

## LEGISLATIVE COUNCIL,

Wednesday, 23rd July, 1884.

Engines running on Second Section, Eastern Railway—  
—Expenditure on Third Section, Eastern Railway—  
Loan Money (1883), how invested—Occupation of  
New Government Offices, Perth—Reservation from  
Sale of Kimberley Sugar Lands—Gold Prospecting  
and Machinery for Crubbing—Message (No. 1):  
High School Scholarships and University Exhi-  
bition—Message (No. 2): Importation of Stock:  
Draft Regulations; referred to a select committee—  
Message (No. 3): Mr. Waddington's proposals for  
the construction of a Railway on the Land Grant  
System from York to Geraldton; referred to a  
select committee—Message (No. 4): Telegraph  
rates beyond Roebourne—Message (No. 5): Re-  
newal of Contracts with Messrs. Lilly & Co., for  
Steam Services; referred to a select committee—  
Portuguese sailors of barque *Bertha*: Correspond-  
ence relating to—Expenditure of School Fees re-  
ceived by Board of Education—Bills of Exchange  
Bill: first reading—Amendment of Standing Orders  
Nos. 41 and 42—Adjournment.

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

## PRAYERS.

## ENGINES RUNNING ON THE EASTERN RAILWAY (SECOND SECTION).

MR. S. H. PARKER, in accordance with notice, asked the Commissioner of Railways if the engine that runs daily on the Eastern Railway to Chidlow's Well did not return tender first, and thus materially injure the permanent way; and, if so, the reason why the engine is thus run with the cow-catcher in the rear? He was informed that the new engines recently introduced for working this line were specially constructed so as to reduce the injury to the line, caused by heavy traction, to a minimum. They were made with bogie wheels in front so as to resist the pressure as much as possible when turning curves, etc., but without bogie wheels at the rear, the intention being that they should be reversed on the return journey. But he understood that the engine never was reversed, so that any advantages which otherwise might be had by working these specially constructed engines was lost, and the wear and tear was much more than it would be if the engine was reversed, with the bogie wheels in front. If it should be said that the reason why the engines were not reversed was because there were no appliances to do so, he would remind the House that turn-tables were imported for the Railway Department

long ago, and he should like to know why they had not been laid down, and availed of.

THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason) said that had he been aware exactly what information the hon. member wished for, he should have framed his reply at more length. As it was, his answer would be strictly a reply to the question on the notice paper, and it was this: the new locomotives that now run to Chidlow's Well are tank engines without tenders.

MR. S. H. PARKER: Pardon me, that's no reply at all to my question. That is only an evasion of the question. I am astonished that an hon. gentleman occupying a seat on the Treasury Bench should attempt to evade a question in that manner.

MR. SHENTON moved the adjournment of the House. He was quite as much surprised as the hon. member who put the question that so curt a reply should have been given to it by an hon. gentleman who had only held a seat in the House a few days. He thought that the question asked was one that the House had every right to demand a proper reply to.

MR. STEERE seconded the motion for adjournment. He hoped himself that the House *would* adjourn, in order that they might have a proper answer to a very proper question. He also must express his great surprise indeed that the Commissioner should have sought to evade the question—for it was nothing else but an evasion. The question was one seriously affecting the working of the Eastern Railway, and a question in which the public at large were considerably interested. To that question no answer had been given at all, and until the Commissioner of Railways was prepared to give it a proper answer, he hoped the House would adjourn.

THE COLONIAL SECRETARY (Hon. M. Fraser) said he had looked at the Commissioner's reply and it was brief—he would not say curt—it was true. But he was sure the hon. gentleman did not mean it as an evasion, but a plain answer to a plain question. It was simply this—that the new locomotives used on the Eastern Railway were tank engines, without tenders. He understood these engines were adapted to run either

way. The Commissioner, no doubt, speaking to the motion for adjournment, would be able to explain.

THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason) said he was very sorry indeed that his answer should have been misunderstood. As he stated at first, had he known that the hon. member wished for the information referred to in his explanatory remarks when putting the question, he should have given him a fuller answer. But he simply had the notice paper to guide him, and he did not know what the hon. member's object was in putting the question. Had he done so he should have given a very full and complete answer to his question. All hon. members who had travelled on this line must be aware that for some time the line was worked by means of tender engines, the tank engines not having arrived; and that it was customary to run the other engines tender first. He was under the impression that the hon. member for Perth thought that the two tank engines which had lately arrived were not running, and that this was why he had put his question. Far be it from him to evade anything, or to give an evasive reply to hon. members in that House, and he was very sorry indeed that he had been misunderstood. If the hon. member would carefully consider his question, which was this—whether the engine that runs daily to Chidlow's Well does not return tender first,—

MR. PARKER: Go on. Read the whole question.

THE ATTORNEY GENERAL (Hon. A. P. Hensman): Order, order.

THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason) said his answer to that question was certainly brief, but, as he had already said, he thought the hon. member was referring to the engines formerly running, and that he did not know whether the new engines were being worked. [MR. PARKER: Nonsense.] The hon. member said nonsense. He simply stated his impression. Of course as they did not run the engines tender first, there was no necessity to answer the latter part of the question. He said again he was sorry he should have been misunderstood, but his answer was framed before he came to the House from the question on the notice paper,

and if the hon. member would give any other notice of the question which he really wanted an answer to, he should be most happy to reply to it more fully.

MR. S. H. PARKER: The hon. gentleman says he was under the impression that I referred to the tender engines that used to run some time ago, and not to the engines running now. If he will kindly read the question he will see that it does not refer to any engines that had been running formerly, but to "the engine that runs daily to Chidlow's Well." When you ask a question in the present tense, you do not refer to the past. The hon. gentleman says he thought I was referring to the tender engines; he must know perfectly well that those engines have no cow-catchers attached to them.

THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason): Let me tell you that they have.

MR. PARKER: At any rate my question was directed to the engines that are now running daily, and the hon. gentleman knew perfectly well what the question was. The hon. gentleman has not attempted to answer the latter part of the question—whether the running of these engines tender first does not materially injure the permanent way; nor does he give any reason why the engine is thus run with the cow-catcher in the rear.

THE ATTORNEY GENERAL (Hon. A. P. Hensman): This is not a very great question, and although I have not had the opportunity of knowing so much about cow-catchers as the hon. member opposite (Mr. Parker), or my hon. friend on the right (the Commissioner), I may be pardoned if I say a word or two on the question before the House. If there has been any misunderstanding, I think the hon. member himself is to blame for it. If he looks at his question he will see that the answer is absolutely an answer to his question. The hon. member asks "if the engine that runs daily to Chidlow's well does not return tender first?" Well, the answer is that there is no tender; therefore the engine cannot return tender first. The question proceeds as follows, "and thus materially injure the permanent way"—that was to say by returning tender first. The answer is that there is no tender first. Then the hon. member asks *why* the engine is thus run? The answer is

obvious—the engine does not so run. The whole thing turns on whether there is a tender or not. I think it would be better if the hon. member in future would make his questions a little more clear, and then perhaps he would get a more clear answer. I submit that, as regards the answer given to the present question, it is a perfect answer—there is no tender; and the whole of the three propositions depend on whether there is a tender or not.

