

“thereof at the time of the passing of
 “The Municipal Institutions Act, 1876.
 “Provided always, that the payment of
 “any such gratuity shall be disallowed
 “by the Auditors unless such expendi-
 “ture shall be confirmed and allowed
 “by a vote taken at the next general
 “annual meeting of the ratepayers.”

Progress was then reported, and leave given to sit again on Monday, 5th September.

DISTILLATION ACT, AMENDMENT BILL, 1881.

THE ATTORNEY GENERAL (Hon. A. C. Onslow), in moving the second reading of this Bill, said Mr. Guger, a wine merchant in Perth, had imported a small still—which had been described by the Inspector as a “mere toy”—of not more than a pint capacity, for the purpose of testing the amount of alcohol in colonial wines. He was informed that the still could not be used in any way for the purposes of gain, but purely for scientific purposes. Under these circumstances, he did not think the House would object to a still of that character being licensed without the payment of the usual fee. The object of the present Bill was to empower the Collector of Customs to grant, if he should think fit, to any person applying for the same, a license to keep and use a still of not exceeding one pint in capacity for the purpose of testing the strength of colonial made wines.

Motion agreed to and Bill read a second time.

LAW AND PARLIAMENTARY LIBRARY ACT, AMENDMENT BILL.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) moved the second reading of a Bill to amend “The Law and Parliamentary Library Act, 1873.” Hon. members were aware that, under the provisions of that Act, the Library Committee consisted of the Chief Justice and the Attorney General for the time being, together with one unofficial member of that House, to be appointed in that behalf by the House itself. The present Chief Justice was desirous of being relieved of the duties which devolved upon him as a member of this Committee, and, in order to enable that to be done,

it was necessary that His Honor should be relieved by statute. The present Bill was introduced for that purpose, and also to empower His Excellency the Governor to appoint, from time to time, two other officers to act on the Committee, in lieu of the Chief Justice and the Attorney General.

MR. STEERE said he did not intend to oppose the second reading of the Bill, but he intended moving an amendment to it, in Committee. He had been a member of the Law and Parliamentary Library Committee since its formation, and his opinion had been, and still was, that the House ought to be more strongly represented on the Committee than it was at present. The money required for the up-keep of the Library was voted by the House, and he thought the Legislature had a perfect right to be more largely represented on the Committee than it had been hitherto. He would move an amendment to that effect when the Bill was committed.

Bill read a second time.

BRANDS BILL, 1881.

Read a third time and passed.

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

LEGISLATIVE COUNCIL,

Friday, 2nd September, 1881.

Sinking Funds, Public Loans, How invested—Telegraph Extension to Roebourne—Reply to Message (No. 19): re Diversion of Road Loan—Goods Shed at City Railway Station—Diseases in Vines Bill: third reading—Distillation Act, Amendment Bill: in committee—Law and Parliamentary Library Act, Amendment Bill: in committee—Adjournment.

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

PRAYERS.

SINKING FUNDS, PUBLIC LOANS—HOW INVESTED.

MR. BURT, in accordance with notice, asked the Honorable the Colonial Secretary,—

- "1. In what securities are the Sinking Funds in connection with the Public Loans invested, and in whose names?
- "2. At what rate of interest is the money so invested?
- "3. What charges are made by the Crown Agents in respect of the investment of such moneys, and in connection with the receipt of the interest?
- "4. Is the interest, as it accumulates, invested? At what periods; in what manner; and at what rate? And what charges are made by the Crown Agents in respect of investment of accumulated interest?
- "5. Does the Imperial Government guarantee the solvency of the Crown Agents?"

The hon. member said his object in asking for this information was for the purpose of probably hereafter grounding

some proposition or suggestion thereon, with a view to a more advantageous reinvestment of these funds.

THE COLONIAL SECRETARY (Lord Gifford) replied as follows:—

- "1 & 2. Tabular statements forwarded give particulars requested. Trustees, the Permanent Under Secretary of State for the Colonies and the Crown Agents.
- "3. No charges are made for Investment, except brokerage, which is only occasionally at $\frac{1}{4}$ per cent. No charge for receipt of Interest.
- "4. Interest is invested as it accumulates. The date depends on the amount being sufficiently large for Investment. Securities and rates are shown in reply to Nos. 1 and 2. The charges in respect of Investments are stated in reply to No. 3.
- "5. On this question I can only refer the hon. member to the answer recently given in the House of Commons by the Under Secretary of State."

STATEMENT OF RECEIPTS.

Particulars.	Contributions to date.	Interest on Investments.	Discount on Investments.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Contributions	23190 0 0			23190 0 0
Interest on Investments		3016 14 11		3016 14 11
Discount on Investments			232 3 0	
Less Brokerage			40 10 0	
				191 13 0
Balance per Treasurer's Ledger				26398 7 11

STATEMENT OF INVESTMENTS.

Particulars.	Invested at 5 per cent.	Invested at $4\frac{1}{2}$ per cent.	Invested at 4 per cent.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Canada—Debentures	400 0 0		1400 0 0	1800 0 0
Cape of Good Hope do.		10400 0 0		10400 0 0
Ceylon do.		1300 0 0	1400 0 0	2700 0 0
New South Wales do.	700 0 0		2000 0 0	2700 0 0
South Australia do.			5100 0 0	5100 0 0
Victoria do.			2000 0 0	2000 0 0
	1100 0 0	11700 0 0	11900 0 0	24700 0 0
Balance in hands Trustees 31st March, and uninvested				88 7 11
Contributions to 30th June, 1881, in transitu				1610 0 0
Balance as above				26398 7 11

TELEGRAPH EXTENSION TO ROE-
BOURNE.

SIR T. COCKBURN-CAMPBELL,
in accordance with notice, moved,

"1. That in the opinion of this House
"the rapid spread of settlement along the
"North-western and Northern coast-
"lands of this Colony, and the conse-
"quently fast increasing importance of
"the districts lying North of Champion
"Bay, render it a matter of absolute
"necessity that the construction of a
"telegraph line between Roebourne and
"Northampton should be commenced
"without further delay.

"2. That such telegraphic extension
"would not only supply a want long
"urgently felt, but would, at the same
"time, in all probability, prove the
"means of bringing about the establish-
"ment—to the great advantage of this
"Colony—of a direct connection, by
"means of a submarine cable, between
"the local telegraph system of Western
"Australia and that of India and of the
"Mother country.

"3. That for the purpose of enabling
"the Government to undertake this im-
"portant public work without such loss
"of time as would result were loan
"monies to be resorted to, and for the
"purpose of saving the Colony from any
"unnecessary expenditure of borrowed
"funds, it is desirable that this projected
"telegraph extension should be paid for
"by means of grants of land.

"4. That should the sanction of the
"Secretary of State be required before
"the Local Government would be in a
"position to entertain such a proposal as
"that which these Resolutions set forth,
"His Excellency the Governor be respect-
"fully requested to ascertain, with the
"least possible delay, what might be the
"views of the Imperial Government upon
"the subject.

"5. That so soon as the local Admin-
"istration is empowered to take action in
"the matter, tenders should be invited
"from lessees of second-class land in the
"Northern District, who, in return for
"grants of land within their leases, might
"be willing to form a syndicate for the
"purpose of constructing the said tele-
"graph line between Roebourne and
"Northampton. Provided, always, that
"lands so granted in payment for this
"public work should be any such as are

"held under lease at the time of the
"completion of the said work, and that
"no land should be granted to any per-
"son other than the lessee of the same.

