

General to consider the legal aspect of the question.

The debate was then adjourned until Monday.

GOVERNMENT PRINTING OFFICE.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy), moved the adoption of the report of the Select Committee appointed to consider the desirability of adding to the printing appliances of the Government Printing Department. [The Committee, in their report said it was clear that to enable the department to perform the work required of it, machinery capable of more rapid production must be provided. The improved appliances suggested by the Government Printer were such as could be worked by steam, and the estimated cost was £650. The Committee recommended the adoption of Mr. Pether's suggestions.]

The report of the Committee was adopted, without discussion.

IMPORTATION OF DISEASED STOCK BILL.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake), in moving the second reading of this Bill, said he did not propose to traverse the ground which had already been occupied by the House in alluding to the topic which had resulted in the report of the Select Committee that had recommended the introduction of the Bill. It was in pursuance of that recommendation that the present measure had been framed. The Bill gave powers, which alone could be exercised with force by the Governor, to frame regulations under which diseased stock could be imported; and unless provision were made for giving a despotic power of the class contemplated by the Bill, it would be a nullity. It vested in the Governor, he might say, absolute power as to the introduction of stock that may be affected with disease; and in the event of stock already in the Colony becoming at any time infected with a disease of a malignant nature, very ample powers were given to the Governor to stamp out that disease. Hitherto this Colony had enjoyed almost perfect immunity from those diseases which committed such grievous havoc among cattle in the other colonies; but

this immunity could not be expected to continue for ever. Our laws were very strict with regard to scab, and there was no reason why the diseases of other animals should not be subject to the same stringent regulations—though regulations hitherto had been a blank. Rigid and stringent as were the regulations framed under the powers which the present Bill vested in the Governor, he did not think there was any chance of those powers being abused, when vested, as they would be vested, in the Governor-in-Council, for it must be admitted that the members of the Executive, as a rule, were men who had no interest in these matters—they were not cattle holders or sheep farmers, nor had they any interest in horses, except those they used for driving their equipages; and he thought the House would agree with him that the powers contemplated by the Bill might be safely vested in the Governor in Executive Council. Those powers, if exercised, would be exercised for the beneficent purpose of preventing the spread and the ravages of disease. He did not think it would be disadvantageous to Western Australia if this precautionary measure were passed.

The motion for the second reading was agreed to without discussion, and the Bill passed through Committee *sub silentio*.

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

LEGISLATIVE COUNCIL,

Friday, 26th September, 1879.

Rights of way to grants severed by the Eastern Railway—Gratuity to Mr. Henry Spencer—North West Pearl Shell Fishery—Commonages—Medical Officer for Bridgetown and Blackwood—Confirmation of Expenditure Bill: Report of Select Committee—Confirmation of Expenditure Bill: second reading; in committee—Classification System: Reorganisation of the Civil Service; in committee—Adjournment.

THE SPEAKER took the Chair at 7 o'clock, p.m.

PRAYERS.

RIGHTS OF WAY TO GRANTS SEVERED
BY EASTERN RAILWAY.

MR. HARDEY, in accordance with notice, moved "That in the opinion of this House it is absolutely necessary to give all owners of lands severed by the Eastern Railway a right-of-way to such lands, as soon as possible, such right-of-way to be at least sixteen feet in width." The hon. member said the answer he received the other day with reference to this question was that no general rule could be laid down, but that each case should be considered on its own merits. That reply did not satisfy him, and hence the present resolution. It was well known to hon. members that all along the route of the railway a great deal of land—both town and country lands—had been severed, and that in many cases there was no means of getting to the land so severed, and others could only be approached with great difficulty. The object of the present resolution was to elicit from the Government some information as to the conditions upon which the necessary crossings could be had, by the owners of the severed lands. In Perth alone, twenty-five grants were so severed, and there was no means of getting to them. It was absolutely necessary that there should be a right-of-way to these grants, on some condition or other. The same remarks applied to country lands severed. There were instances, such as Mr. Higham's property on the Fremantle road, where the railway came within a few chains of the road between the house and the high road, and consequently the owner of the property would be deprived of all means of communication with the high road, unless something were done in the matter. This was a great hardship upon the owners of property, who, if they wanted to sell the land, could not do so, unless they could get a right-of-way. He thought it was only right and proper that the holders of land should know what they were to do, when the railway came to be fenced off. He conceived that there would be considerable risk in connection with these crossings; at the same time the owners of property ought to be informed what they might expect in the way of affording means of communication with their severed lands.

MR. CAREY seconded the resolution, and said he fully endorsed all that had fallen from the hon. member who moved it.