The motion for the adjournment of the House was then put, and Mr. Parker called for a division, the result being—

Ayes ... .. 9

Noes ... .. 12

Majority against ... 3

#### AYES.

Mr. Burt  
Mr. Carey  
Mr. Crowther  
Mr. Grant  
Mr. Shenton  
Mr. Steere  
Mr. Venn  
Mr. Davis  
Mr. S. H. Parker (Teller).

#### NOES.

Hon. M. Fraser  
Hon. A. P. Hensman  
Hon. J. Forrest  
Mr. Brown  
Mr. Glyde  
Mr. Hamersley  
Mr. Higham  
Mr. Loton  
Mr. Marnion  
Mr. S. S. Parker  
Mr. Randell  
Mr. Mason (Teller).

The motion for adjournment was therefore negatived.

#### EXPENDITURE ON THIRD SECTION, EASTERN RAILWAY.

In reply to Mr. SHENTON, THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason) said the amount expended to date in the construction of the Eastern Railway was £44,472 18s. 5d.; the cost of the rails and fastenings, £27,968 2s. 9d.; the cost of the compensation for land, £2,818; and the cost of the rolling stock £5,482 9s.

#### INVESTMENT OF LOAN MONEY (1883).

MR. SHENTON asked the Colonial Secretary whether the balance of the Loan just floated in London had been invested, or was it still in the hands of the Crown Agents; if so, on what terms?

THE COLONIAL SECRETARY (Hon. M. Fraser) replied that monies in the hands of the Crown Agents, over and above the amount which they may require to meet disbursements for the Government, were placed on deposit with

the London and Westminster Bank, at current rates of interest, to the credit of the colony. Steps have already been taken, with a view to investing a portion of the Loan referred to in this colony.

#### NEW GOVERNMENT OFFICES.

In reply to Mr. SHENTON,

THE COLONIAL SECRETARY (Hon. M. Fraser) said the reason why the new wing of the Government Offices at Perth had not been occupied by the different departments for whom it was erected, was because the necessary fittings and furniture have not as yet been provided.

#### RESERVATION FROM SALE OF KIMBERLEY SUGAR LANDS.

MR. GRANT, in accordance with notice, moved, "That pending the receipt of full and complete information by the Government respecting our Kimberley lands, it is desirable that no alienation by sale of any sugar lands in that district be permitted." The hon. member said that, according to his mind, there was a very considerable quantity of land, hundreds of thousands of acres, in the Kimberley district, suitable for sugar plantations. He said so from his knowledge of Queensland sugar lands, and hon. members were aware of the great importance which the sugar industry had of late years attained in that colony, where a good deal of land, which in its unimproved state was not worth more than 5s. an acre in the early days of the colony, was now selling at £18 or £20 an acre. A great deal of our Kimberley land was, in his opinion, quite equal to that of Queensland for sugar growing, and it would be a thousand pities if they were to alienate this land at the price now paid for pastoral land in the district. The time he hoped was not far distant when our Kimberley sugar lands would be in as great demand as the sugar lands of northern Queensland now were, —lands which had been monopolised by capitalists and speculators to the great detriment of the colony. He therefore hoped our own Government would take time by the forelock, and step in at once to prevent our own sugar lands being monopolised in the same way, by a few speculators, at the expense of the public revenue. Sugar production in Queens-

land had become the most important and valuable industry of the colony, and he ventured to say the day was not far off when we may compare the success of our own sugar lands with those of Queensland. He seriously commended the motion to the consideration of the House and of the Government. He hoped these lands would be at once shut up from sale, until we shall be in possession of full information as to their fitness for sugar-growing. At a later period of the session, he hoped to bring forward a proposal that we should send some capable man from this colony to have a look at the Queensland sugar lands, and compare them with our Kimberley land. From what was known of our Camden Harbor country, the soil and climate was almost identical with those of the Isle of France (Mauritius), and with those of the northern portion of Queensland: and he thought it would be most advisable indeed that our Government should lose no time in sending somebody round to prospect and have a look at the sugar lands of that colony (Queensland), and see if the country does not present the same appearance as some of our Kimberley lands. In the meantime he thought these lands should be shut up from sale, and should not be allowed to fall into the hands of speculators and monopolists, like the sugar lands of that colony had done, half of which was held by two or three individuals simply for the purposes of speculation, the Government rueing the day it had ever parted with its lands to these people. He was very sorry that his hon. colleague (Mr. McRae) was too unwell to come to the House to support this motion, as he had been for some months in that part of our Kimberley territory which was considered to be adaptable for sugar-growing, and could have given the House the benefit of his views on the subject. Mr. McRae informed him that there was a large quantity of land there quite unfit for pastoral purposes, and that to all appearance it was identical in character with the sugar lands of Queensland. He (Mr. Grant) had no personal object whatever to serve in this matter: he was no more interested in the subject than other members of the House were, and he had simply brought the matter forward in the interests of the colony, to prevent our land

falling into the hands of a few monopolists and speculators, at a price much below its real value.

MR. STEERE said it appeared to him the hon. member who had brought forward this motion had not considered what the effect of it would be, if adopted, —unless indeed the hon. member wished to put an end to the sale of all lands in the Kimberley district, for there certainly would be a complete stoppage to the sale of Kimberley lands if this motion were acted upon. We did not know, the Government did not know, no one knew, what portion of the Kimberley district was suitable for sugar-growing, and, under the present land regulations, it was out of our power to put a stop to all land sales in the district, even if it were desirable we should do so. He did not think the hon. member had fully considered the purport of his motion, and the injurious effects it would have upon the development of the district.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said that what had just fallen from the hon. member for the Swan must commend itself to every one; at the same time they were possibly all in accord with the hon. member for the North in wishing to protect our lands. But it appeared to him there was considerable difficulty in the way of carrying out the hon. member's wishes in this respect, not knowing what lands were suitable for sugar-growing and what lands were not suitable for sugar-growing. If he might be permitted to make a suggestion, some good might come out of the proposal if the subject were referred to a select committee. He did not see that the House could do anything with it in this way.

MR. CAREY said probably the surveys which were now being carried on in the district might furnish some information on the subject, which might guide the Commissioner of Crown Lands in dealing with it, as suggested by the hon. member for the North.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said the surveys now going on were not in the northern portion of this territory, but more to the south, working in about the same latitude as the Fitzroy. The sugar land, he believed, was considered to be

situated more in the direction of the Glenelg country.