"6. That in order to induce lessees of
"runs to come forward with capital for
"the purpose of carrying out these pro-
"posals, it is advisable that the value of
"lands granted in payment for the con-
"templated telegraph extension should
"be fixed at such sum, as, with simple
"interest at 6 per cent. per annum from
"the date of acceptance of the tender
"for the work, would be equivalent to
"5s. per acre paid upon the expiration
"of the leases within which such lands
"are contained."

SIR T. COCKBURN-CAMPBELL, in
moving the resolutions, said that during
the last Session of Council he had the
pleasure of bringing forward a motion
in favor of railway construction on the
land grant system, which he was glad to
say received the unanimous affirmation
of the House, and also met with the
approval of His Excellency the Governor,
and, he had reason to believe, of the
Secretary of State. He hoped that be-
fore long the work which he had then
proposed to be undertaken on the
principle advocated would be carried out;
and now he had to come forward with
another work, second only in importance
to the other, the construction, namely,
of a telegraph line connecting this part of
the Colony with our Northern settle-
ments, an undertaking which he pro-
posed to have carried out on the same
principle as the other. He said on the
same principle, but it was not exactly so,
and he dare say many hon. members
might think that the present proposal
was a very different one from the former.
In the case of the land grant system for
railway construction the land would be
given away in blocks along the line to a
syndicate whose object would necessarily
be to make the best possible use of that
land, and to place a population upon it;
but in the present case the land would
be alienated in a somewhat different
way—not for the purpose of introducing
a population, but for the same purposes
to which it is at present applied. If
the land which his resolution now
contemplated to alienate were land of
the same character as that proposed to
be granted for railway construction, he

should never have thought of coming forward with a proposition such as this with regard to it. But as was pointed out the other day by the hon. member for Geraldton, in the course of the discussion upon the resolutions submitted by the hon. member Mr. Burges, the lands lying between the Murchison River on the one hand and LaGrange Bay on the other were lands which were in no way available for agricultural purposes, because of the uncertainty of the rainfall, and the parching winds which blew over them. He was informed that there were on the river banks some alluvial lands, but subject to very great floods, and the plains above those banks could not be cultivated at all, chiefly on account, he was informed, of the alkalies with which the soil was impregnated. There were other hon. members who knew more about the country than he did, and who would be able to assure the House that the whole of the region between the Murchison and the DeGrey was absolutely unfitted for any other than pastoral purposes. Therefore, he thought the Government would be making no mistake in alienating land in that locality for the purpose indicated in his resolutions,—in fact, so far as the alienation of this land was concerned, the Government could not help themselves, for, eventually, it was bound to be alienated, because, before the end of the term of the present leases, there was not the slightest doubt that, under the 50th clause of the Land Regulations, lessees would purchase a very much larger amount of land than was contemplated to be alienated under these resolutions. It was not necessary for him to dilate upon the advantages which would accrue from the construction of this telegraph line. Hon. members were aware of them, and had shown, by their action during the past two years, that they were convinced of the solid advantages which the construction of such a line would present. The House, however, was aware of the reasons which had led to the abandonment of the proposal to construct this telegraph line out of loan money, and although he thought himself that, under the circumstances, as then known, the action of His Excellency in this matter was—although no doubt taken, as His Excellency thought, for the best inter-

ests of the Colony—a mistake, they could now remedy that mistake if they adopted his proposals, and carry out without delay a work the importance and utility of which was acknowledged on all hands. There was another reason why he thought it advisable that the work should be undertaken on the principle here proposed. Hon. members were aware that the loan which we were permitted to raise for the extension of the Eastern Railway—a portion of which loan was intended for the construction of this telegraph line—was only estimated to cover the cost of constructing a direct line to York; but, since then, the House had decided, and he thought wisely decided, to take the railway, not direct to York, but round by Spencer's Brook, entailing an addition of about 17 miles. Consequently if this telegraph line, for which a sum of £40,000 was appropriated in the loan, were to be constructed on the principle contemplated in the resolution before the House, that amount would be released, and could be devoted to the extension of the railway, and, if not wholly, would to a great extent cover the cost of the additional length of line caused by the deviation by way of Spencer's Brook. He would also point out that if they were to undertake the construction of this telegraph out of loan money, it would entail an annual charge upon the revenue of about £4,500, for it would be remembered that the Commission appointed by the late Governor (Sir Harry Ord) reported that the proposed line would cost about £40,000 to construct. The interest and sinking fund upon this would amount to nearly £2,500, while the working expenses and up-keep were estimated at £2,000. On the other hand, if the House affirmed these resolutions, and the work were carried out on the land grant system, the Colony would not be burdened with any charge in respect of interest and sinking fund, and the only expense connected with the line which would have to be borne by the public revenue would be the charge incidental to the up-keep and working of the line, and the loss of rental in respect of the land alienated, which, according to his calculation, would not be more than about £100 a year. We should thus save £2,000 a year, and lose nothing, for

the land, in any event, would be alienated before the expiration of the existing leases. He thought—he hoped—he had said enough to convince the House that this scheme was a very desirable one, and the only question to be considered was whether it could be carried out, and how it was to be done. As to the first point, he would leave it to the hon. member for the North to deal with. The hon. member would tell them that it could be done, and that there was not the slightest doubt that, if the House assented to these resolutions, and His Excellency the Governor consented, means would be found by the settlers at the North to form a syndicate to take up the contract for the construction of the line. As to how it was proposed to carry out the scheme, he had endeavored to sketch out roughly in the last paragraph of the resolutions—not in detail, but a mere outline of the idea. As he had already said, when the present leases expired, the land would be purchased by the lessees, and the principle underlying his resolutions was that we should induce them to purchase now instead of then. The lessees were tolerably safe in the possession of their lands, until the expiration of their leases. It was unlikely that any one here would buy up land within another man's lease, though he had heard a vague rumour that capitalists in the other colonies might purchase largely. He thought, however, that was very unlikely, and he considered that the present lessees had good ground to believe that no purchase of land within their leases would be effected, and that they were perfectly safe until the end of their term. Consequently they would be unlikely to buy up a single acre until the expiration of their leases, and it would be entirely out of the question to expect that they would now pay for their land at the same rate as they would have to pay for it when their leases expired. Therefore it would be necessary to ascertain what would be a fair price for them to pay for it now. If these lands, eleven years hence, would be worth 5s. an acre, he estimated that their present value would be about 3s., calculating the capital with accumulated interest at 6 per cent. By the time arrangements were completed for entering upon this undertaking, they might be worth a little