MR. BROWN said he hoped to hear the views of the Government on this subject. It appeared to him, at present, that the hon. member expected too much, if he expected a separate crossing or right-of-way to be made in the case of each property severed. He understood it was customary, when a railway was made, to have a certain number of public crossings which were declared and recognised as such; but it appeared from the resolution before the House that the hon. member wanted to have a separate crossing of 16 feet for every owner of property whose land was severed by the railway. That would be an utter impossibility, or, at any rate, would be attended by great risk. It would require twenty-six gates in Perth alone, and the gatekeepers would have to be kept at the expense of the country. It might be necessary to have these crossings in the streets of the city, but certainly not at every bit of private land severed by the railway. Without some further explanation on the subject, he would certainly be inclined to oppose the resolution.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the hon. member seemed to have framed his resolution in a general way; but, in support of a general concession all round, he had only cited particular cases, all of which would receive due consideration. As the resolution stood, what was the Government asked to do? To grant to every owner of property where land was severed by the railway, a private crossing or right-of-way of 16 feet. He was informed by the Commissioner of Railways that in Perth alone this would necessitate the erection of fifty (50) sets of gates for the level crossings, which would cost £40 or £50, and involve an expenditure of £2,500 in construction alone. These gates could not be left for any passer-by to open or shut as he pleased, and therefore paid gate-keepers would be required to attend to them. This would entail a further expense of £800 or £1,000 a year. Nor was the question of expense the only feature worthy of consideration. Hon. members must bear in mind the possibility of some of these gates being

inadvertently left open, and the consequences which such inadvertence would entail—possibly the loss of life. In England, level crossings, as far as possible, were always avoided, in consequence the danger attendant upon these crossings.

MR. CAREY said the remarks of the hon. gentleman who had just spoken all went to show the desirability of having had the railway constructed on the South side of the river instead of the North. The necessity for all these gates and crossings would then have been obviated; and this might have been the case even on the North side, to a great extent, had another route—which would have answered quite as well as the present one—been adopted.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said were it not for the fact that the present Parliament was approaching its end, a Standing Committee, consisting of the hon. members who felt themselves competent of expressing an opinion, not only upon questions of engineering, but of law, medicine, and jurisprudence, might have been appointed to consider the subject now before the House—a subject which properly belonged to the responsible heads of departments to deal with. And his own opinion was that it would be quite safe in leaving this matter in those gentlemen's hands,—in the hands of professional men.

MR. S. H. PARKER felt bound to state, as one of the representatives of the city, that no complaint on account of the severance of land had been made to him. Had there been, he would have gone direct to the Commissioner of Railways, who, he was sure, was prepared to do justice to all parties. Under these circumstances he could not support the resolution.

The resolution was then put, and negatived on the voices.

GRATUITY TO MR. HENRY SPENCER.

MR. S. H. PARKER, in accordance with notice, moved the following amended resolution: "That an humble address be presented to His Excellency the Governor, praying him to grant to Mr. Henry Spencer a gratuity of one hundred guineas, in further recogni-

tion—in addition to his pension—of his long and valuable services as Chief Clerk in the Treasury."

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): It will give the Government much pleasure if the House agrees to the hon. member's resolution.

Resolution put and carried, *nem. con.*

NORTH-WEST PEARL SHELL FISHERY.

SIR T. COCKBURN-CAMPBELL, pursuant to notice, moved the following resolution: "That for the purpose of preserving the pearl shell fishing grounds of the North-West from injury and depreciation in value, it might perhaps be practicable to frame regulations which could be more usefully applied than those at present in force; and that an Humble Address be presented to His Excellency the Governor, praying that he will appoint a Commission to investigate the subject, and to enquire whether, by farming the fishing grounds or by other means, some better protection may not be afforded to the beds, and arrangements carried out for conducting the fisheries, which would be more advantageous both to the pearlery and to the Colony." The hon. member said it might seem strange that he, representing a district in the extreme South, should take up this question, affecting as it did the extreme North; but he had been asked to do so. Various representations had been brought under his notice relating to the subject, and the question, after all, was of considerable importance to the Colony. It appeared that the pearlery had no particular grounds within which they confined their operations, and that no precautionary measures whatever were taken for preserving a valuable industry. Shells were taken indiscriminately, without regard to their size, and which, if allowed to remain on the grounds some time longer, would be of much more value; the material result of this carelessness being a considerable depreciation in the value of the shells, and of the fisheries. Hon. members were aware that the oyster beds along the English coast had been destroyed to a great extent by the same practice prevailing; and the same might be said with regard to the grounds around Ceylon, and the Governments had to step

in with very stringent regulations, with a view to protect the industry. No doubt before very long such a step would be necessary in the case of our own fisheries. It had been suggested to him—he knew nothing, practically, about the matter—that instead of making any stringent regulations affecting the fishery, the services of the pearlers themselves should be enlisted in the cause; that only certain grounds should be used for a certain time, leaving other grounds for future operations. At any rate, it appeared to him worth while to enquire whether some means could not be employed to prevent the unnecessary depreciation of an important industry. The inquiry might also embrace the question of whether the pearling industry at present contributed as much as it ought to do to the revenue. On the whole it appeared a very profitable speculation, and many persons were of opinion that it did not pay its fair share towards the revenue of the Colony. Whether this was the case, or otherwise, he could not say, but he thought it would be a fair question to refer to the commission.

MR. HARPER said he would support the resolution, principally because it was, he believed, considered highly probable that there would be a further export duty placed on pearl shells, and he thought the House was scarcely in a position to judge whether the industry was fairly capable of bearing any further taxation. He considered that by referring the whole subject to a commission, it would enable those who were conversant with the matter, and capable of forming an opinion on the subject, to express that opinion. For his own part, he thought that when the subject came to be investigated, and bearing in mind the many difficulties with which the successful prosecution of the industry was surrounded, it would be found that the industry was one which could not fairly be asked to bear any extra burden.