MR. MARMION agreed with what had been said, that until we are in possession of further information than we possessed at present about the lands that were stated to be suitable for sugar-growing, it would be most unwise to adopt this motion. It would simply result in closing up the whole of the district from sale, as it would be impossible for the Government, with the scanty information now available, to discriminate what lands were sugar lands and what were not. Under all the circumstances he therefore thought it would be impolitic to pass this resolution, though he could quite sympathise with the object which the hon. member had in view, as it was possible our more northern lands might turn out to be of much greater value than the price set upon them at present. But even if they should so turn out, he did not think it would do us much harm if some of them fell into the hands of wealthy speculators, at 10s. an acre, if those who bought them were prepared to incur the large expenditure which would be necessary before the lands could be utilised for sugar-growing, which would very much enhance the value of our own lands in the same locality, and prove a very good thing for the colony. He thought, however, the motion was slightly premature at present.

MR. CROWTHER was sorry he could not agree with all the speakers who had addressed themselves to the subject before the House, as one said black and the other said white. For his own part he was in accord with the hon. member who said white, the hon. member on his left (Mr. Grant). It might be known to many members that whatever his views upon the land question might be worth, he had always been consistently opposed to the alienation of any of the colony's lands by sale. He thought it would have been the greatest good fortune that could have happened to all these colonies, if this principle had been acted upon, from their early foundation. He was quite sure that if in this colony we had never allowed an acre of land to be alienated from the Crown by sale, except in and near townsites, there would have been no occasion for taxation in any

shape or form; we might have had a free tariff, free ports, and free trade. The rents of the land would, if the lands were properly managed, have yielded a sufficient revenue for all our purposes. He hoped the motion of the hon. member for the North would receive the serious consideration of the House, and that no lands of any kind would be alienated in this Kimberley district, a district that must of necessity—he cared not who gainsaid it—become in time a colony of itself. And if its lands, in these its early days, were properly manipulated, it might become a model colony, with free harbors and a free tariff, and be free from taxation of any kind, the cost of government being entirely met by the rents derived from its lands. As to its possessing any sugar lands, he had very serious doubts on that point; but as to the quality of its pastoral lands and the value of those lands, they knew very well what people were quite prepared to pay for them. He was very sure that this district was what His Excellency had called it, a “gold mine” for this colony, and he sincerely hoped that not one solitary acre of land, except in and near townsites, would ever be alienated there.

MR. BROWN quite agreed with what had just fallen from the hon. member for the Greenough that if the land regulations of the colony had, from its foundation, prohibited the alienation of any lands by sale, the colony at the present moment would have free ports, a free tariff, and no taxation, for he believed the whole of the colony would be still in the hands of the original possessors of the soil, its aboriginal natives, and he did not suppose they would ever have troubled themselves about a tariff or about taxation. Seriously speaking, he could not at all agree with the doctrine which the hon. member had propounded,—that it was detrimental to the interests of a young colony to alienate, by sale, its lands, and he hoped such a doctrine would not be applied to the Kimberley lands. Up to the present, quite an opposite principle had governed the regulation of these lands, which might be acquired like other lands, by the payment of the price put upon them by the Crown, in the same way as lands in every other part of Australia, and he hoped it would continue so. There might

be something in the motion of the hon. member for the North, out of which eventually good might come; but he did think it was premature, in the face of our present meagre knowledge of the district, as it would be impossible, as it had already been pointed out, for the Lands Department to discriminate between the lands that might be adapted for sugar-growing and the lands that were only adapted for pastoral occupation, so that for all practical purposes the hon. member might as well have excluded the word "sugar" from his resolution, and have it apply to all lands in the district. They had had the question of the Kimberley land regulations before them for years past; every session almost they had been tinkering with them, and he trusted that this session they would not attempt any further tinkering with them. They had now arrived at what he considered to be a very fair compromise on this subject, and he quite agreed with the remark of His Excellency the Governor in his speech to the House, that, at any rate until the approaching general election, it would be unwise to reopen this question of the Kimberley land regulations. He thought it would be very dangerous indeed to adopt the motion of the hon. member for the North.

MR. GRANT said, notwithstanding what had fallen from the hon. member for the Gascoyne, he felt disinclined to withdraw the motion. He had possibly given more attention and consideration to these northern lands than the majority of hon. members in that House had, and he was quite satisfied that a large quantity of these lands were quite as good as the Queensland sugar-lands—lands that were now fetching £20 an acre, but which thirty years ago might have been had for 5s. an acre. As he had already said, one half of these lands were now in the possession of a few speculators, such as the McIlwraiths; and who could say but that there were a good many McIlwraiths knocking about this colony. He felt so strongly on the subject that he was very much tempted to divide the House on the motion. (MR. CROWTHER: Postpone it.) By that time the evil which he feared might have happened; the horse might be stolen.

THE COLONIAL SECRETARY (Hon. M. Fraser): Adjourn the debate.

MR. GRANT said, as that appeared to be the wish of the House, he would do so, especially as it would, he hoped, afford his hon. friend, Mr. McRae, an opportunity of being in his place, and give them the benefit of his opinions on the subject, which were probably worth the opinions of all other hon. members put together, so far as a knowledge of the lands in the northern portion of our territory went. He would therefore move that the debate be adjourned until that day fortnight (August 6).

Agreed to.

#### GOLD PROSPECTING AND MACHINERY FOR CRUSHING.

MR. GRANT, in accordance with notice, moved: "That an humble address be presented to His Excellency the Governor, praying that he will be pleased to place on the Estimates the sum of £500 to be expended in prospecting for the discovery of a Gold Field; and further, that the Government at an early date will erect at Fremantle the Quartz Crushing Machinery now lying there." The hon. member said this was a subject that more directly interested hon. members generally and also the public at large than the Kimberley land regulations; and he hoped this proposed expenditure of money would not be shelved on the grounds that it ought to come out of our next loan. It was a small matter of £500 only, and he believed it would meet with the approval of the public generally that this sum should be spent in trying to discover a gold-field. It was acknowledged that a gold-field was the very thing the colony wanted, to give us wealth, population, and he did not know what,—riches all round, no doubt. They had, from time to time, had a good many high-priced scientific men going about the colony, but little or nothing had been gained by the researches of these scientific gentlemen, beyond that they told us, what we already knew, that gold ought to be found here. Mr. Hardman, he believed—he had not read his report himself, as he did not attach much importance to these reports; all the gold-fields he knew of had been discovered by men of picks and shovels and tin dishes—but even Mr. Hardman, he was told, recommended

