

LEGISLATIVE COUNCIL,

Thursday, 31st July, 1884.

Jurisdiction of Petty Debts Courts—Revised Loan Estimates—Customs Ordinance, 1860, Amendment Bill: second reading—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

JURISDICTION OF PETTY DEBTS COURTS.

MR. CAREY, in accordance with notice, asked the Colonial Secretary whether the Government proposed to take any steps this session to carry out the wishes of the Council, as expressed in an address adopted on the 18th September, 1882, in reference to the jurisdiction of Petty Debts Courts. The address he referred to was in the following terms: it prayed His Excellency the Governor to take such steps as might be necessary to increase the jurisdiction of the Petty Debts Court to sums of £100. This was two years ago, and, when he asked a similar question last year, as to when the Government proposed to take any steps in the matter the reply he received was that the matter was under consideration. He believed there was a very general wish that the jurisdiction of the Petty Debts Courts should be extended, and he trusted the Government were prepared with some satisfactory reply.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said the Government did not propose to take steps to bring in a bill this session, being of opinion that it was not, under present circumstances, desirable to extend the jurisdiction of these Courts. He had conferred in the matter with those who were fully acquainted with the circumstances and the facts of the case, and, after doing so, he quite agreed with those with whom he had conferred that it was not desirable to extend the jurisdiction. Under the recent Supreme Court Act there was power to send a Puisne Judge or Commissioner, if necessary, to try cases on the spot, which it was considered would meet any exceptional circumstances.

REVISED LOAN ESTIMATES, 1884.

The House then went into committee for the further consideration of these Estimates.

Item—*Eastern Railway Extension (Loan Act, 1881)*:

THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason) said that when progress was reported the other evening, when this item was under discussion, he was unable at the time to give an explanation with regard to it that would have been satisfactory to himself or to the committee. Since then he had ascertained that it was expected that this amount would have been spent during 1883—which was before the provisions of the Audit Act came into operation—but it was not spent in 1883, and under the circumstances it was carried over to 1884. No estimates were framed for it, as it was expected it would have been spent before the Loan Control Act came into force, and it was now placed on these Estimates simply for the formal approval of the committee. As a matter of fact, the money had already been spent.

The item was then put and passed.

Completion of New Public Offices, Perth, item £350:

Agreed to.

Jetty Improvements, Albany,—item £248 5s.:

Agreed to.

THE CHAIRMAN reported that the committee had considered the Revised Loan Estimates for 1884, and had agreed to a vote of £20,280 16s. 10d.

MR. BROWN moved that the report be adopted.

THE COLONIAL SECRETARY (Hon. M. Fraser) moved, as an amendment, that the Estimates be re-committed; which was agreed to.

IN COMMITTEE.

THE COLONIAL SECRETARY (Hon. M. Fraser) said that, after further consideration, he had been directed by His Excellency to place an additional sum of £10,000 on these estimates for rolling stock for the Eastern Railway.

MR. SHENTON asked how it was proposed to expend this £10,000, which, with the sum already granted, would make the vote for rolling stock £20,000.

THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason) said there was

no direct proposition to spend £20,000 in rolling stock, but he was anxious to have a vote so that his hands might not be tied, and that if the necessity arose for getting additional rolling stock he should not be hampered. There was a trifle over £4000 available from the last Estimates—he was not able to give the exact figures—and he had prepared an indent, particulars of which he had now before him, amounting to a little over £13,000, for rolling stock, in expectation of the opening of the first section to York.

MR. SHENTON asked the Commissioner to read the indent, for the information of the committee.

THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason) did so.

MR. SHENTON said now that the House were voting this additional sum he would suggest whether it would not be advisable to obtain another powerful locomotive such as was used on the second section, especially in view of some arrangement being likely to be come to with Mr. Hordern. There would be some very heavy traffic, and he was sure it would be found that an additional powerful engine would be required.

MR. STEERE thought it would be better to get down from Geraldton the powerful engine that was of no use there.

THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason) said that when the department was very hard up indeed for a locomotive some time ago, an attempt was made to get one of the Fairlie engines down from Geraldton, but from certain causes, chiefly the difficulty of shipping, it was found impracticable to do so. For his own part, he was not altogether in love with these Fairlie engines, and he was very much afraid they were not what they were represented to be. He ventured to say that if they went to the expense of bringing one of these engines down from Geraldton—which would be some hundreds of pounds—the probability was they would afterwards find that the engine would not answer their requirements. With reference to the suggestion of the hon. member for Toodyay, he might say that another engine would have been indented for, only the contractor for the 3rd section had already, many months ago, indented for a similar engine to the two included in his (the Commissioner's)

indent, and it was done on the understanding that when Mr. Keane finished his contract, if the engine should be in good working order, the Government would take it from him at a fair valuation, so that, in reality, instead of two available engines for the extra work anticipated, the Government would have three.