MR. S. H. PARKER said he would have much pleasure in supporting the resolution, but not if it was going to cost a great deal of money. There were commissions and commissions. If, in the prosecution of this inquiry, it would be necessary for the members of the commission to proceed to Nickol Bay, and move about among the pearlers, seeking

for information, then he would say, "Let's have no commission." If the inquiry was going to cost two or three thousand pounds, the expenses attendant upon it would probably be greater than any addition it would be likely to bring to the revenue. He did not know whether it was intended that the commission should investigate the matter down here, or proceed to the Nor'-West fishery to do so; what he would suggest would be that those interested in the subject should be communicated with, by circular, and that the commission should sit here.

MR. MARMION said the subject was one of importance, and, at the same time, a delicate one, and one that would require special knowledge on the part of the members of the commission to enable them to come to a conclusion that would be of any practical value. In fact, he regarded the question as one of such importance that he thought it should receive further consideration at the hands of the House before deciding to refer it to a commission. If the whole question were referred to the pearlers, no doubt they would be prepared to make some very desirable recommendations as regards the pearlers themselves; but there was another party to the bargain, whose rights ought to be considered—the Colony. It would also be necessary to elicit the opinions of the mercantile community and of the Government, and also, probably, some hon. members of that House, so that neither those connected with the industry, on the one hand, or the revenue on the other, should be losers. The subject, in fact, was one requiring very serious consideration. It was questionable, after all, whether the Colony would be, financially, a gainer by the appointment of a commission. It appeared to him the only fair, legitimate, and proper way to attain the object in view would be to have well-defined areas of the pearling grounds set up for public competition, by auction. If, however, it were decided to appoint a commission, he thought it should be distinctly understood that, before any action is taken, the report of the commission, together with the minutes of His Excellency the Governor, or of the Executive, thereon, should be placed on the Table of the House. He regarded the whole subject

as one of such importance that he would move that Progress be reported, and leave asked to sit again.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser): It is now some five or six years ago since this House passed an Act for the regulation of the pearl fisheries, and I regard this resolution to-night as intended to affirm the desirability, and I may say the expediency of amending those regulations, and that a convenient method of eliciting information on the subject—which would be one of too much detail for this House to undertake—would be the appointment of a commission to consider and report upon the whole question. Undoubtedly this House will have an opportunity of expressing an opinion upon the report of that commission.

Progress reported, and leave given to sit again on Tuesday, 30th September.

MEDICAL OFFICER FOR BRIDGETOWN.

MR. CAREY, in accordance with notice, moved the following resolution:—“That an Humble Address be presented to His Excellency the Governor, praying that he will be pleased to place on the Estimates for 1880 the sum of £50, to provide for fortnightly visits to Bridgetown, Blackwood, of some gentleman qualified to act both as Magistrate and Medical Officer.”

Resolution agreed to, without comment.

COMMONAGES.

MR. CAREY, pursuant to notice, moved:—“That in the opinion of this Council it is not desirable that all commonages should be reserved from sale or special occupation.” The hon. member pointed out that the result of the existing regulations in some cases was that owners of land in the immediate neighborhood of these commonages were unable to extend the boundaries of their land. A case in point happened at the Vasse, where the commonage was surrounded by private land. The consequence was that land was locked up. The resolution, if agreed to, would leave the matter in the hands of the Commissioner of Crown Lands, who would be empowered to deal with any special cases.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser): For years past we have discussed and re-discussed how the small landed proprietor could obtain pasturage for his stock, and within the last year or two very large areas of land have been set apart by the Government for commonages, which are now under the management of local bodies appointed by the Governor, and who, by good management, ought to benefit the small farmer very considerably. It is impossible to please every one. Until last year people had the option of selecting these lands like any other lands, and very frequently they selected the very areas set apart for commonages; but the matter was taken up by the Government, and it was thought that it was not only politic but a simple act of justice to the small proprietor that these commonages should be withdrawn from public competition. Applications concerning them, coming through the local bodies entrusted with their management, are still entertained by the Government, and I think it would be better to leave matters as they are, and that all applications should be subject to the approval of the managing bodies, rather than be left, as suggested by the hon. member, in my hands. I cannot therefore support his resolution.

MR. CAREY: The hon. gentleman's own suggestion exactly meets the case. I am perfectly content to leave the matter in the hands of the local bodies entrusted with the management of the commonages.

CONFIRMATION OF EXPENDITURE BILL: REPORT OF SELECT COMMITTEE.

IN COMMITTEE.

MR. BROWN—who was chairman of the Select Committee appointed to report upon the Over-Expenditure Bill—formally moved the adoption of the Committee's report, and suggested that it should be considered paragraph by paragraph.

Agreed to.

Paragraph 1—which set forth that the Committee had met on several occasions, and conducted a searching investigation into the public accounts, examining the heads of various departments, with a view

of ascertaining the nature of each item of expenditure constituting the overdrafts embraced in the Bill, and enumerating the various returns illustrative of the operations of the Committee,—was agreed to without discussion.