more; the hon. member for Fremantle had calculated that, twelve months hence, their value would be 3s. 1½d.—based upon the value of the land upon the expiration of the leases, ten years hence. Accepting these figures as the basis of his calculation, he reckoned that the quantity of land which would have to be alienated in respect of the construction of this line would be about 270,000 acres—not quite so much. He was informed that between the Murchison and the Ashburton rivers there were leased some twelve millions of acres, and between the Ashburton and the DeGrey another twelve millions. Consequently they would be only alienating about one-nineteenth part of the land comprised within the leases held by settlers at the North. He had heard it said that it might be desirable to carry out this project in another way—that, instead of inviting tenders from a syndicate who would be prepared to carry out the work themselves, receiving payment in the manner here indicated, the Government should sell the land at this rate and apply the proceeds to the construction of the line. But hon. members must recollect that, if this were done, we could not alienate the land at the same rate, but would have to do it at a much lower rate, and consequently to alienate a great deal more, because it would not be worth while for these squatters at the North to tender for the land at 3s. per acre now, when they were sure to get it at the expiration of their lease for 5s. They must have some inducement offered to them to invest their money, and this inducement would be the profit which they would make under the arrangement contemplated in these resolutions by taking the contract for the work. Probably it might be deemed desirable to amend these resolutions in some respect, and, for that reason, he hoped they would be referred to a Select Committee, which would be in a better position to deal with questions of detail than a Committee of the whole House would. All he now asked was that the House should affirm the principle which he had laid down in the resolutions. He felt that the subject was a very important one, and that the project was one which if undertaken and carried out would largely tend to develop the pastoral resources of the Colony, at the North, to increase our

commercial prosperity, and remove the irritation felt, and he thought justly felt, by the Northern settlers at the postponement of the proposal to undertake this work out of loan money. He thought the more hon. members looked into the question, the more they would feel that the principle involved was well worthy of their consideration and approval.

MR. GRANT, in seconding the motion, said the hon. baronet who had brought forward the resolutions had dealt so exhaustively with the subject that he was at a loss to know what more could be expected from himself with reference to it. He considered that the twenty-four millions of acres of leased land in the North District might in this way be made a fruitful source of revenue to the Colony, and, if this proposal were carried out, it would, at one stroke, send the district five or six years ahead. The administration of the district would be greatly facilitated by means of this telegraph line, and many false impressions which were now formed with regard to local affairs would be quickly removed. The means by which it was proposed to carry out the work would in no way prove a burden upon the Colony; on the contrary, it would strengthen the Colony in being able to show that it could raise this loan within its own borders. The quantity of land asked for was merely nominal—270,000 acres, out of 24 millions already leased. As to the prospect of raising the money, they proposed to raise it entirely among themselves, and it was obvious, as had been pointed out by the hon. baronet, that they would be able to do this on more advantageous terms to the Colony than it could otherwise be done, their land being alongside the proposed line. He thought he could answer for the money required for the work being forthcoming; but of course they would expect some little consideration in return for the great advantages which the construction of the line, upon the principle advocated, would confer upon the Colony. He had very much pleasure in seconding the resolutions brought forward by the hon. member for Plantagenet, whom he was glad to see coming forward as a champion for the North.

MR. STEERE intended to support the resolutions for more than one reason.

Looking at the project by itself, he regarded it as a most advantageous one for this Colony, and it was further worthy of support inasmuch as it would enable us to carry out what we had previously proposed to undertake by means of a loan, but which we were unable to do, in consequence of the Secretary of State considering that the Colony was not in a position then to borrow so large a sum of money. He was fully aware what disappointment this had caused to the settlers at the North-West, who had been looking forward with much satisfaction to the establishment of telegraphic communication with this part of the Colony, and he therefore hailed with much pleasure the present proposal to supply this want. As to the manner in which it was intended to carry out this scheme, he thought that was most clearly and ably set forth in the series of resolutions before the House, and which he did not think were capable of being improved upon in Select Committee or otherwise. It might appear at first sight that it was proposed to offer these settlers very advantageous terms, because the price which it was intended to fix upon the land was apparently very low indeed; still it must not be forgotten, as the hon. baronet had mentioned, that at the end of the term of their leases they would be able to purchase any quantity of land at 5s. per acre. He hoped the House would unanimously support these resolutions, inasmuch as, if they did so, it would very materially strengthen the hands of His Excellency the Governor, who, he believed,—judging from an interview which he and the hon. member for the North had with him the other day—would be prepared most cordially to support the proposal, if it came to him strongly recommended by the House.

MR. MARMION said it was his intention to support the resolutions, and, before dealing with them, perhaps the House would pardon him if he briefly alluded to the history and progress of the telegraph system of the Colony, which, as was within the knowledge of hon. members, had grown up within a very few years from a very humble beginning. He thought most hon. members would agree with him that when the first short line between Perth and Fremantle was constructed very few of

those who were now sitting around the tables in that House had any notion that the telegraph system of the Colony would, in the course of a few years, have assumed the proportions which it had assumed, and placed almost every town and hamlet in the Colony in direct telegraphic communication, not only within its own boundaries but also with the outside world. There could be no doubt that this system of telegraph extension had done much to advance the Colony, and to bring it into closer intercourse with its neighbors and with the world at large. It was a grand stroke of policy, that adopted during the progressive *régime* of Sir Frederick Weld,—the extension of our Western Australian system to Eucla, there to join our South Australian neighbors, a step which had probably done more than anything to do away with the isolation of this Colony from the outer world. Our internal telegraph system might be said to be now almost complete; the one link wanting was that contemplated in the resolutions before the House,—a link that would connect the capital and our principal centres of population with our remote settlements on the North-West Coast of the Colony, which for years past had been growing in prosperity and importance. He thought the adventurous settlers in this distant part of our territory were entitled to every consideration at our hands, and what they now asked for was, he thought, very little indeed, namely, to enable them to secure for themselves and for the Colony at large a boon which the Colony itself was scarcely in a position to afford them. Not only would the construction of this line benefit the North-West, it would also, as pointed out in the resolutions before the House, in all probability, be the means of bringing about the establishment of a direct connection by cable between our local telegraph lines and Reuter's, at Java, and thus place us *en rapport* with the telegraph system of the world, by direct cable communication. This, he need hardly point out, would tend to greatly increase the revenue now derived from the telegraph, and at the same time bring the Colony more into note. It appeared to him that the scheme before the House was well worthy the attention of the Government, and the

favorable consideration of the Legislature, for, even regarded from a "profit and loss" point of view, the project was one that presented considerable advantages to the Colony. From calculations which he had entered into, the Colony would lose from £15,000 to £16,000 by refusing to accept the proposed terms. It was estimated that the line would cost £40,000, which at the present rate of interest at which the money could be borrowed (4 per cent.), and an additional one per cent. for sinking fund, would entail a charge upon the Colony of £2,000 a year for interest alone. These lands which it was proposed to alienate were not bringing in more than £100 a year at present, and even allowing for the increased rental during the second term would not involve a direct loss to the Government of more than £150 per annum, until the leases expired. A great deal of the land, as had been stated by the hon. baronet, was utterly unsuited for other than pastoral purposes, and consequently was not likely to be bought up for agriculture, or even for the growth of tropical products. Regarded on the whole, the project was one well deserving of consideration, and he sincerely hoped it would be carried out into fruition.