that a search should be made by some practical men, and that quartz-crushing machinery should be set up in the colony. This was about all, so far as he could make out, the colony had gained by the employment of this scientific gentleman, and his (Mr. Grant's) words of last session, when it was proposed to continue his services, had come true. What was wanted was practical men. We did not want to hear about schists and talcose and things like that; we had heard quite enough about these scientific terms,—it was a gold-field we wanted. The employment of this scientific gentleman was a mistake, he was a failure, for even the Government geologist himself came back to the only practical way of testing whether we had a gold-field or not, and that was to erect crushing machinery and employ prospecting parties of practical men. This gentleman virtually acknowledged that he himself had been utterly at fault in discovering what was wanted. That gold had been found in several parts of the colony was beyond doubt, and in some places—Peterwangy, for instance—in considerable quantities. It had also been found at the North, in three or four places, and also in this part of the colony, but the great difficulty had been to get the quartz tested. It was very hard to get a satisfactory test conducted in the other colonies, as they often wouldn't go to the trouble of cleaning the pans which had previously been used for crushing; but if we had our own crushing machinery we might depend upon the result. If we had some practical miners prospecting about the country, they could send any likely specimens of quartz they came across to be tested at Fremantle, under the eyes of our own people, and he thought this would be the nearest and cheapest road to find a gold-field. He would divide the money now asked for among the various Roads Boards of the colony, who might be asked to control its expenditure, and he had no doubt many settlers would supplement this vote by private assistance—he would himself. He knew that one settler (Mr. Moore) had spent a good deal in this way at Peterwangy, and no doubt there were others, in different parts of the colony, who would be ready to contribute their share, if they knew that the money was going to be spent

upon practical diggers, and not upon any more scientific experts, in whom the public had very little faith.

MR. BROWN said that had the hon. member, when moving this address, stated that he was himself prepared to take the responsibility of looking after the expenditure of this money, he was not sure he would have voted against it. Instead of that the hon. member proposed that it should be expended under the direction of the district Road Boards. He was not aware that the members of these Road Boards were practically acquainted with the best means of finding a gold-field, and he was afraid that money so expended would be money that was not likely to lead to any practical results. So far, very little good indeed had been derived from prospecting in this colony, although a considerable amount of money had been expended in that way. On the other hand, he thought that a large amount of good resulted from a scientific geological survey, for it taught people who had no personal knowledge of geology where they might look for gold, which was one advantage, and one only out of the many which a new country derived from the researches and reports of scientific men. For his own part, he hoped that until we had a complete geological survey of the colony we should always retain in the service of the Government a competent geologist.

MR. STEERE said he intended to support this address, but not if the money, if voted, was to be expended as the hon. member who had moved it proposed, by the Road Boards, for the money he thought would then be simply thrown away. However competent these Road Boards might be to construct or to repair a road, he did not think they had any special qualifications or practical experience in the way of prospecting for gold. He had read the report of the Government geologist for which the hon. member for the North entertained such contempt—not personally he was sure, but in common with the hon. member's contempt for geologists as a body—and he must say that Mr. Hardman had made some very practical suggestions; and he had himself intended to have moved in this matter if the hon. member for the North had not done so. Mr. Hardman, in his report, said:—"It is

"impossible in a hurried survey, and "where a large tract of country had to "be examined, to do more than obtain "a general knowledge of the principal "rock masses, and many places must "unavoidably be passed over which might "well repay investigation. In order to "set the question at rest, it would be "necessary to make detailed surveys of "the most likely places, or to send out a "prospecting party to examine a few of "the most promising localities; and "I would recommend the valleys of the "Preston and the Blackwood as most "worthy of attention in this respect. A "few judiciously placed shafts through "the alluvium and other superficial "deposits to the bed-rock would prove a "large extent of country, as the washings "of many reefs will be collected in the "detritus; whereas much time is lost in "discovering a suitable reef for opera- "tions, and then the trial proves only "that one reef, and gives no indication "of what may exist elsewhere; besides "which the expense is very much "greater." He thought that was a very sensible and practical suggestion, which could be carried out without incurring a very great expense; but he doubted whether £500 would be enough, and, for his own part, he would be willing to increase the vote, if expended as Mr. Hardman suggested. Mr. Hardman added that should his suggestion be adopted he would be prepared to point out positions where the most favorable results might be expected; and he (Mr. Steere) thought the suggestion was one well worthy the consideration of the House, even although it entailed a considerably larger expenditure than suggested by the hon. member for the North.

MR. CAREY said the hon. member for the Swan had forestalled him in quoting the paragraph he did from the Government geologist's report. He was surprised that the hon. member for the Gascoyne, who had such faith in geologists, should be opposed to the expenditure of money in carrying out a suggestion of the Government geologist himself. It was well known that gold had been found in the district which he (Mr. Carey) represented, and which was referred to by Mr. Hardman; and, not long ago, Mr. Simpson sent some specimens of the quartz to the other colonies, with the

result—if he was correctly informed—that it afforded every proof that a payable gold-field could be worked in that locality. He should be glad to see the amount asked for increased to £1000, and expended in the manner suggested by the Government geologist.

MR. MARMION also expressed his approval of the Government geologist's suggestion, but did not think the money should be expended in one district. The subject was no doubt a very important one for the colony.

MR. RANDELL thought the better way to accomplish the object which the hon. member for the North had in view was to postpone the consideration of the question until a later period of the session. He believed the feeling of the House and the desire of the country would be to a very large extent in favor of the motion, and that the Government should come down to the House with some well-defined policy with regard to this question. It was no use voting £500 this year and then drop the search if not successful. There ought to be a continuous annual vote for the purpose until we had a thorough examination of the country made, under Mr. Hardman's or some other competent man's instructions. The matter would in that way be set finally at rest. But £500 expended in one district would certainly not set the minds of the people at rest, nor would it set the question of gold or no gold at rest.

MR. CROWTHER spoke very hopefully of the country about Peterwangy as regards its gold-bearing character, and described several specimens of gold which he had seen with his own eye brought from that locality. For his own part, he had more faith in your practical digger than your theoretical scientist.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said they had heard from the hon. member for the North, not for the first time, that he had no great faith in geologists but a strong belief in practical men; and the hon. member for the Greenough seemed to hold the same opinion. Probably it was more popular (if he might use the word) to speak against scientific men than against practical men. But he did not think this colony was much indebted to these practical men in the matter of



gold discoveries. They had had a good many of them, from time to time, but beyond the circulation of rumours, that could not be relied on at all, nothing had come out of it. On the other hand, the scientific men employed by the Government left something on record that was of interest not only to this colony but throughout the civilised world. The report compiled by Mr. H. Y. L. Brown, for instance, and the report which would be laid on the table in the course of a few days from Mr. Hardman would be read with interest in every learned society in Europe, and also throughout Australia, not only by scientific men but also by men interested in pastoral and other pursuits, and, in this way, would prove of great benefit to the colony. But your pick-and-shovel men left no such records. If they formed any opinions at all, they kept them to themselves. They had no reputation at stake if they circulated a false or misleading report, and he was surprised that any hon. member should endeavor to exalt these men at the expense of decrying scientific men. What we knew of the geological formation and character of our territory at all, we had gained from these scientific men, and not from your pick-and-shovel men, 99 out of 100 of whom would probably pass over a metalliferous locality without being aware of it, unless they were directed to it. He thought it was time we should give up decrying men who devoted their lives to the study of this important subject. He agreed that it would be a wise thing to spend some money in prospecting, but he would not spend sixpence in that way except under the direction of some scientific authority. He thought that the expenditure incurred by the colony in connection with the geological survey now going on in the Kimberley district would result in a great deal of practical good to the country. He hoped the time was not far distant when we should be able to do something more in the cause of science than we had done in the past. He should himself very much like to see a geologist permanently attached to the Government staff of the colony, and also a skilled meteorologist and astronomer.