Paragraph 2—"The item under the heading 'Miscellaneous Services; Travelling Expenses to Officials, £858 12s. 9d.'—showing an excess over the amount voted of £458 12s. 9d., engaged the attention of your Committee, and your Committee find that—although the item includes £155, Mr. Fraser's expenses attending the Cable Conference in the Eastern Colonies, and that a larger amount of travelling than usual was performed by the Governor and staff during the year 1878—the amount expended is but little above the average of the three preceding years, and cannot but be regarded as satisfactory."

MR. BROWN, in moving the adoption of this paragraph, said, although Mr. Fraser's duties in connection with the Cable Conference involved a considerable amount of labor, every effort having been made by him to secure the assent of the other colonies to the proposal that the duplicate cable should be laid to the shores of this Colony, the special service upon which Mr. Fraser was despatched on that occasion was to endeavor to make arrangements for a steamer for our coastal service. The travelling expenses incurred on that mission could not be regarded as coming within the ordinary charge under this head. But notwithstanding this extra-ordinary expenditure, and that incurred in consequence of the unusual amount of travelling which devolved upon the Governor and his staff during the year, the expenditure under this head was very little in excess of what it was in the three preceding years, and the Committee, with one exception, were unanimous in their opinion that due economy had been exercised with regard to this item. From a footnote to the report of the Select Committee, it would be observed that Mr. Carey, who was one of the members constituting the Committee, wished it to be noted that he objected to the practice of allowing certain Resident Magistrates, already in receipt of forage allowance, expenses for horse-hire and horse-keep. The charges

under this head consisted of a sum of £16 17s. 4d., incurred by Mr. Rosseloty, at the Williams; £6 15s. 2d., incurred by Mr. Fairbairn, of Newcastle; a sum of £4 6s. 6d., expended by Mr. Laurence, of the Greenough; and 3s. 6d., spent by Mr. Slade, of Fremantle. The Select Committee after carefully investigating these charges, and examining witnesses, arrived at the conclusion that the expenses in all cases were incurred in the discharge of duties extraneous to the ordinary duties devolving upon those officials, and in pursuance of a distinct understanding between them and the Government when they accepted office.

MR. CAREY said, as he had taken exception, and very properly, as he thought, to this item when the Select Committee were conducting their investigations, he thought it right he should furnish the House with his reasons for doing so. He thought almost every hon. member would agree with him that the principle involved was a bad one—that officials already in receipt of what is regarded as adequate forage allowance, should also have expenses incurred in horse-hire and horse-keep allowed them; and if the House accepted this paragraph without comment they would virtually be affirming that principle, which in practice might not hereafter be limited, as in the case of Mr. Slade, to three and sixpence.

MR. BROWN said all would agree with the hon. member that public officers receiving forage allowance to enable them to discharge their official duties should not receive any additional travelling expenses in the shape of horse-hire and horse-keep, so long as their duties were confined to their ordinary labors; but it was a very different thing when they were employed on special service, outside their ordinary duties, which appeared to have been the case in all the instances above referred to, the guiding principle being—ordinary duties, ordinary allowance,—extra duties, extra allowance.

The paragraph was then agreed to.

Paragraph 3: "'Special Survey, North-West, £2,112 5s. 2d.' After consideration of the arrangements made for the performance of this service, and of the work performed, your Committee are of opinion that the allowances made

"to the Deputy Surveyor General and the other officers employed upon the survey appear to have been upon a most liberal scale. The work performed has, however, proved highly beneficial to the Colony, and has been carried out at a cost not incommensurate with its nature and extent."

MR. BROWN, in moving the adoption of this paragraph, said, if hon. members would refer to the returns accompanying the Select Committee's report, they would see that the amount given above did not represent the whole of the cost of the special survey at the North-West, which in reality was a little over £2,500; but the sum here given was the amount chargeable to the year 1878. Although only £1,000 was placed on the Estimates for this service, it was never contemplated by the House that it could be carried out for that sum; nor did he think it was intended that the expenditure should be limited to any particular amount, within reason, so long as the service was performed economically and efficiently. The Select Committee had gone very closely into this subject, and although the conclusion was forced upon them that the allowances made to the officers employed upon the survey was upon a most liberal scale, still, regard being had to the highly beneficial character of the work carried out, it was not considered that the allowances, liberal as they undoubtedly were, were incommensurate with the nature and the value of the service performed. The question was considered by the Committee, whether it was right that an extra allowance should have been made to the Deputy Surveyor General for this service, and the conclusion they came to was that the work was rightly looked upon as a special service justifying extra pay. The question next considered was, whether the extra allowances made to the party were excessive, and, after carefully reviewing all the circumstances and looking at the work done, and the manner in which it was done, the Committee came to the conclusion that, although the allowances did appear somewhat high, the work had been economically and efficiently performed. Mr. Carey, in a footnote to the report of the Select Committee, wished it to be noted that he dissented from the principle admitted in this paragraph of