MR. BROWN said there probably existed no difference of opinion among hon. members on this subject, at the same time it was his intention to move for a Select Committee, in the belief that the deliberations of such a Committee would result in such a scheme being matured as could not be found fault with, in any way. He entirely approved of the present resolutions—at least he had, when he first read them—so far as they went, but he thought if they went a little further, they would be more likely to ensure the attainment of the object they had in view. They were told that evening that the lessees of these lands had an absolute right to the possession of the land at the end of fifteen years, from the commencement of their leases; but that was a right which they could not acquire without paying an increased rental, which, he was informed, no settler up there had ever paid, and consequently this absolute right was not possessed by the present lessees. If they did possess this right, after fifteen years, he would at once be prepared to admit the necessity

of limiting the persons who shall be allowed to construct the line to the present lessees; but he thought, under the circumstances, it was a question whether it would be in the interest of the Colony to do so, and that was one of the questions which he thought might be better considered by a Select Committee. It was a most important question, and a most grave one for the settlers themselves, for it might betantamount to ruining them were the House to decide that persons other than themselves should be given the privileges and inducements held out in these resolutions. If such should be the case, it would certainly be wrong on their part to sanction anything of the kind. Another subject which the Select Committee might take into consideration was that cursorily referred to by the hon. member for Plantagenet, with reference to the blocks of alluvial land on the river frontages. It would be necessary to decide upon what conditions, if any, these blocks should be alienated for the purposes of this undertaking, also what should be the size of the blocks, and to ascertain generally what was the value of the land. The rates mentioned in these resolutions might be very reasonable, but still it was worthy of consideration whether some portions of the lands were not worth a great deal more, and other portions a great deal less. These and other considerations were questions which he thought might receive more attention at the hands of a Select Committee than they were likely to do if dealt with in a formal manner, in the House. For these reasons he would now move, That the resolutions be referred to a Select Committee, consisting of the Commissioner of Crown Lands, Sir T. Cockburn-Campbell, Mr. Burt, Mr. Grant, and the mover, and (with leave) Messrs. Randell, Higham, and Marmion; the Committee to report on September 8th.

This was agreed to.

REPLY TO MESSAGE (No. 19): *RE* DIVERSION OF ROAD LOAN.

MR. STEERE, in accordance with notice, moved the following reply to His Excellency's Message (No. 19) relating to the expenditure of the residue of the Road Loan (*vide* p. 326 *ante*):

"To Your Excellency's Message No. 19, This House deems it necessary

"that it should make some reply, as, in
"the opinion of this Council, a very im-
"portant principle is involved in the
"matter under discussion.

"This House most respectfully sub-
"mits that it cannot concur in the view
"which Your Excellency apparently
"takes, as to the scope and binding
"nature of an Address in Reply. Such
"an Address is not, in the opinion of
"this House, in any way intended to
"express the deliberate '*judgment of*
" '*Parliament*,' but is simply a compli-
"mentary formality, usually taking the
"form of a colourless echo of the speech
"itself, and merely indicative, generally,
"of the line which the parliamentary
"majority is prepared to take in regard
"to measures and proposals which may
"subsequently be brought before them.

"Merely so indicative was that por-
"tion of the Address of this House—
"in reply to Your Excellency's last
"Speech—intended to be, which refers
"to the proposals in regard to the balance
"of the Road Loan; and this House is
"unable to see that the words which
"Your Excellency quotes can rightly bear
"any other interpretation than that this
"Council was prepared favorably to con-
"sider those proposals when placed before
"it.

"Your Excellency will observe that
" '*satisfaction* ' is also expressed, in the
"paragraph of the Address in dispute,
"at your proposal to replace upon the
"Estimates a sum for the up-keep of
"roads. But, in so far as this expres-
"sion of '*satisfaction* ' applies to a vote
"of supply, this House does not under-
"stand Your Excellency to contend that
"it has in any way bound itself to make
"the provision—which, undoubtedly, it
"has both the right and the power to
"refuse, if, upon consideration, it think
"proper to do so.

"In so far, however, as that same ex-
"pression of '*satisfaction* ' referred to
"another proposal—the expenditure of
"the Road Loan—Your Excellency is,
"apparently, of opinion that the terms
"of the Address, though not binding in
"the former case, are binding in this
"latter.

"This view the House understands
"Your Excellency to support by the
"remark, that, whereas the annual vote
"for the up-keep of roads requires the

“‘active intervention’ of the Legislature, ‘only a ‘general acquiescence’ is necessary ‘on the part of that body in your decision as to the purposes to which the residue of the Road Loan shall be devoted; which decision requires, accordingly, ‘at most to be mentioned’ to this House.”

“This Council regrets that it is unable ‘to concur in this view of the case. For, while readily admitting that it is ‘at present precluded from any interference with Loan expenditure, so long ‘as Loan monies are devoted to the ‘object for which the Legislature may ‘have permitted them to be raised, this ‘House has yet to learn that such Loan ‘monies can constitutionally be diverted ‘from their original purpose—as it is ‘proposed now to divert the Road Loan ‘—without what Your Excellency terms ‘its ‘active intervention,’ any more than ‘that current revenue can be spent without that ‘active intervention.’”

“The Road Loan having been borrowed distinctly for one particular ‘purpose—the construction of those unformed portions of the main lines which break the continuity of the macadamized lengths—and Your Excellency ‘being desirous that the residue of the ‘Loan, in its entirety, shall be applied ‘to an altogether different work—the ‘repair, namely, of bridges—this House ‘must most respectfully submit that ‘such a step cannot legitimately be ‘taken without the direct concurrence ‘of the Legislature, and its formal ‘acquiescence in proposals such as, in ‘its Address in Reply to Your Excellency’s Speech, the Council intimated ‘that it was disposed very favorably ‘to consider.”

MR. STEERE, in moving the reply, said he thought it would be admitted that it contained truisms which could not be controverted. It was a principle which had been recognised for long years past in all parliamentary assemblies, that the House was not bound by the Address in Reply to the Speech from the Throne. And he thought it was a very wise principle to acknowledge, otherwise the debate upon the address would be a never-ending one, and members would be so careful not to compromise themselves that their speeches would be mere platitudes. The principle that the Address

in Reply should simply be a reflex of the Speech itself, and in no way binding upon Parliament, was so well established that he need not dwell any longer upon it, and the resolution which he had submitted in reply to His Excellency’s Message simply sought to assert this principle. With regard to the question of the diversion of the Road Loan he did not think it could be denied that the loan had been diverted from the original purpose for which it had been raised, in more ways than one. The money was raised for the specific purpose of constructing certain unformed sections on the main lines of road, but it was subsequently proposed to devote it to the repair of existing roads as well as the construction of new links. This certainly was a deviation from the original purpose in view, but, at the same time, the money was still expended upon the roads, and therefore was so far in keeping with the original intention. But when it was proposed to divert the unexpended balance entirely for expenditure upon projects in no way connected with the original scheme, he thought that this could not be legitimately done without the active intervention of the Legislature. He was bound to admit that, before His Excellency came to this determination as to the appropriation of the unexpended balance, he had consulted him (Mr. Steere), as a member of the Central Road Board, on the subject, and he had entirely approved of the proposal, for complaints were pouring in upon the Board from all parts of the Colony, with regard to the dilapidated state of the bridges, and the extensive repairs required; and it became a very serious question with the Board as to what they were to do in the matter. Therefore, so far as the object in view is concerned, he entirely approved of it; at the same time he never thought the money was going to be so spent without obtaining the sanction of the Legislature to the proposed re-appropriation. And he certainly could not agree with His Excellency’s contention that this sanction was obtained in the paragraph dealing with the subject in the Address in Reply. In that paragraph the House simply expressed its satisfaction at the proposal. In a previous paragraph they also expressed satisfaction at the steps proposed to be

taken for the protection of Princess Royal Harbor, and that a sum was proposed to be expended on that work; but it could not be contended for a moment that the expression of satisfaction relieved the Governor from coming to that House to sanction the proposed expenditure. Why then should the satisfaction expressed at the proposal to devote the balance of the Road Loan to purposes for which it had never been appropriated be regarded as sufficient, without any further reference to the House? The mere fact of the Council expressing its pleasure at the proposal did not pledge it to vote the money for the object in view, any more than it did to provide the sum necessary for the protection of Princess Royal Harbor. This was acknowledged by the Government, as regards the harbor, for they had come to the House and obtained a vote for the purpose; why should they consider themselves relieved from the necessity of obtaining the formal assent of the House to the other proposal? He did not think he need say any more, as the resolutions themselves embodied all that was necessary to be said on the subject.