MR. LOTON said that those hon. members who had spoken on this subject seemed pretty well agreed that it was

desirable some further steps should be taken with regard to prospecting for gold. Some hon. members appeared to pin their faith to scientific men; other hon. members pinned their faith to practical men. For his own part he went for both, to a certain extent. His idea was that they wanted science reduced to practice, and, as they had a professional geologist now in the colony, there ought not to be any great amount of difficulty in carrying out this motion of the hon. member for the North in a practical way. If the scientific geologist would point out the localities where prospecting was likely to be attended with success, and the practical pick-and-shovel men were found to do the work, it appeared to him that would be the most likely way to discover a gold-field, if a gold-field existed in Western Australia.

THE COLONIAL SECRETARY (Hon. M. Fraser) reminded the House that the bonus of £5000 offered some years ago for the discovery of a payable gold-field was still in existence. Since that reward was offered, the Government, as hon. members were aware, had been fortunate enough to secure the services of Mr. Hardman as a geologist, and he quite agreed with his hon. friend the Surveyor General as to the desirability of retaining Mr. Hardman's services, and, so far as our means allowed, of giving him the assistance of some practical men, in whom the hon. member for the North appeared to have such unbounded faith, to co-operate with him, so as to determine whether certain localities are gold-bearing or not. He trusted the matter might yet be put into a practical shape, and that there would be funds available to meet the wishes of both sides of the House. His own opinion always had been that there are auriferous lands in this colony, and the only puzzle to him was that what diggers called a payable gold-field had not been discovered before now. With regard to the erection of the crushing battery at Fremantle, he did not think there would be much difficulty about that. The principal parts of the machinery were still in existence, and the original building was there yet. Probably it would be better if the hon. member for the North agreed to let the matter stand over for the present; it should not be lost sight of, and the financial part of

the question might be again discussed when considering the Estimates for the coming year.

MR. CROWTHER said he must emphatically protest against the idea put forward by the Surveyor General that he and his hon. friend on the left (Mr. Grant) decried scientific men. What he said was that, so far as his limited knowledge went, of Western Australia, scientific men had not given us any practical information or practical results—except on paper; whereas pick-and-shovel men had. What he objected to was having these scientific men thrust down our throats and money taken out of our pockets, without any practical benefit being derived from the operation. That Mr. Hardman had done a large amount of good in some respects there could be no doubt, but it could not be contended for a moment that his reports had induced anybody to take up an acre of land in the colony, either for mineral or pastoral purposes. Hereafter, possibly, his reports might be of value, but what we had to deal with was the present, and what we wanted was practical results, apart from the scientific value of geology, or astrology, or any other 'ology. If it could be shown that the money expended would be an advantage to us, by all means let it be expended, but, for heaven's sake, let the men who did the work get the credit of it.

MR. GRANT said the Surveyor General seemed to depend upon science altogether, but could the hon. gentleman point out a solitary instance of any benefit derived by this colony from scientific researches in the way of finding gold. Could he do so as regards any of the other colonies? Was it not notorious that gold in those colonies had been discovered, not by scientific men, but by miners, shepherds, and others—all practical men. Geologists had made plenty of reports, but they never discovered a gold-field. We knew well enough that we had gold-bearing quartz in this colony, and could produce specimens of it, and, in this respect, we knew as much as our geologist could tell us. What we now wanted was some practical men to test this quartz, and machinery to ascertain its value.

Progress was then reported, and leave given to sit again on August 6.

#### MESSAGE (No. 1): HIGH SCHOOL SCHOLARSHIPS AND UNIVERSITY EXHIBITION.

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

"The Governor has the honor to request the Honorable the Legislative Council to favor him with their opinion as to whether it would not tend to further promote the cause of Education in the colony if two Scholarships, of £50 a year each, tenable for three years at the Perth High School, were offered for annual competition amongst the pupils of both the Government and Assisted Primary Schools; and if one Exhibition, of £100 a year, to an Australian University, also tenable for three years, were offered for annual competition amongst the pupils of the Perth High School.

"2. Should the Council approve of this suggestion, which would involve a maximum expenditure of £600 a year, the Governor would be prepared to make the necessary provision on the Estimates of 1885, and to have drawn up, for the approval of the Council, rules embodying the conditions of the Scholarships and Exhibition.  
"Government House, Perth, 23rd July, 1884."

Ordered—That the consideration of Message No. 1 be made an order of the day for Monday, 28th July.

#### MESSAGE (No. 2): IMPORTATION OF STOCK; DRAFT REGULATIONS.

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 has had under his consideration the important question of the policy to be adopted in this colony in order to guard against the introduction of diseases amongst stock.

"2. A letter from the Premier of Victoria on this subject was laid before the Legislative Council last session.

"3. Mr. Service pointed out that the importation of cattle, sheep, or swine, from places outside the Australasian colonies is altogether prohibited in Queensland, Victoria, and Tasmania; and invited the Government of Western

"Australia to follow the example of these three colonies.

"4. Subsequently, this Government received a letter, dated the 25th of February last, from the New South Wales Government, enclosing a Proclamation prohibiting the importation of stock into that colony from places beyond the Australasian colonies, for a period of two years from the 28th of January last. This letter is now laid before the Council.

"5. The importation of stock from Europe and elsewhere appears to be still permitted, under Regulations, in South Australia and New Zealand.

"6. Subsidiary to the general question of the importation of stock from beyond seas into the Australian continent, there is the question of preventing the introduction of stock diseases across our border from the neighboring colonies. This consideration arises, just now, especially with reference to the Kimberley district, across the Eastern boundary of which large numbers of cattle and sheep may be expected to be driven from South Australia.

"7. Having referred the subject to a competent Committee, the Governor has received the enclosed report and draft Regulations, in the leading principles of which he entirely agrees. The details of one or two of the Regulations appear, however, to require some further consideration.

"8. The Governor now requests the Legislative Council to consider the Regulations which have been prepared; to inform him whether they agree in the policy expressed therein; and to suggest any addition to, or amendments in, the Regulations which to the Council may appear desirable.

"Government House, 23rd July, 1884."

On the motion of the COLONIAL SECRETARY, this Message was referred to a select committee, consisting of Mr. Steere, Mr. Brown, Mr. Grant, Mr. Venn, Mr. S. S. Parker, and, by leave, Mr. Davis, and the mover.

MESSAGE (No. 3): MR. WADDINGTON'S PROPOSALS FOR THE CONSTRUCTION OF LAND GRANT RAILWAY FROM YORK TO GERALDTON.