the report, and that he considered that the pay and allowances to the Deputy Surveyor General were excessive. What was the principle admitted? This—that extraordinary services warranted extraordinary pay. If it were conceived that the Deputy Surveyor General, whose present salary was £350 a year, with £150 a year for forage and travelling allowances, was, on that pay, to be at the beck and call of the Government, to go to any part of the Colony they chose to send him, to perform any service, however arduous, however hazardous, then of course it would be improper to grant him any extra allowances when discharging this extra-ordinary duty. But for years past the principle had been acted upon, not only with regard to this particular officer, but others also, who were sent out on special surveys, that when engaged on such work they were entitled to special allowances; so that there was no violation of principle involved in the present instance. A great deal of discussion took place at the sittings of the Select Committee, as to whether the other officers attached to this survey had been liberally dealt with, and the opinion of the Committee was that they had been, one and all. It appeared, from the investigation made by the Committee, that the leader of the expedition, the Deputy Surveyor General, (inclusive of his ordinary pay and allowances) was receiving at the rate of £865 a year; and his personal expenses, like those of every other member of the party, were defrayed by the Government. Mr. Alexander Forrest, the second in command, was, while engaged on this survey, drawing at the rate of £730 a year; and Mr. Carey and Mr. King, who were also of the party, were each receiving at the rate of £365, in addition to their individual allowances. So that, if the leader of the party was liberally paid, it could not be denied that the subordinates were not likewise liberally dealt with.

MR. CAREY said he had already, when in Select Committee, expressed his dissent from the conclusion arrived at by the Committee with reference to this service, to carry out which the Legislature had voted £1,000, and no more. Instead of that, the cost of the survey amounted altogether (according to his own calculation) to £2,742. He thought

the figures quoted by the hon. member for Geraldton, as representing the rate of pay drawn by the Deputy Surveyor General, were incorrect, and that while on this service that officer was actually drawing at the rate of £907 18s. 9d. a year, independent of his allowances. Personally, he was at no expense whatever, and his horses were furnished to him, equipped, and fed at the public expense. So that, in reality, the Deputy Surveyor General, while engaged on this survey, was drawing higher pay than the Colonial Secretary—higher pay than any officer in the service, except the Governor himself. Under these circumstances, he could not help thinking that the allowances made in this particular instance were not only extremely liberal, but downright excessive. The hon. member for Geraldton said the principle of paying special allowances for special surveys had been recognised and acted upon in the service for years past. The House had probably heard of such names as the Gregorys and Austin in connection with the surveys of the Colony, and he meant to say that those gentlemen had, in the prosecution of their duties, suffered quite as much, and accomplished much more arduous tasks, and as efficiently, as any surveyor who ever entered the field after them. How were they paid? What were their extra allowances? Eighteen pence a day! That was the munificent sum they got, to enable them to provide themselves with such humble fare as damper, pork, and tea, varied occasionally by tea, pork, and damper. Was that the modest scale on which the North-West survey was conducted? No: that expedition was supplied with such luxuries as potted soups, tins of green peas, brandy, burgundy, and other delicacies. So that if the principle of special allowances for special service was, as stated by the hon. member for Geraldton, recognised and acted upon years ago, it was on a very different scale indeed from that upon which it was acted upon in connection with this survey.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said that comparisons were, proverbially, odious, but looking at the rate of pay and allowances received by the subordinate officers attached to this survey, the leaders of the

expedition had not been dealt with on a scale of such excessive liberality, regard being had to the responsibility and the anxiety which attached to the superior officers of an expedition of this kind. No doubt all connected with the survey had been liberally dealt with, and very properly too. He did not think many persons begrudged them their little comforts in the shape of potted meats and green peas. He only hoped and trusted if he should ever be honored by the Colony to undertake the charge of such an expedition, he would be treated as liberally, more especially as regarded the burgundy and the green peas. The latter were very good for the prevention of scurvy; and he believed all the members of the party had their fair share of these delicacies, which were not monopolised by the leaders. The hon. member did not inform the House what quantity of burgundy was provided for the party, and the House might run away with the idea that they had a hogshead or two, at least. Nothing of the kind—all the burgundy provided for the use of the entire expedition was a single case, which cost forty shillings. The same with regard to the brandy, which with the burgundy was simply issued as medical comfort. As to potted meats and green peas, he had seen such things served out to common sailors on board ship. He felt sure that no member in that House, and no one outside the House, would begrudge a party engaged on such a survey as this some little comforts, and he was equally sure that the Council, as well as the general public, would agree with him and with the Committee that, however liberally the members of the party had been treated, the manner in which the work had been performed, and the extent of it, entitled them to such liberal treatment.

MR. MARMION said although only £1,000 had been placed on the Estimates for this survey, it was thoroughly understood at the time that the work would cost a great deal more than that. On reference to *Hansard* he noticed that the Surveyor General distinctly told the House that the cost of a proper survey of the district would not be less than £1,500 or £2,000—and no one would deny that a proper survey had been made—and that, with the sum already

voted for contract surveys, the work might be carried out. It was therefore hardly fair to state, as said by the hon. member for Vasse, that the overdraft on this item was over £1,700, when in reality it was not more than £500.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser), after some reference to that most perfect model of patience and most sublime philosopher, Job,—the purport of the hon. gentleman's remarks being caviare to the reporter—said, if he thought the hon. member for Vasse in expressing his dissent from the conclusions arrived at by the Select Committee, and in commenting as he had commented upon the allowances granted to the leader of this particular survey, was actuated by a right and proper feeling, no one would have respected the position he had taken up more than himself (the Commissioner of Crown Lands). But knowing, as he did, that on the contrary the hon. member's feelings were biassed—

MR. CAREY, interposing, appealed to the Chair. The hon. gentleman was entirely out of order in imputing an improper motive to a member of that House.

