clerk as follows:—

"To His Excellency Major-General Sir Harry St. George Ord, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of The Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over the Territory of Western Australia and its Dependencies, &c., &c., &c."

"MAY IT PLEASE YOUR EXCELLENCY,—

"We, the Members of the Legislative Council of Western Australia, desire to express our thanks for the address with which we have been favored, and for the attention to the interests of the Colony evinced therein.

"We learn with satisfaction of the approval of the Amending Loan Act, and others passed last Session, and of the commencement of the first section of the Eastern Railway.

"The proposed Amendment of the Audit of the District Roads Boards Act will, with such other Bills as may be introduced, receive our best consideration.

"We hear, however, with regret, that the falling off in the Revenue renders it necessary, in Your Excellency's opinion, to submit a Bill for the imposition of a Stamp Duty. We share in the feelings of concern expressed by Your Excellency that at the commencement of the present year there was a deficit of over £35,000, and that, judging by the returns of Revenue received up to the 1st of July, no reduction of this debt could be expected during the present year.

"Whatever suggestions it may be decided on to offer for Your Excellency's consideration in order to meet this emergency, which has taken the Council entirely by surprise, we feel assured Your Excellency will afford us your ready aid and co-operation in carrying them into effect, and thus ensure the non-recurrence of a similar difficulty in the future.

"The Papers relative to the 'Importation of Stock,' together with

"those on the insanitary condition of Perth, will be carefully considered.

"Whilst regretting that circumstances occurred which in His Excellency's opinion precluded the Government from affirmatively replying to the Commission requesting the co-operation of this Colony, still we join with Your Excellency in thinking that the opportunity to be afforded next year by the Melbourne Exhibition for exhibiting the industries and products of Western Australia, should be taken advantage of. "The questions of Immigration, and of the Land and Steam Mail Services, will receive that attention which the importance of the interests involved demands.

"We have specially noted the paragraph in Your Excellency's address touching on the heavy responsibility often thrown on the Governor when the Council is not in Session.

"Whilst recognising this grave responsibility, we feel sure that from long experience as a Governor, under varied conditions and oftentimes in most difficult circumstances, Your Excellency would never adopt a measure except after mature consideration and in the belief that the prospects of the Colony would be thereby advanced; and believing this we shall willingly accord in the present, as in the past, that favourable consideration asked for by Your Excellency.

"In conclusion, we thank Your Excellency for the acknowledgment of the manner in which our duties as legislators have been hitherto discharged; and we trust, by the Almighty's aid, that the earnest, thoughtful, and patient investigation of such matters as may be presented for our consideration in the present Session, will effectually operate in securing for the Colony that large beneficial and progressive legislation."

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) moved the adoption of the address.

MR. S. H. PARKER took exception to that portion of the address which stated that the Council heard with regret "that the falling off in the Revenue" rendered it necessary to impose a stamp duty. If the House subscribed to that paragraph, it committed itself to an ad-

mission, and proclaimed to the world, that the Revenue of the Colony was falling off. He was not prepared to do so. He understood that the cause of the necessity for imposing a stamp duty was not on account of a falling off in the Revenue, but because the Expenditure had exceeded the Revenue, thus necessitating the adoption of some means to increase the sources of the public income. He gathered from the official returns of the Revenue for the first quarter of this year—and he believed the second quarter's returns disclosed an equally satisfactory state of affairs—that there was no ground to apprehend any falling off in the Revenue, and he did not see why the House should be asked to endorse what in reality was not a fact. He would, therefore, move that the words "falling off in the Revenue" be struck out, and the words "excess of Expenditure renders" be inserted in lieu thereof. The paragraph would then read thus: "We hear, however, with regret, that the excess of Expenditure renders it necessary, in Your Excellency's opinion, to submit a Bill for the imposition of a stamp duty."

MR. CAREY seconded the amendment.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) was afraid the hon. member, the mover of the amendment, had lost sight of the fact that during next year they would not have one source of revenue to depend upon at all, namely guano. The House was aware that the estimated receipts from this source for the present year was £15,000, but, he was sorry to say, that amount was not likely to be realised by a very considerable sum. If hon. members would refer to the report of the Commissioner of Crown Lands and Surveys, they would see that the Revenue from guano and islands realised in 1876, £1,437 10s.; in 1877, £7,752 6s. 8d.; and in 1878, £14,020 1s. 8d.; making a total in three years of £23,209 18s. 4d. This year, however, as he had already said, they could not estimate to receive from this source anything like the amount calculated upon when the budget was prepared last year: and in the Estimates which he would have to bring forward this Session he did not propose to anticipate any revenue whatever on account of guano next year. It would thus be

seen that one material source of income had failed them, and the general Revenue must suffer accordingly.

MR. S. H. PARKER: According to the returns laid before the House there is no apparent falling off in the Revenue.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser): The fact remains that if the estimated revenue from guano, which estimate will not be realised, be deducted from the Revenue, there must clearly be a falling off in the Revenue.

MR. CAREY: The fact also remains that guano cannot be regarded as an ordinary item of Revenue, and, at the best, was only looked upon as a precarious source of income.

MR. BROWN: The fact further remains that if the amount of revenue estimated from this source will not be realised, it will be necessary to have recourse to some other means for making up the deficiency, in order to meet the Expenditure, based upon an income of which guano constituted a fractional part. As to the amendment of the hon. member for Perth, it appears to me of little or no importance, and, so far as I can see, the wording of the address in reply may as well remain as it is.

MR. MARMION found, on reference to the official returns, that there appeared to have been an actual falling off in the Revenue, comparing the year 1877 with 1878. In the former, the Revenue realised £165,412, and, although the estimated Revenue for last year was £170,591, the actual amount received was only £163,344, being £2000 less than the Revenue of the previous year. He therefore did not think the Government was wrong in stating that there had been a falling off in the Revenue. The amendment seemed to him altogether unnecessary, and, under the circumstances, he trusted the hon. member would withdraw it.

MR. CROWTHER was quite sure that the desire of the hon. member when he submitted his amendment was to show the world that there was no reason for apprehending that the credit of the Colony was not firmly established, and that the public Revenue maintained its buoyancy, notwithstanding adverse circumstances. As a matter of fact, the actual amount of the Revenue for 1877,

exclusive of the Imperial grant in aid of police and magistracy, was £150,118 18s. and the Revenue from the same sources during the past year—independent of the Imperial grant—was £150,094 8s., showing a difference of only £24 10s. This difference would have appeared on the other side of the ledger, had the tea ships arrived within the year. The apparent falling off of £2000, referred to by the hon. member for Fremantle, was in reality the sum of the difference between the Imperial grants for 1877 and 1878.

MR. PARKER said he had no wish to press his amendment, if the general feeling of the House was not in favor of it.

The report of the Committee, as originally worded, was then adopted.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) moved that the address be presented to His Excellency by Mr. Speaker and other members of the House who might choose to attend, on Thursday, 31st July.

Agreed to.

The House adjourned at half past nine o'clock until the following day.

LEGISLATIVE COUNCIL,

Thursday, 31st July, 1879.

Responsible Government: question by Mr. Brown—Address to His Excellency the Governor—The Governor's Reply—New Bills—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

RESPONSIBLE GOVERNMENT.

MR. BROWN, in accordance with notice, asked the Colonial Secretary, Whether the Government can give the House any information as to the probable cost, direct and indirect, which the