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

"The Governor has the honor to lay before the Honorable the Legislative Council, for their consideration and opinion, a letter and annexure from Mr. John Waddington, Consulting Engineer, of 35 King William Street, London Bridge, London, E.C., dated the 16th of May last, embodying proposals for the construction of a railway on the land grant system from York to Geraldton, *via* Northam and New-castle.

"2. In presenting these papers, the Governor feels bound to remark that a considerable portion of the land along the proposed route of the railway does not, doubtless through imperfect information obtained by Mr. Waddington, answer to the description of the 'best producing land in the Colony.'

"Government House, Perth, 23rd July, 1884."

On the motion of the COLONIAL SECRETARY, the Message was referred to a select committee, consisting of the Commissioner of Railways, the Commissioner of Crown Lands, Sir T. Cockburn-Campbell, Mr. Steere, Mr. Brown, and, by leave, Mr. Marmion, Mr. Randell, Mr. Crowther, and Mr. Loton.

MESSAGE (No. 4): TELEGRAPH RATES ON ROEBOURNE LINE.

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

"With reference to the extension of telegraphic communication northward to Roebourne, the Governor has the honor to lay before the Honorable the Legislative Council a report, dated the 23rd of May last, from the Postmaster General and General Superintendent of Telegraphs (Mr. Helmich), in which that officer suggests that the ordinary telegraph rates be increased on this portion of our line.

"2. The Governor will be glad to learn the opinion of the Council in the matter.

"3. The Council will be interested to know that the Governor has this evening received a telegraphic message from Carnarvon. A station at Hamelin Pool has been open for some time.

"Government House, Perth, 23rd July, 1884."

Ordered—That the consideration of Message No. 4 be made an order of the day for Friday, 25th July.

**MESSAGE (No. 5): CONTRACTS WITH MESSRS. LILLY & CO. FOR STEAM SERVICES.**

THE SPEAKER reported to the House the receipt of the following Message from His Excellency the Governor:

"Referring to the 20th paragraph of the speech with which he opened the session, the Governor has the honor to request the Honorable the Legislative Council to favor him with an indication of the course which they are of opinion should be pursued with reference to the renewal, or otherwise, of the existing contracts with Messrs. Lilly and Company, for the steam services now established on the coasts of the colony.

"2. These contracts, a printed copy of which is enclosed, will terminate on the 14th January next.

"Government House, Perth, 23rd July, 1884."

On the motion of the COLONIAL SECRETARY, this Message was referred to a select committee, consisting of Sir T. Cockburn - Campbell, Mr. Carey, Mr. Venn, Mr. Marmion, Mr. Crowther, and, by leave, Mr. Brown, Mr. Grant, and the mover.

**IMPRISONMENT OF PORTUGUESE SAILORS OF BARQUE "BERTHA," AT ALBANY.**

MR. CAREY moved for the production of all papers, letters, telegrams, &c., that had recently passed between the Government and the Government Resident at Albany, relative to the imprisonment of certain Portuguese sailors belonging to the whaling barque "Bertha." The hon. member said that a great deal had been written and said with reference to this matter, and he thought it desirable that the House should be placed in possession of all the facts of the case.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) hoped that after the hon. member who had moved for the production of these papers had heard the few observations he should make to the House, the hon. member would further consider the matter, and that he

would not persist with his motion. So far as the Government were concerned, there was no desire to withhold from the House all the information that could be supplied with reference to the facts of the case,—in fact, the House as well as the public at large had already had every opportunity, he believed, from the published reports, of becoming acquainted with the actual facts of the case. But when the hon. member wished for papers to be laid on the table, many of those papers, or some of those papers, containing reports and advice from officers of the Government, which had always been considered confidential,—when the hon. member asked for all the papers which had passed on this subject to be laid on the table, he thought the hon. member was going beyond what was reasonable and beyond what the hon. member himself would perceive was advisable. The case against these sailors was heard in open court, and the evidence was published by the press, so that the facts of the case were known to all members. The public were also aware from the newspapers that His Excellency the Governor exercised his prerogative on the first hearing of the case and released the sailors, and that they were re-arrested, and a report of the subsequent proceedings had appeared in the columns of the public press, so that all the facts of the case were before the public. But when the hon. member, not content with a knowledge of the facts of the case, requested or wished to know the various machinery which was employed, the various opinions and reports and confidential communications that passed between the departments of the Government, he thought the hon. member was going beyond what he himself would upon consideration deem advisable. If there was any fact connected with the case which the hon. member wished to be informed upon, and which the newspapers did not furnish,—if the hon. member would mention it to the Government, the Government would be very happy to furnish it. But when he asked that all the papers connected with the case, the confidential communications, the opinions asked and the advice given by the Crown law officers to other officers of the Government, he thought the hon. member himself would see that he was

really going beyond what the case required. Under these circumstances he hoped the hon. member would not press his motion.

MR. CAREY said that when he gave notice of this motion he had no thought whatever of asking for the production of any confidential communications, nor did he wish anything laid on the table beyond what could, without prejudice, be furnished to the public at large. He was perfectly well aware that there must be, in all matters of this kind, confidential communications between the officers of the Government; but he desired nothing beyond what the public at large should be made acquainted with. The hon. and learned gentleman said all the facts of the case might be gathered from the public press. He was sure, if the hon. gentleman had read as carefully as he had all that had appeared on the subject in the columns of the various newspapers, he would know it would be a very hard thing indeed to arrive at any conclusion on the subject, so much had been said on one side and so much on the other: and it was with the view of eliciting the real facts of the case that he had asked for these papers. Perhaps if the letters and telegrams—not those of a confidential character—were shown to him, he would then be in a better position to say whether he should press this motion or not.

SIR T. COCKBURN-CAMPBELL said he hoped the hon. member would withdraw it. He (the hon. baronet) himself thought a little while ago that it might be desirable, in view of the large amount of excitement which this affair had caused, to obtain a statement from the Government, and he interviewed his hon. and learned friend the Attorney General on the subject, but he found there was nothing of interest to the public, beyond what they already knew, to be communicated. The hon. member for the Vasse said that the newspaper reports were very contradictory, but, if the hon. member would read carefully all that had been said and written as regards the actual facts of the case he would find there was no discrepancy whatever. And beyond ascertaining the actual facts of the case he failed to see what object was to be gained by this motion. It was perfectly unreasonable to suppose that

the Government could communicate to the House any confidential communications that had passed between them and the Magistrate on the subject. The facts of the case were well ascertained and were not in dispute, and if the hon. member merely wanted facts he (the hon. baronet) himself could very easily furnish them to him.

THE ATTORNEY GENERAL (Hon. A. P. Hensman): I myself will be happy to furnish the hon. member with any facts connected with the case—I do not mean any opinion or advice given—if he will apply to me.

MR. CAREY: I will do so, and if I now withdraw this notice, and I am not satisfied with the information I obtain, I may renew it hereafter. I think, however, I will not withdraw it, but adjourn the debate.