THE CHAIRMAN OF COMMITTEES: The hon. gentleman must not attribute motives to any hon. member.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser): I merely maintain he had a bias, and—

MR. CAREY: I appeal to the Chair. I object to the word 'bias'; it is improperly applied, and imputes an improper motive.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser): I do not care whether it is attributing a motive or not; "them's my sentiments." I will go no further. If I thought the hon. member was bringing forward this matter in the interests of the public, or of his own constituents, I would have given him all credit for his conduct.

MR. CAREY: Again, Sir, I must appeal to the Chair.

THE CHAIRMAN OF COMMITTEES: I have already told the hon. gentleman that he is out of order in attributing improper motives.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) said he was quite content to leave the matter in the

hands of the House. The survey had been carried out at a fair and reasonable rate, and if the work performed were referred to all the surveyors in the neighboring Colonies he was sure all would agree with him that, regard being had to the nature and extent of the work, the cost had not been by any means excessive.

MR. S. H. PARKER said it was a singular thing that whenever the hon. gentleman who had last spoken was driven to a corner, he took refuge in imputing improper motives to hon. members. The only line of defence that seemed to occur to his mind was—"black-guard the other side." This was noticeable in all his actions in that House, from first to last. It was only the other evening, when he (Mr. Parker) pointed out the real facts of the case in connection with the cost of the overland mail service, that the hon. gentleman accused him of "meanness"—his only "meanness" being, putting the matter in a straightforward manner before the House; and the only meanness on the part of the hon. member for Vasse this evening was his honesty and straightforwardness. What did it matter to that House, whether the hon. member was actuated by an improper motive or not: what they had to consider was this—were the allowances paid to this survey party reasonable allowances or not? The Select Committee considered they *were* reasonable, regard being had to what was done, and the manner in which the party worked under their leader, who proved himself undoubtedly the right man in the right place.

MR. HAMERSLEY said, after what had fallen from the hon. member for Vasse the other night with reference to a certain survey, and what had again been said by the same hon. member this evening, he was inclined to think that there really was something in what the Commissioner of Crown Lands had said. Possibly, if the survey in question had been conducted by somebody else—some "competent man from the other side"—not a word would have been said about it. Perhaps had it been conducted by a certain gentleman from Bunbury they would not have heard anything about green peas, or any other luxury. He believed that had it not been for the hon.

member for Vasse having a seat in that House, no one would have bothered their heads about what the survey party had to eat.

MR. CAREY said no one could contradict the figures—they spoke for themselves, and although his words might not find an echo in that House, they would find an echo outside, through the public Press. He had done his duty, and did not care what was said, either inside the House or outside.

The paragraph was then agreed to.

Paragraph 4—Recommending that the disbursements on account of services provided for, and recoverable from the Public Works Loan, 1878, should appear separately, and not be mixed up with miscellaneous services—was adopted without discussion.

Paragraph 5: "Your Committee desire to call the attention of your honorable House to the fact that although the transactions of the year 1878, dealt with by the Bill, show an apparent over-expenditure of £41,437, chargeable to the services of that year, deducting the sum of £16,738, which has been recovered from loan, reduces the actual excess for the services of that year to £24,699. Of this amount, at least £16,982 was authorised by the Legislative Council, leaving the portion of unauthorised expenditure embraced in the amount of £41,437 at not more than £7,717."

MR. MARMION said: With a view to elucidate this paragraph I would beg to offer a few remarks. The amount of expenditure provided for in the Estimates for 1878 was £167,215 7s. 8d., but the actual expenditure was £198,243 8s. 3d., being £31,028 0s. 7d. in excess of the estimated expenditure. But of this apparent excess, the sum of £16,738 0s. 2d. was expended on account of loans, and has been since refunded. If this sum be deducted from the apparent excess it reduces it to £14,290 0s. 5d. But in addition to the sum of £167,215 7s. 8d., provided for on the Estimates for 1878, there were various other sums of money the expenditure of which was, in the majority of instances, authorised by this House, by special resolutions in 1878, or, without being provided for, were expended upon works in operation that had been authorised at a previous

Session which could not be suspended, such as the Eucla Telegraph Line, and other services which are enumerated in Return A accompanying the Select Committee's Report, and headed "Portion of Excess Authorised." The sum total of these services amounts to £16,972 17s. 4d. and the expenditure of this amount was duly authorised by this House. If we deduct this sum from the amount of the apparent excess £14,290 0s. 5d., we have a balance of £2,692 16s. 11d., which would actually appear to show an under-expenditure, to that amount. But this, Sir, after all is not really an under-expenditure, as there are various sums coming under the head of "underdrafts" voted for certain services in 1878, which, not being expended on those particular services, were spent on others, either not authorised or not provided for. These sums amount to £10,408 19s. 10d. Deducting from this the amount previously given as an apparent under-expenditure, namely £2,692 16s. 11d., we have a balance of £7,716 2s. 11d., which is the actual amount of the over-expenditure not duly acceded to, or authorised, by this House. So that, after a little elucidation, it will be seen that the sum of £41,437 4s. 9d.—the apparent excess shown in the Bill—dwindles down to the comparatively insignificant sum of £7,716 2s. 11d., the expenditure of which is accounted for under the head of "Portion of Excess Unauthorised" in Return A, now before the House.