Mr. S. H. PARKER seconded the motion.

THE COLONIAL SECRETARY (Lord Gifford) said he was prepared to admit that, generally speaking, the Address in Reply was a mere echo of the Speech itself, but in this instance he thought they must look a little further. His Excellency the Governor came forward, with much candour, and informed the House what his intentions were with regard to the unexpended balance of a loan already sanctioned by the Legislature. And what was the reply made to this announcement? It was this: "We view with satisfaction that your Excellency proposes to expend the balance of the Road Loan on a work much needed, namely, the repairs of the bridges throughout the Colony." He should like to ask whether it was not within the intention of the House, when it sanctioned the raising of this loan, to keep the bridges in repair as well as the roads? (SEVERAL HON. MEMBERS: No, no.) He said, yes. What possible use would it be to keep the roads in repair, if the bridges upon these roads were impassable? No use at all. Hon. mem-

bers would not deny that. If they voted a sum of money for constructing a road between Perth and Guildford, would they not expect the vote to include the bridges? And if they wanted to keep the roads of the Colony in passable repair, they were bound to see that the bridges also were passable, otherwise there would be an end to all traffic. It was perfect nonsense to maintain otherwise. They might as well argue that when they voted money for a railroad, it was only intended for the permanent way and did not include the bridges. What did Governor Ord himself say in his despatch to the Secretary of State when proposing to borrow this money? That, after discussing the matter with some of the leading men of the Colony, he came to the conclusion that it would be a prudent and economical step to raise a loan sufficient—for what? "The completion, in a substantial manner, of such of the principal roads as will afford communication within the towns, and the large agricultural, pastoral, and mining centres, and the port." Would any road crossing a river be "complete" without a bridge? Would it afford a means of communication between the agricultural centres and the towns? Sir Michael Hicks-Beach, in replying to this despatch, also refers to the object of the loan as being the "completion in a substantial manner of the main roads, between the towns and the agricultural and pastoral centres." Did they mean to say that this object could be obtained if nothing was to be done to the bridges? In further support of this view, he would point to the fact that when this loan was raised and apportioned, the annual grant out of general revenue for "roads and bridges" was reduced—the grant for roads and for bridges having always been associated with each other, and forming one item on the Estimates. And this reduction was made upon a resolution submitted by the hon. member for Geraldton, on Sept. 8th, 1879, in which the House expressed its opinion that in consequence of the large expenditure out of loan, upon the main roads of the Colony, it was undesirable to expend the full amount of the vote for roads and bridges—showing clearly that the expenditure made out of loan was intended to apply

to bridges as well as roads. In the following year only £1,000 was voted out of General Revenue for roads and bridges, because of the amount available for that purpose out of the loan, the annual grant formerly being £11,000. What would have been the use of £1,000 for the up-keep and repair of all the roads and bridges in the Colony, if it was not intended to supplement it out of the loan money. This year, again, did they think they were going to keep up their roads and bridges out of the Government grant of £6,000, without any assistance from this loan? Why should the grant be reduced at all, unless it was because there was borrowed money available to supplement the grant, which, as he had already said, was not a grant for roads alone, but for roads and bridges? Under these circumstances, he maintained there had been no divergence of the loan from its original purpose, or, if there had, it had been done with the full concurrence of that House. He therefore moved, as an amendment upon the resolution submitted by the hon. member for the Swan: "That this House concurs in Your Excellency's Message (No. 19), on the subject of the Road Loan; and inasmuch as Loan Monies have, during the last two years, with the knowledge and concurrence of the Council, been expended on the repairs of roads and bridges alike, the Council is of opinion that no new principle is involved in your present proposal to reserve the unexpended portion of the Loan for the completion of the repairs of the bridges."

A conversation took place at this stage as to whether the question before the House was not a matter connected with finance, and, as such, ought to be considered in Committee, and, the Speaker ruling that it was, Mr. S. H. PARKER moved, That the Speaker should leave the Chair, for the purpose of the House going into Committee.

SIR T. COCKBURN-CAMPBELL said, before the House went into Committee—as he would then be debarred from taking any part in the debate—he should like to say a few words with reference to the subject before the House. He thought the right hon. gentleman who had moved the amendment had entirely overlooked the real question at issue.

The question was not so much whether the money should be expended upon roads and bridges, as whether the interpretation placed by His Excellency the Governor upon the Address in Reply, with reference to the scope and binding nature of such addresses, was a correct view; and, in the next place, whether the residue of this loan, in being expended upon bridges alone, was not being diverted from the object to which the loan was originally dedicated. As to the latter point, if the right hon. gentleman had held a seat in the House when the question of raising this loan was discussed, he could have entertained no difference of opinion as to the purpose for which it was raised from that entertained by those hon. members who took part in the discussion upon the scheme, when originally propounded by the late Governor. The despatches already referred to and quoted from clearly indicated the intention of the Governor, and the tone of the debate which followed in the House unquestionably pointed to the fact that the Council understood that intention to be this—that the money should be appropriated, not for roads and bridges, but for completing, in a substantial manner, those sandy portions of the main roads which rendered the macadamised portions almost valueless. There was not a bridge upon any of these main lines which was not already macadamised, and there was no intention to apply the money to roads already macadamised. Subsequently, it was true that, when the House discovered the embarrassed financial position of the country, and that it would be necessary to relieve the revenue as much as possible, a sort of informal agreement was arrived at, that the loan money should be applied to road repair as well as road construction, and to that extent it may have been said to have been diverted from its dedicated purpose. But now it was proposed to devote the unexpended balance wholly and solely to an entirely different object. He did not in any way disagree with the object to which it was proposed to appropriate it, but he did most emphatically assert that the money was going to be diverted entirely from its original and dedicated object, and that before this can be legitimately done the "active intervention" of the