THE ATTORNEY GENERAL (Hon. A. P. Hensman): I do not know what further information the hon. member wishes. The case, as I have already said, was tried in open court; and as to the action of the Governor in the matter, in the exercise of his prerogative, that is a point upon which no one has any right to question His Excellency, as to his reasons. If the hon. member will tell me now what facts he wants, I will let him have them.

MR. CAREY thought it would be better he should not now say what it was he wanted.

MR. CROWTHER failed to see what was to be gained by threshing straws. The sensational story which had been circulated by a particular section of the press with reference to the treatment of these sailors—of their being chained by the neck, manacled by the legs, and hoisted into a boat like so much dead cargo—was simply a lie.

SIR T. COCKBURN-CAMPBELL: It was true.

MR. CROWTHER: That they were chained by the necks and thus hoisted into a boat?

SIR T. COCKBURN-CAMPBELL: Not chained by the neck, but handcuffed, and thrust into the ship's boat.

MR. CROWTHER believed that the Magistrate in this case had exercised a wise discretion. He may possibly have made a mistake as regards his law, but he knew him too well to know that he

would ever be guilty of inflicting any unnecessary hardship, or of doing an act of injustice towards any man, British or foreign; and as for endeavoring to bolster up any charge against him or the Government in connection with this matter, it was all rubbish. His advice to the hon. member was to let the matter drop.

MR. MARMION said that, so far as his acquaintance and knowledge of the gentleman who filled the position of Government Resident at Albany went, he could cordially endorse what had fallen from the hon. member for the Greenough. But he thought it would only be an act of kindness towards that officer himself, after what had been said that evening, that there should be no ground left for suggesting that there was an apparent effort on the part of the Government to burk any investigation.

MR. S. H. PARKER moved that the debate be adjourned until Friday, July 25th, which was agreed to.

#### EXPENDITURE OF SCHOOL FEES BY BOARD OF EDUCATION.

MR. CAREY, in accordance with notice, moved, "That an humble address be presented to His Excellency the Governor, praying that he will be pleased to cause to be laid upon the table a return of all monies received by the Central Board of Education for school fees for the five years ending 1883, and for the half-year ending 30th June, 1884: such return to show the amount from each district up to end of 1883, and from 1st January to 30th June, 1884, from each separate school. Also an account of the expenditure of the fee fund for these years, and the balance in hand." The hon. member said he had already stated, when the subject was before the House the other day, that he looked upon this money as so much public revenue: it was money raised under an Act of Council, and he thought the public had a right to know how it was expended. Over £10,000 was voted last year for education, besides which a very considerable sum he believed was received in the shape of school fees.

THE COLONIAL SECRETARY (Hon. M. Fraser) said the hon. member asked a similar question the other day, and he

then told the hon. member that the returns which he asked for would take a long time to prepare, but that the cash book of the Central Board, which showed every item received and expended, could, if the hon. member desired, be laid on the table of the House. The hon. member, however, was not satisfied with that, and now renewed his request for the production of these returns. There was no desire on the part of the Government nor of the Central Board to conceal anything in connection with this expenditure, but he would again point out that the preparation of these returns would involve a large amount of labor, and certainly they could not be prepared by the Secretary to the Board without some clerical assistance. Beyond saying this, he had no intention to offer any opposition to the hon. member's motion.

MR. CROWTHER said, if all the information which the hon. member asked for was to be found in the Board's cash book, and that cash book were to be laid on the table of the House, he thought the hon. member might surely be satisfied, without putting the country to the expense of preparing these returns. There was too much of this calling for returns, in his opinion. In nine out of ten cases, the returns called for were never looked at except by the man calling for them, and, he believed, sometimes not even by the man who called for them. What on earth more could any hon. member want than the books of the Department itself, which they were told showed every item of expenditure. Why put the country to the expense of preparing returns which nobody ever read?

MR. MARMION said that as a member of the Central Board, he might say he was sure the Board would have much pleasure in affording all the information which the hon. member asked for—though it was a question whether they could be made to do so. The school fees received by the Board, for a great many years, amounted to a very small sum, but of late years, owing to the energy and the zeal displayed by the Board itself, the fees had amounted to a considerable sum, and this afforded the Board an opportunity of carrying out many useful works which otherwise would have to be neglected. He agreed with the hon. member for the Greenough as to the practical

inutility of calling for these returns, which, as a general rule, were only looked at by the member who moved for them.

MR. CAREY said it was not to satisfy his own curiosity in any way that he had moved for these returns, but for public information. The mere laying on the table of the Board's cash book, for the inspection of hon. members, would not furnish the public with this information. The matter had been discussed in the public press for years past, and he knew that in his own district there was a general desire that these returns should be made known, so that the public might know how the money was expended. He was quite willing that the returns should be lumped as regards the five years, and there could not be much trouble as regards the last six months.

The question was then put—"That the address be presented." A division being called, there appeared—

Ayes...	...	...	...	8
Noes...	...	...	...	9
Majority against...				1

#### AYES.

Mr. Brown  
Sir T. C. Campbell  
Mr. Grant  
Mr. Hamersley  
Mr. Higham  
Mr. Steere  
Mr. Venn  
Mr. Carey (Teller).

#### NOES.

Hon. A. P. Hensman  
Hon. J. Forrest  
Mr. Crowther  
Mr. Glyde  
Mr. Loton  
Mr. S. S. Parker  
Mr. Randell  
Mr. Shenton  
Hon. M. Fraser (Teller).

The motion was therefore negatived.

### BILLS OF EXCHANGE BILL.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) moved the first reading of a Bill to codify the Law relating to Bills of Exchange, Cheques, and Promissory Notes.

Motion agreed to.

Bill read a first time.

### AMENDMENT OF STANDING ORDERS, Nos. 41 AND 42.

SIR T. COCKBURN-CAMPBELL, in accordance with notice, moved, "That Standing Orders Nos. 41 and 42 be repealed, and the following Orders, framed in accordance with the practice of the House of Commons, be substituted in lieu thereof:—

"41. That notices of question or of motion may be given to the Clerk of

"the Council at any time during the course of a sitting of the Council, and shall by the Clerk be placed upon the Notice Paper in the order in which they are received.

"42. That no member shall make any motion initiating a subject for discussion but in pursuance of notice given at a previous sitting of the Council, in accordance with the provisions of Standing Order No. 41, and duly entered on the Notice Paper."

The hon. baronet said although the present Standing Orders were not in accordance with those of the House of Commons they had answered very well in the early days of the Council, but they had become very inconvenient of late, as every hon. member of the House must have felt, and especially No. 41, which precluded a notice being given after the business of the sitting had been commenced. This led to a great waste of time in commencing the business, while members were engaged writing out their notices. He thought it would be much more convenient if the practice of the House of Commons were adopted, and members were allowed to hand their notices to the Clerk at any time during the course of the sitting. Constantly questions arose in the course of a sitting, with regard to which it might be desirable to give notice, but under the present rule this could not be done until the following day; and the result had been that the Standing Order was being constantly evaded. It would be much more convenient, he thought, to do away with it, and introduce the practice of the House of Commons. With regard to No. 42, the proposed amendment in that was merely a verbal amendment, so as to make it tally with No. 41. It might be said, as this was the last session of the present Council, it would be better to wait, and frame new Orders when the new Council met; but as they had nearly the whole business of the Session yet before them, and, as the adoption of the new Orders would greatly facilitate the work, he thought it would be well if the House were to adopt them now.