The paragraph was then agreed to.

Paragraph 6: "Your Committee, in conclusion, feel bound to state that, in their opinion, due regard as to economy was, on the whole, observed by the Government in the expenditure under consideration."

MR. CAREY: I wish to state that I agree to this paragraph, in consideration of the introduction of the words "on the whole," which I think is the saving clause of the report.

MR. MARMION: I think this will be a proper time to offer a few remarks which I had intended to make in reference to a subject which, though it may not be directly connected with the question now under consideration, has an intimate bearing upon it. I allude to the financial deficit. Hon. members will recollect that in the speech with which

His Excellency the Governor opened the Session we were informed that a deficit existed to the extent of about £35,000. Since that time we have had a return laid upon the Table of the House which shows the actual deficit on the 1st January last to have been about £30,000. With all due respect to His Excellency the Governor, I think that too much stress was laid upon this financial deficiency, in his opening speech, which produced a rather startling effect upon the members of this House and upon the outside public. It moreover had a tendency to create an impression amongst the people that the Government had been guilty either of the unauthorised expenditure of a very large sum of money, or of reckless extravagance in the outlay of the public funds. It is only upon a close examination of the accounts, and statements of revenue and expenditure, as well as of the details contained in the report of the Select Committee, that one can arrive at a tolerably just conclusion as to this deficit, and as to whom the responsibility attaches in connection with the large expenditure that has caused it. In order to attempt the elucidation of the matter, I will ask hon. members to bear with me for a moment whilst I deal with a few figures, which are always more or less distasteful, and often not very intelligible to an audience. As I have already stated, the deficit apparent in the public accounts on the 1st January last was £30,868 3s. 8d. The anticipated revenue for 1878 was £170,591; but the actual revenue received was only £163,344 8s. 9d. leaving a deficiency in the year's revenue of £7246 11s. 3d. In the course of my previous remarks on the preceding clause of the report now under consideration, I referred hon. members to certain items of expenditure which were either directly or indirectly authorised by this Council in 1878, but for which no funds were provided in that year. These items amount to £16,972 19s. 4d., and if we add to this sum the amount of the deficiency in the ordinary revenue for the year (£7246 11s. 3d.), we have a sum of £24,219 10s. 7d., explained away from the total deficit of £30,868 3s. 8d., leaving a balance of £6648 13s. 1d. If we add to this balance the total (as per Return A) of the amount expended by the Government

in 1878, unauthorised, namely £7716 2s. 11d., we find that the Government is only responsible for the explanation of an expenditure of £14,364 16s. out of the whole deficit—and nearly all of this was incurred previous to 1878—whilst this Council is responsible for the balance. Of course these figures are only approximate; but I thought it only right that hon. members, who perhaps have not examined the figures closely, should hear this explanation, and that the outside public, through the medium of the Press, should be made aware that this Council accepts and shares with the Government its fair proportion of the responsibility connected with a deficit that has caused so much sensational criticism. With reference to the items which make up the sum of £16,972 19s. 4d. directly or indirectly authorised by this House, (and which appear in "Return A" under the head of "Excess Authorised"), I challenge anyone, either inside this House or outside of it, to aver that in voting the expenditure upon the items that were not provided for in the Estimates, the members of this Council were not actuated by the best of motives, and believed they were doing that which was beneficial for the Colony and would tend to its progress and welfare. When voting these items, this House anticipated that the revenue for the current year would, in all probability, have improved rather than fallen off, and they hoped that from an inflated revenue at least a portion of the amounts to be expended would be recouped. Having thus endeavored to explain away some of the haziness that has surrounded the financial deficit, and, in vulgar parlance, endeavored to "saddle the right horse" with the responsibility attaching to it, I will now close my remarks.

The paragraph was then adopted.

The House then resumed, having agreed to the whole of the report.

CONFIRMATION OF EXPENDITURE BILL.

The motion for the second reading of this Bill was then agreed to, and it subsequently passed through Committee, without discussion.

CLASSIFICATION SYSTEM: REORGANIZATION OF THE CIVIL SERVICE.

IN COMMITTEE.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) moved the adoption of the following resolution: "That this Council having taken into consideration the report of a Committee appointed to report upon certain resolutions of the Legislative Council, suggesting alterations in salaries, &c., in certain Departments, is of opinion that the action proposed to be taken by His Excellency the Governor, as recorded in the papers before this Council, be approved." The hon. gentleman said it was unnecessary for him to dilate upon the resolution: the report of the Commission was in the hands of hon. members. He would, however, draw attention to the increased expenditure which the adoption of the various recommendations would entail; an increased expenditure however, which was spread over a great many departments, and which it was anticipated would tend considerably to increase the efficiency of the public service. With regard to the amounts which magistrates and their clerks would be entitled to, in lieu of fees, if the House was prepared to adopt the suggestion that these amounts should be calculated on the average amount of their fees during the past three years, instead of during the past six years (as recommended in His Excellency's minute attached to the report of the Commission), the Government would be prepared to adopt the suggestion, though it must be borne in mind that it would entail a slight increase of expenditure.