Legislature was necessary. He thought they had been altogether too careless in these matters in the past; and he certainly thought that, as regards this proposed diversion of loan funds from the object for which the House had sanctioned their being raised, they ought to insist upon their constitutional right to interfere. As to the other principle at issue, —the view which His Excellency apparently took as to the scope and binding nature of an Address in Reply, he thought it would be an extremely dangerous precedent if the House were to accept His Excellency's interpretation, and to allow it to go forth that they considered themselves bound by the terms of an address which in every other parliamentary assembly was simply regarded as an empty complimentary formality. The defence set up by the right hon. gentleman, the leader of the Government, with regard to the paragraph in the address in which the House expressed satisfaction at the proposed diversion of the loan, was a very lame one, and one which he would have expected from a special pleader addressing a jury rather than from the representative of the Government addressing a deliberative assembly. No doubt the House had expressed its satisfaction at the proposal, but the right hon. gentleman should have gone a little further, and quoted the last sentence in the paragraph referred to, in which the House assured His Excellency that the subject was one which would receive their earnest attention—clearly indicating that the House considered that its "active interference" would be necessary, before the money was finally diverted. These resolutions merely affirmed a very simple and universally recognised constitutional principle, namely, that the House was not bound by the Address in Reply, and he thought it would be a most dangerous and mischievous precedent were they to subscribe to any other principle. As to the diversion of the loan money, he quite admitted that the House in the first instance had connived to a certain extent at the proposal to appropriate it for a purpose which was not strictly in accord with the object to which it had been originally dedicated; but when it was proposed, as was now proposed, to divert the residue altogether to another object, he considered that the active intervention

of the House was required to justify such a diversion; and, for these reasons, if he had the opportunity of doing so, he should certainly vote for the resolutions.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) considered the resolutions to be a mere splitting of straws. The hon. member for Plantagenet had stated, and stated emphatically, that the appropriation of the unexpended balance of the road loan, for bridges, was a diversion from the original intention of the Government and the Legislature. He entirely disagreed with the hon. baronet. He maintained it was not so. He might state that he was now the sole survivor of the original Central Road Board, and he had been present at its meetings since its institution; he might therefore be considered to be cognisant of the intentions of the Board, and he was in a position to assure the House that, when the proposal was made to raise this loan, and devote it, so far as it would go, to improving the condition of our main roads, the intention was to include in the scheme those necessary adjuncts to nearly all roads—bridges. When the money was raised, great difficulty was experienced, in consequence of the absorption of skilled labor in railway construction, in obtaining the necessary labor for carrying out the whole scheme at once, and the Central Committee thought that, with the available labor at the disposal of the Superintendent of Roads, their first duty was to attend to the maintenance of the metalled, or rather hard portion of the roads. This went on during 1879 and 1880, and the money was apportioned to the various districts of the Colony, in lieu of the grant usually voted by that House for roads and bridges; but the Central Board always had in view this fact—that, before they concluded their labors in connection with controlling the expenditure of this money, they should put the bridges of the Colony in repair. The Perth Causeway bridge, and the bridge across the Helena, and one or two other bridges, down South, had been a serious source of anxiety to the Board, and the intention of putting them in repair was never lost sight of. It was not, however, until the Board was reconstituted by the introduction of three members of that House, that the Super-

intendent of Roads called the attention of the Board to the absolute necessity of giving their early attention to the bridges of the Colony, those component parts of their roads without which the latter would be useless. The hon. member for the Swan, who was also a member of the Central Committee, had, with other Committee-men, inspected both the Causeway and the Helena bridges, in view of the appropriation of a portion of this Road Loan for their repair, and the honorable member fully concurred in the necessity for doing so, and it never was then suggested that the appropriation of the money to that purpose would be a diversion which the Government would not be justified in making without the "active intervention" of the Legislature. It was only recently that the hon. member, acting under some influence or other, had come to regard bridges as in no way forming part of the roads, and to consider that it was high treason to apply a portion of the loan money to the repairs of bridges, without the full and formal concurrence of that House. Bridges were not like roads, requiring annual repair, and this probably was one reason why a portion of the loan was not previously set apart for the purpose to which it is now proposed to dedicate the unexpended balance. He again asserted, in contradiction of the emphatic statement of the hon. member for Plantagenet, that this proposal was not, strictly speaking, opposed to the original intention of the Government. True, as regards the roads, there had been a positive diversion from the original object, but that was done with the approval of that House, and, he might say, the sanction of the Secretary of State, inasmuch as the whole matter had been duly reported to him. In the resolutions now before the House, it was endeavored, in general terms, by implication, to shift the whole responsibility of that diversion upon the shoulders of the Government, whereas, as had been pointed out by his noble colleague, that House had shared fully with the Government in that diversion. He hoped the amendment would be carried by a large majority.

MR. MARMION said he was somewhat at a loss to understand the action of the hon. member for the Swan in this matter, after the hon. gentleman stating,

that, as a member of the Central Road Board, he was consulted on the subject by His Excellency the Governor, as to the manner in which it was proposed to spend this money, and that he fully concurred in the proposal. Yet the hon. member now sought to blame His Excellency for the steps which were about to be taken in the matter. He thought if the hon. member had confined his resolutions to the question of the constitutional right of the Governor to spend upon some other object money voted by that House for what he might term a specific purpose, without something more binding upon the House than a simple paragraph in the Address in Reply, he could have understood the action of the hon. member, and he would have been prepared to support the principle which he contended for. But these resolutions went further than that, and he was inclined to think they were put forward in order to serve a purpose which the hon. member had in view, namely, that the Governor, in jumping at the conclusion that the paragraph in question was binding upon the Council, had gone somewhat further than he was justified in doing. He did not think this was a matter of such grave importance as some hon. members seemed to regard it, or that the House should be asked to formally affirm all that was embodied in these resolutions; and he would suggest—with very little hope, however, that the suggestion would meet with a favorable response—that, having now served his purpose, and also obtained an expression of opinion from other hon. members, as to the non-binding nature of an Address in Reply, the hon. member should withdraw his resolutions. He really failed to see what purpose was to be served by pressing them, especially when they were all in accord as to the object to which it was proposed to devote the balance of the loan. He did not think, after all, that anyone could fairly contend that the question of roads was not identical with that of bridges—that, he thought, had been very clearly pointed out by the noble lord opposite. He might say, however, that he quite agreed with the hon. member for the Swan, that His Excellency was not correct in the view which he took as to the binding nature

of an Address in Reply. He thought possibly His Excellency had laid too much stress upon this paragraph in the Address, but, at the same time, he had no doubt the Governor felt that in the action he was about to take, he was fully borne out and unanimously supported by the members of that House. He thought His Excellency might very reasonably have come to that conclusion, for it must be borne in mind that, in addition to the mere formal paragraph referred to, His Excellency was enabled to gather the opinion of the House on the subject from the published debate upon the Address, and he did not think one solitary member expressed a single word in opposition to the proposal in question. The view which he (Mr. Marmion) took of the whole matter was therefore this: while disagreeing in the view taken by His Excellency as to the binding nature of an Address in Reply, he thought His Excellency, in this particular instance, had full grounds for assuming that it was the unanimous wish of the House that the balance of the loan should be expended in the manner proposed. [Mr. BURT: Not unanimous.] He said unanimous, for not a dissentient voice was raised against it, either in the Address in Reply or in the debate upon that Address. Under these circumstances he thought the hon. member for the Swan would serve every necessary purpose, if he obtained an expression of opinion on the part of the House that His Excellency had possibly been to a certain extent misled into the belief that, as a matter of course, a paragraph in the Address in Reply was binding upon the Council. He therefore hoped the hon. member would not push his resolutions to a division, but would withdraw them.