MR. LOTON said, with regard to the suggestions that had emanated from hon. members in the course of the discussion upon this railway vote, he thought they might prove of great use if looked upon by the head of the department simply as suggestions. But he trusted that the head of the department, whoever he might be, would bear in mind that the House—whoever might be the members who occupied seats in it next Council—would look to him as the responsible person to see that the necessary provision was made for rolling stock of every description.

THE COMMISSIONER OF RAILWAYS (Mr. C. T. Mason) said if he were to hear that moment that Mr. Hordern's scheme had been accepted and the contract signed, one of the first things he would do on returning to his office would be to order an engine of the description referred to by the hon. member for Toodyay. But at the present time he did not think he would be justified in doing so, as many things might happen before the contract with Mr. Hordern was completed. The two engines they had were able to do all the work on the heavy gradients now, and would be able to do so, certainly for the next year or two, and he did not think he would be justified in ordering another on the chance of Mr. Hordern's scheme, or any other scheme, becoming an accomplished fact.

MR. SHENTON pointed out that it took two years to get the last two engines out.

MR. LOTON said the Council having voted the money must now look to the department to see that proper provision is made for the necessary rolling stock. It was not for the members of that House to say whether two engines would do all that would be required, or whether it would take three or four. If the head of the department failed to make the necessary provision it would be open to the House hereafter to censure him, but it was not their province, he thought,

to dictate to the responsible head of a department like the Railway Department. The House having voted the money asked for, and offered certain suggestions, had done all that could be expected of it, and the responsibility now rested on other shoulders.

MR. BROWN assumed that the engine at Champion Bay was not likely to be required there for some years to come, and the fact stared them in the face that here was an engine that cost the colony some thousands of pounds lying idle. If it could not be made use of upon any of the railway lines of the colony, it appeared to him the best thing they could do was to sell it.

MR. MARMION said undoubtedly it was a loss of money which this colony could ill afford, to have an expensive piece of machinery like this lying idle. Even if it cost £500 to remove it to Perth, he saw no reason why the expenditure should not be incurred, if the engine could be utilised on the Eastern Railway.

The motion to add £10,000 for rolling stock was then put and passed.

THE COLONIAL SECRETARY (Hon. M. Fraser) also moved that item "Passenger Station, Guildford, and Station Master's Quarters, £1,200," be added.

Agreed to, without comment.

THE CHAIRMAN OF COMMITTEES then reported that the committee had re-considered the Estimates, and had agreed to a further vote of £11,200 for the Eastern Railway.

CUSTOMS ORDINANCE, 1860, AMENDMENT BILL.

THE COLONIAL SECRETARY (Hon. M. Fraser), in moving the second reading of this bill, said its object was merely to give authority to the officers of Customs to permit the landing of goods on any day, including Sundays. Hon. members might perhaps be inclined to offer some opposition to the bill on the score that it to a certain extent authorised Sunday trading; but he assured the House there was no intention on the part of the Government to offer any inducement to such trading. The bill was simply introduced for the convenience of the residents at the outports, where, since steam communication had been introduced on the

coast, it had been found necessary sometimes to provide facilities for the landing of cargo on Sundays. This, however, could not be done without the special authority of the Collector of Customs.

The motion for the second reading was then agreed to.

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

LEGISLATIVE COUNCIL,

Friday, 1st August, 1884.

Sand Patch at Princess Royal Harbor—Timber traffic on Second Section of Eastern Railway—"Votes and Proceedings" and "Hansard" for Mechanics' Institutes—Increase of Salary to Postmaster General—Appropriation Bill (Supplementary), 1884: first reading—Deeds of Grant Bill: first reading—Albany Mechanics' Institute Bill: second reading—Wines, Beer, and Spirit Sale Act, 1830, Amendment Bill: in committee—Bills of Exchange Bill: in committee—Message (No. 14): Despatch and papers showing result of negotiations between Crown Agents and Mr. Hordern—Message (No. 15): Appointment of Mr. Steere to a seat in the Executive Council—Message (No. 16): Confirming Standing Orders Nos. 41 and 42—Bank Holidays Bill: further considered in committee—Customs Ordinance, 1860, Amendment Bill: in committee—Adjournment.

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

PRAYERS.

ALBANY SAND PATCH.

SIR T. COCKBURN-CAMPBELL, in accordance with notice, asked the Director of Public Works whether any report has been received from the Government Resident at Albany respecting the progress of the work for the reclamation of the Sand Patch at the head of Princess Royal Harbor; and what arrangements it was proposed to make for the completion of this undertaking. The reason he asked the question was because in former years a report of this kind had been laid before them. When he was at Albany the other day he found that the