MR. S. H. PARKER said he understood the House was asked to adopt the suggestions embodied in the report in their entirety, without any variation or departure therefrom whatever. Hon. members would observe, among other recommendations, that it was proposed, in connection with the Colonial Secretary's department, that the chief clerk should be appointed Assistant Colonial Secretary. No one would object to the assumption by that officer of that lengthy title, seeing that it did not involve any increase of pay. The next item in that department was that of "Clerk and Registrar General." With regard to this office a long discussion had taken

place in the House only a few days ago, and it was distinctly affirmed by resolution of the House that the officer holding this appointment should be a person skilled in conveyancing. They had not yet received any reply to that resolution, and if the House now agreed to this item it would virtually be stultifying itself. He had no objection to this clerk being Registrar General, but he certainly had a decided objection, for reasons already pointed out, to his being Registrar of Deeds. He also thought it an unwise arrangement that a clerk in one department should be the head of another department; that, however, was a matter of detail for the Executive Government to consider. In the course of the debate the other evening it was also considered advisable that the office of Registrar of Deeds should be incorporated with the office of Registrar of Titles, and he thought it most desirable that the House should pass a distinct resolution to this effect—that the two offices be amalgamated, and the duties appertaining thereto be performed by one and the same officer, without additional pay. It would also be in the distinct recollection of the House that Progress was reported the other evening on the question of the increase of £50 a year, recommended by the Commission, to the Postmaster General's salary, when all hon. members appeared were agreed in favor of the recommendation. He had heard since that, in lieu of giving the Postmaster General an addition of £50 a year to his salary, the whole matter was reconsidered by the Government, and that they had thought it wise to give the Postmaster General an additional clerk, instead; but he failed to see where any provision had been made for the salary of this extra clerk.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the Postmaster General when questioned on the subject in the Executive Council said he could carry on the work of the department with the assistance of another clerk. He himself noticed that they had omitted to make provision for this extra clerk, but it was his intention of proposing a vote for that service when the Estimates were under consideration.

MR. S. H. PARKER said the other night the Colonial Secretary asserted that the fact of the inland mails being

conveyed by the police would not entail any extra work upon the Post Office department, but, on the contrary, that the Postmaster General would be relieved to some extent by the Superintendent of Police. He (Mr. Parker) failed to see how this could be the case: the new arrangement it appeared to him would involve the necessity of preparing a great many additional returns. The fortnightly service to Europe next year would also increase the work and the responsibility of the Postmaster General. But if—as he understood was the case—the Postmaster General himself was satisfied, he (Mr. Parker) was not prepared to advocate his claims any further. He would, however, move that the following words be added to the resolution before the House: “But the Council is “at the same time of opinion that it “would be advantageous to the public “service were the Registrar of Titles “also Registrar of Deeds.”

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said the Registrar of Titles was a superior office, to which a fixed salary was attached, and the Registrar of Deeds, that also was a superior office; moreover, there was nothing that could compel the former to discharge the duties of the latter office. If they thrust the duties of one upon the other, they would have to recompense him for it, and, on the other hand, if they took away from the Registrar of Deeds the emoluments of his office they would have to compensate him for his loss.

MR. S. H. PARKER considered that if the proposed new arrangement involved additional pay for the Registrar of Titles the House would do well to adopt the proposal. As to any loss of office in the case of the Registrar of Deeds, the Government could easily make that up to the officer in question.

SIR L. S. LEAKE directed the attention of the Colonial Secretary to the claims of an officer in whom he had always taken particular interest, and that was the officer in charge of the Savings' Bank. He was of opinion that this public servant had been very badly treated by the Government. Up to the beginning of this year, he had only been receiving £160 a year, with an additional £26 as Inspector of Post Offices; but now this latter amount had been taken

away from him. He had been passed over on several occasions when promotions were made, though he was a most deserving public officer. He had known him intimately for many years now, and personally he had a very high opinion of him.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) said the officer referred to had been informed that he would be recompensed for the abolition of the office of Inspector of Post Offices. He must take exception to the statement made by the hon. member that this officer had been “badly treated” by the Government.

SIR L. S. LEAKE: I consider he has been very harshly treated; he has been a long time in the service, and was promised more pay, and is entitled to promotion, but he does not get it.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): That's the fault of your classification system.

SIR L. S. LEAKE: Excuse me; I happened to be on this commission whose report we are now considering, and I know he has been over and over again passed over, and not been promoted from his class as he was entitled to. I say again, I think he has not been properly dealt by. I honestly believe, myself, that he is worthy of more consideration than he has received.

MR. SHENTON: As to saying that it is the classification system that is at fault—when it suits the Government they can break through that system. An officer who joined the service in 1875 has been put over the heads of clerks who have been in the service for twenty years, and was now made chief clerk.

MR. CAREY asked if it was true that the Postmaster General had expressed his readiness to accept an additional clerk in lieu of an increase to his own salary.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy): He said he would be prepared to carry on the duties with the assistance of an additional clerk.

The resolution, as amended, was then agreed to.

The House adjourned at half past 12 o'clock, p.m.