MR. STONE really thought, with the Commissioner of Crown Lands, that to a great extent the House was engaged in the unprofitable task of splitting straws. It appeared to him there were two questions before them—one involving an important principle, and the other simply a matter of opinion. The latter had reference merely to the question of whether roads included bridges, but the former dealt with a parliamentary principle, namely, whether an Address in Reply to the Speech from the Throne was

binding upon the House. This question was dealt with in the second paragraph of the resolutions, which affirmed that "such an Address is not, in the opinion of this House, in any way intended to express the deliberate judgment of Parliament, but is simply a complimentary formality, usually taking the form of a colourless echo of the Speech itself, and merely indicative, generally, of the line which the parliamentary majority is prepared to take in regard to measures and proposals which may subsequently be brought before them." If he thought for a moment that these were not also the views of the Governor, he should go entirely with the mover of these resolutions. But he felt satisfied that this was also the view which His Excellency himself took of the matter; at any rate, he saw nothing in His Excellency's Message under consideration to warrant them in coming to any other conclusion. He did not think any one could read the particular clause in the Address in Reply, referring to the proposed expenditure of the balance of the Road Loan, without coming to the same conclusion as His Excellency did,—that the Council fully concurred in the proposal, and that consequently His Excellency did not consider any further legislative action necessary. But, so far as the question of the diversion of the loan was concerned, his (Mr. Stone's) honest opinion was that the money had no right to be expended upon bridges, bearing in mind the circumstances under which the loan was approved. That, however, as he had already said, was a mere matter of opinion, and he took it that the Executive in accepting all responsibility in this matter were guided by the opinions of the legal adviser of the Government, as to whether there was any necessity for a legislative enactment or not, or for the active intervention of the House at all. If there was any necessity for it in this case, he thought it would be equally necessary in respect of the previous diversion of the loan—a diversion to which the hon. members of that House had been consenting parties.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) said he would confine his arguments purely to the question of the constitutional principle, as to whether an Address in Reply bound members to any-

thing more than a general expression of concurrence with His Excellency's views. He thought he should enter upon a very difficult ground to maintain, if he were to contend that it did. But what happened in this case? Did the House merely echo what the Governor suggested might be possibly expedient to do? (Mr. PARKER: That's all.) He thought he should be able to prove that the hon. member was wrong. Reference had been made to another paragraph in the Address in Reply, relating to the proposal to take some steps for the protection of Princess Royal Harbor, and it was contended that, if it was not necessary for the Governor to obtain the formal sanction of the House as regards the one proposal, it was not necessary he should obtain it as regards the other. But he thought the two cases were in no way parallel with each other. As regards the proposal to expend the balance of the Road Loan, the money was already available, having been voted by the House, and His Excellency informed the Council that, having £15,000 on hand, he proposed to expend it for a specific purpose, which proposal met with the general concurrence of the House. But as regards protecting the harbor at Albany, His Excellency did not inform the House that he had £600 on hand available for that purpose, and that he was going to spend it, but that it would be necessary for the House to vote the money, if it approved of the proposal. The House did approve of it, and in due course, there being no vote available for carrying it out, His Excellency asked the Council to make the necessary provision for doing so, which it did. Hon. members would observe that the two cases were in no way analogous. He had listened very attentively to all that had been said on this subject in the course of the debate, and the conclusion he had come to was this—that the Governor, in view of all the surrounding circumstances, had, as regards the proposal to expend the residue of the Road Loan for a specified purpose, acted in a perfectly constitutional manner, in taking it for granted that the House when it re-echoed his speech wished to convey not merely its general concurrence with the principle which should guide his policy, but specifically stated in effect,—“We under-

stand what you mean to do, we know that you propose to spend the money for a particular purpose, and we approve and sanction the proposal.” That was his view of the question.

Mr. S. H. PARKER said he was quite prepared to admit that, generally speaking, roads included bridges, but what he maintained was, that, for the purposes of this particular loan, bridges were never intended to be included in the scheme, whereas now it was proposed to expend almost a third of the whole amount upon bridges alone. Surely that was a glaring diversion from the original intention of the Legislature when it sanctioned the borrowing of this money. But seeing that, on a former occasion, that House had been *particeps criminis* to another diversion of this loan, he did not think they could consistently blame the Government of the Central Board, if they were to appropriate the residue to the repairing of bridges, without consulting that House on the subject. At the same time, there could be no doubt that this was a diversion of the loan from its dedicated object. It was clear from His Excellency's own Speech that he drew a special distinction between roads and bridges, for he spoke of placing the unexpended balance of the road loan on one side for a particular purpose—the repairing of “bridges,” and of replacing on the Estimates the annual contribution from general revenue for the up-keep and maintenance of the “roads.” This latter amount he proposed to hand over to the District Boards, as was done formerly, but the bridges were to remain under the control of the Central Committee—showing clearly that His Excellency himself drew a distinction between roads and bridges. But he thought himself, looking at the matter from another point of view, they would be acting wisely in making no demur to the proposed diversion of the balance of the loan, and for this reason: they knew perfectly well that the Government had utterly failed in their management of our roads, and, peradventure, they might be more successful in repairing bridges; and it was just possible that, if this £15,000 were expended for that purpose, we might have something to show for this £50,000 loan after all. With regard to the constitutional principle involved, and the view

apparently taken by His Excellency the Governor as to the House being in any way bound by the terms of the Address in Reply, he certainly could not concur in that view, which, if accepted as a correct one, would completely fetter the action of the House, and the Session might as well close with the adoption of the Address.

MR. BURT said it appeared to him that the main question before the House was whether the Address in Reply, which they were in the habit of moving at the commencement of each Session, could in any case be regarded as the deliberate judgment of Parliament. For his own part, he considered it was nothing of the kind, but simply an empty formality, a colourless echo of the Speech itself, committing the House to nothing—so much so, that he had not gone to the trouble of being present when it was moved, and consequently he, at all events, could not be said to have expressed any opinion upon any proposal contained in it. As to the question of the original intention of the House when it sanctioned the raising of this Road Loan, there was not the slightest doubt in his own mind that the money was to be devoted entirely for the purposes of road construction, and road construction of a particular character, namely, the connecting together of those portions of the main roads of the Colony which were rendered practically useless by reason of the intervening sandy tracks, so as to afford communication between the agricultural centres and the towns. If this was not the view taken of the matter by the Government itself,—if they thought that the money was borrowed for the purpose of repairing bridges as well as constructing roads, how was it that they had not appropriated any of it for bridges before now? Had they never seen a dilapidated bridge, requiring repair, until now? If they thought this money was available for bridges as well as roads, why should His Excellency have made such a point of it in his Speech, and invited their general concurrence in his proposal to appropriate the unexpended balance in the manner in which it was now proposed to appropriate it. Why refer to it at all, if they did not think that to expend the money upon bridges would be a clear divergence of the loan? It was for that very

reason that His Excellency mentioned the subject at all in his Speech, for the purpose of obtaining what the Attorney General said was all that was necessary to obtain—the general acquiescence of the House, which the hon. and learned gentleman said had been obtained, and which he said might be regarded as the deliberate judgment of the House. (THE ATTORNEY GENERAL: I beg the hon. member's pardon. I never said the House had expressed its deliberate judgment.) His Excellency, at any rate, said so, but he (Mr. Burt) maintained that it never did, and for this reason:—If, by the mere adoption of the Address in Reply, they sanctioned the expenditure of this £15,000 upon bridges, they were dealing in the House clearly with what was a matter of finance, and which should have been dealt with in Committee.