MR. STEERE said he had himself frequently felt very great inconvenience from the present practice, limiting them to giving notices at the commencement of a sitting, and, for his own part, he should

be very glad to see the amended Orders adopted.

THE COLONIAL SECRETARY (Hon. M. Fraser) while agreeing with the hon. member for Plantagenet as to the expediency of amending the Standing Order referred to, was afraid that it was out of their power to do so. The present Standing Orders were adopted on the 19th July, 1880, and the last of them provided "that the whole of these standing Rules and Orders shall continue in force until the dissolution of this Council." In the face of this Order, he failed to see by what power or right they could now, by any resolution of the House, do away with the Standing Orders now in force. He did not say they could not add to them, but he thought it was out of their power to do away with any of them.

SIR T. COCKBURN-CAMPBELL said the Constitution Act gave the Council power to amend their Orders. This last rule referred to must be read in the light of common sense. What was obviously meant was that the present Standing Orders shall remain in force until they were amended.

MR. SPEAKER said the Constitution Act no doubt empowered the Council to alter the Standing Orders, but the question was whether it would be worth while altering them at this eleventh hour of the existence of the present Council. The Standing Order referred to by the Colonial Secretary, providing that the present rules shall remain in force until the dissolution of the Council, must, he thought, be taken in the sense attributed to them by the hon. member for Plantagenet, for this reason: when the present Council came to be dissolved, and a new Council was formed, the new Council would as a matter of course almost adopt the Standing Orders when it met, and, if so, they could not be amended until another dissolution took place, if the construction put upon the Standing Order referred to by the Colonial Secretary were to hold good.

The question was then put—That Standing Orders Nos. 41 and 42 be repealed:

Agreed to.

Upon the question being put—That the amended Orders be substituted in lieu of the Orders repealed:

THE COLONIAL SECRETARY (Hon. M. Fraser) suggested the omission of the words "to the Clerk of the Council," in No. 41, otherwise hon. members would never know what notices had been given. The present practice was for an hon. member to read the notices aloud as he gave them, so that everybody knew what notices had been given; but if members simply handed their notices to the Clerk at the table, no one but the member giving the notice would know what it was about. He had often found occasion to take immediate action upon hearing a notice read in the House, and thus came prepared to meet it next day; whereas if he had not heard the notice read when it was given, he would have known nothing about it until he saw it on the Notice Paper next day.

SIR T. COCKBURN-CAMPBELL said he had purposely worded the new Order as it stood, so that it should not be necessary for members to read these notices, and to interrupt the business of the House. In doing so he had simply followed the practice of the House of Commons, and, so far as he knew, of every other Legislative Assembly. As to the practice of members reading their notices aloud, his experience of the practice was that no one ever seemed to listen to these notices, knowing that they would appear on the paper next day. If, however, it was considered an objection to assimilate our practice with that of the House of Commons, he would waive his opposition to the words objected to by the Colonial Secretary being struck out.

MR. MARMION said it often happened that notices were given for the very next day following, and he thought it was very desirable that hon. members should have some intimation that such and such a notice had been given, so as to be prepared for it, otherwise they would know nothing about it until they were called upon to discuss it. It was quite possible that this was the practice in the House of Commons, where the parliamentary session lasted six or seven months; but, with our short sessions, lasting not more than six or seven weeks, things had to be done very quickly, and very short notices as a rule were given. It was just possible that the new rule might lead to the expedient known as "stealing a march," unless some pro-



vision were made whereby members should know what the notices were about before they were called upon to deal with them. If it were provided that no notice should be given for the next day immediately following—so that members might have an opportunity of seeing a notice on the paper one day at least before it came on for discussion, his principal objection to the new rule would be removed, though he was afraid it would still lead to some inconvenience.

MR. RANDELL said that notwithstanding the august precedent relied upon, he had no sympathy with the alterations proposed, and he thought the hon. baronet himself had referred to a very good reason why the matter should not now be dealt with, namely, that the present Council expired by effluxion of time with this session, and it might be left to the new Council to amend the Standing Orders if they wished to do so. He thought it was very desirable indeed that members should hear all notices given openly and publicly in the House, and also that the reporters should hear them, so that the public might have an opportunity of seeing them in print, before they came on for discussion, as the public were often interested in the business of the House.

SIR T. COCKBURN-CAMPBELL thought the evils apprehended by some hon. members from the proposed change of practice were imaginary rather than real. He did not think there had been any disposition manifested to show anything but a fair spirit in connection with the proceedings in that House, and he did not suppose the adoption of these amended orders would cause any change in that respect.

MR. LOTON said, no doubt the object in view was to facilitate the business of the House, but, in doing so, he thought the House should watch very narrowly that any Standing Orders introduced in lieu of those now in force were not a retrograde step. From what had fallen in the course of the discussion he was inclined to think it would have been very wise to have allowed the Standing Orders in force to remain as they were. It appeared to him that to hand the notices to the Clerk at the Table, without their being read at all, would be a very objectionable practice in a small assembly like ours.

On the other hand, he admitted it would be inconvenient for hon. members to be getting up during a sitting to read these notices aloud, while there was other business before the House. There was a considerable difficulty to his mind in the matter, but he thought it would be very objectionable to have the notices given to the Clerk as it were privately. He would therefore move that the words "to the Clerk of the Council," in the first line of the proposed Order No. 41, should be struck out.

Question put—That the words proposed to be struck out stand part of the question.

A division being called for, the numbers were—

Ayes	...	...	13
Noes	...	...	8
Majority for			5

AYES.	NOES.
Mr. Brown	Hon. M. Fraser
Mr. Burt	Hon. A. E. Heenan
Mr. Carey	Hon. J. Forrest
Mr. Crowther	Mr. Mason
Mr. Grant	Mr. Glyde
Mr. Hamersley	Mr. Loton
Mr. Higham	Mr. Marston
Mr. S. S. Parker	Mr. Randell (Teller).
Mr. S. H. Parker	
Mr. Shenton	
Mr. Steere	
Mr. Venn	
Sir T. C. Campbell (Teller).	

The motion was then put and passed.

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

## LEGISLATIVE COUNCIL,

Thursday, 24th July, 1884.

Wharf at Carnarvon—Rabbits and the Rabbit Act—  
Naval Deserters Bill: third reading—Regulation  
of Whipping Bill: third reading—Supplementary  
Estimates, 1884: in committee—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

## WHARF AT CARNARVON.

MR. BROWN, in accordance with notice, asked the Director of Public