MR. STEERE said that, having attained the main object which he had in view in bringing his resolutions before the House, namely, an expression of opinion—which he was glad to find had been unanimous—that the House did not consider itself as being in any way pledged by the Address in Reply to the Opening Speech, and that it did not regard these formal addresses in the same light as His Excellency apparently did—having elicited this expression of opinion from the House, and thus gained the principal object which he had in view, he would now, with leave, withdraw the resolutions standing in his name. He thought, however, they should have to be very careful indeed in future in framing these addresses.

Leave being given, the resolutions were then withdrawn.

GOODS SHED AT CITY RAILWAY STATION.

On the Order of the Day for the resumption of this debate,

MR. S. H. PARKER said that with the leave of the House he would withdraw the resolution he had submitted on the subject previously (*vide* p. 360 *ante*), and substitute the following in lieu thereof. He understood from the noble lord, the leader of the Government, that no opposition would be offered thereto by the occupants of the Treasury bench. Without further observation, he would

therefore move, "That an Humble Address be presented to His Excellency the Governor, praying that he will be pleased, out of the £10,000 raised under 'The Loan Act, 1878,' for Public Works, including cost of Steam Tug, to allot the sum of £2,000 for the erection of the buildings named hereunder; the Council being of opinion that this amount should, when required for the completion of the Public Offices in the City, be refunded out of General Revenue:—

"Goods Shed at City Railway Station...	£500
"Carriage Shed at Fremantle Railway Station	£1000
"Goods Shed at Geraldton	£500."

THE COLONIAL SECRETARY (Lord Gifford) said the Government concurred in the proposition submitted by the hon. member for Perth, who, he was glad to find, had not omitted to recognise the claims of Geraldton, as well as of the City, to a railway goods shed. He believed these votes would amply suffice for the completion of these sheds,—he hoped, in fact, they would be done for less, and if so the unexpended balance would revert to the amount appropriated for the public offices. As to the carriage shed at Fremantle, the Government had for some time felt the want of such a building at that station, and the House had now come to their assistance, and enabled them to do the work next year.

MR. STEERE thought if there was any money left after these sheds were built, the best thing that could be done with it was to extend the platforms at Perth and Fremantle.

MR. RANDELL considered that the sum proposed to be appropriated for a goods shed at Perth was double the amount that would be wanted to construct a building, suitable to our present requirements, unless it was intended to be used as a store-house for merchants' goods. He thought £250 would be ample.

MR. S. H. PARKER said the hon. member should remember who was at the head of the department, exercising control over these railway buildings. If it were the hon. member himself, instead of the present Commissioner, probably £250 would have sufficed.

The resolution was then put and carried.

DISEASES IN VINES BILL, 1881.

Read a third time and passed.

DISTILLATION ACT, AMENDMENT BILL, 1881.

This Bill was passed through Committee, without discussion or amendment.

LAW AND PARLIAMENTARY LIBRARY ACT, AMENDMENT BILL.

On the motion of THE ATTORNEY GENERAL (Hon. A. C. Onslow) the House went into Committee for the consideration of this Bill.

Clause 1.—"It shall be lawful for the Governor to appoint any Government Officer a member of the Law and Parliamentary Library Committee in lieu of the Chief Justice for the time being, notwithstanding anything contained in 'The Law and Parliamentary Library Act, 1873:'"

MR. STEERE moved that this clause be struck out. As he had already stated, when the Bill was read a second time, he had been a member of the Library Committee since its first formation, and he had seen the necessity of the Legislative Council being more largely represented on the Committee than it was now. It was his intention to move another clause in lieu of the present one, providing that the Attorney General and two unofficial members of the Legislature shall constitute the Committee in question. To that end he now begged to move that the present clause be struck out.

THE ATTORNEY GENERAL (Hon. A. C. Onslow) said he could not at all agree with the proposed amendment, inasmuch as it made no mention whatever of the Chief Justice, who, in his humble opinion, was by virtue of his position a more proper person to be represented on this Committee than the Attorney General, for the time being. But if this amendment were carried the Attorney General would actually take precedence of the Chief Justice, and for this reason he must object to the amendment.

The motion to strike out the clause was then put and passed.

Clause 2.—"Title"—agreed to.

MR. STEERE moved, That the following new clause be added to the Bill, and stand as clause 1:—"Section 3 of 'The

"Law and Parliamentary Library Act, '1873,' shall be, and the same is hereby repealed."

Agreed to *nem. con.*

MR. STEERE moved, That the following new clause be added to the Bill, to stand as clause 2:—"The Attorney General for the time being shall, together with two unofficial members of the Legislative Council to be appointed in that behalf by the said Council from time to time, form the Law and Parliamentary Library Committee."

Agreed to without discussion.

Title and preamble agreed to and Bill reported.

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

LEGISLATIVE COUNCIL,

Monday, 5th September, 1881.

Caretaker on Lapepede Islands—Licensed Surveyors under the Land Transfer Act—Excess Bill, 1880: Consideration of Report of Select Committee—Excess Bill, 1880: second reading; in committee—Engines for Eastern Railway—Immigration in connection with the Convict System—Closure of Street in Pinjarrah Bill: first reading—Municipal Institutions Act, Amendment Bill, 1881: further considered in committee—Message (No. 22): Railway to King George's Sound on the Land Grant System—Message (No. 23): Barristers Admission Bill—Message (No. 24): Temporary use of Loan Moneys for the construction of Railway Sheds—Fencing Bill, 1881: re-committed—Distillation Act, Amendment Bill: third reading—Estimates: further consideration of—Adjournment.

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

PRAYERS.

CARETAKER ON LACEPEDE ISLANDS.

MR. BURT asked the Honorable the Colonial Secretary, (1) "With what object does the Government keep one man stationed on the Lapepede Islands?" (2) Out of what vote is he paid, and (3) how long is it proposed to keep him there?" It

appeared, the hon. member said, that when there really was any guano on the islands they were left unprotected, but now, when all the guano had gone, the government kept a man there,—for what purpose, goodness only knows, unless they expected the United States Government to reassert their claim to the islands.

THE COLONIAL SECRETARY (Lord Gifford) replied as follows:—"(1.) To protect the guano deposits on the Islands, and to see that none is taken away surreptitiously. (2.) Miscellaneous Vote. (3.) It is proposed to keep him there until the whole of the guano claims are settled."

LICENSED SURVEYORS, UNDER THE LAND TRANSFER ACT.

MR. HIGHAM, in accordance with notice, asked the Honorable the Commissioner of Crown Lands, "Whether it is a fact that several gentlemen who have served their apprenticeship under duly qualified surveyors, and who have expressed their willingness to undergo any necessary examination with a view of being gazetted in this Colony as licensed surveyors, have been denied this right; and, if so, upon what grounds?" He had been informed that several young men who had duly served their apprenticeship as surveyors, and who had applied to be licensed under the Transfer of Land Act, had been refused, while others were granted licenses under the Act. He thought it was very unfair towards those others who were duly qualified, that this invidious distinction should be made, and that any monopoly should be created in respect of these licenses.

THE COMMISSIONER OF CROWN LANDS (Hon. M. Fraser) replied as follows:—"The Surveyors employed under the Land Transfer Act have to be specially licensed for that purpose by the Commissioner of Crown Lands. This is done on the requisition of the Commissioner of Titles, following on application from the Surveyors. If the gentlemen alluded to by the Honorable Member for Fremantle come to me from the Commissioner of Titles, there will be probably no difficulties in the