

"MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL,—

I thank you for your address in reply to my opening speech, and for your kind and acceptable congratulations on the distinction which Her Majesty has been graciously pleased to confer upon me. I thank you also for your promise that the questions which I have brought to your notice will receive your careful consideration, and I feel sure that the result of your labors will be such as to entitle you to the continued confidence of the community."

POSTPONEMENT OF THE ORDERS OF THE DAY.

The consideration of the Orders of the Day was postponed until Monday, the 16th July. The Orders of the Day for Friday, the 13th, were likewise postponed, with a view to move the adjournment of the House until Monday, in accordance with the wishes of honorable members.

The House adjourned at a quarter to one o'clock, p.m.

LEGISLATIVE COUNCIL,

Monday, 16th July, 1877.

Return of officers employed in Police Force in Perth district—Gun Bill: question—Railway to Eastern Districts—Guildford and Fremantle Railway: proposed Loan Bill—Scab in Sheep: select committee—Board of Inquiry in re Magistrates at Bunbury—Rate of Interest on Savings' Bank deposits—Point of Order.

The SPEAKER took the chair at seven o'clock, p.m.

PRAYERS.

POLICE FORCE IN PERTH.

MR. SHENTON, in accordance with notice, Asked the Acting Colonial Secretary to lay on the Table of the House, a return showing the names, duties, and salaries of all officers of the Police Force stationed in the district of Perth; the return to include the Detective Office.

THE ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) replied that the return asked for by the honorable member was of a character which required that it should be moved for by an address to His Excellency the Governor.

MR. SHENTON called attention to Standing Order No. 50, which provides that "motions for the production of returns, or other information, from the several departments of the colonial service, shall be in form 'That they be laid on the Table.'" The hon. member, therefore, contended that it was not necessary that the return he asked for should be moved for by an address to the Governor. He appealed to the hon. the Speaker for his ruling in the matter.

MR. SPEAKER (addressing the Acting Colonial Secretary): Did you read the Standing Order referred to by the hon. member for Newcastle? Our Standing Orders over-rule parliamentary practice in any other part of the world. In the event of no provision being made in our Standing Orders for any contingency, we then fall back upon the parliamentary practice of the House of Commons. But it appears that, in the case now referred to, provision is made for the form in which the motion for the production of the return asked for should be made.

THE ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) said he was aware of the provisions of the 50th Standing Order. He would, however, remind the House of the 48th Standing Order, which provided that motions for the production of any information emanating from His Excellency shall be in form "That an humble address be presented to His Excellency," praying to that effect. The return asked for by the hon. member was of an exceptional character, involving as it did a disclosure of the names and duties of officers connected with a department with regard to which it was essential that every possible care should be taken that secrecy was maintained. It was a return the production of which, it had appeared to him, was peculiarly within the province of His Excellency to sanction.

MR. SPEAKER: Of course, when any point of order arises, it is not for me to consider whether it is in favor of the Government or of the other side of the House. I have only to rule in accordance

with our Standing Orders, and really it seems to me that, according to Standing Order No. 50, the question asked by the hon. member for Newcastle is in proper form.

MR. STEERE: I must say that the rule appears to me perfectly plain. When our Standing Orders apply to a case in point, we are bound to be ruled by them, and I cannot help thinking that the hon. member (Mr. Shenton) is quite in order in moving for the production of the return which he wants in the form in which he has moved for it.

THE ATTORNEY GENERAL (Hon. H. H. Hocking): No one but the hon. member for Toodyay himself has suggested that he is out of order. The Colonial Secretary has simply refused to answer the question in the form in which it has been put, and suggested that the return should be moved for by an address to the Governor.

MR. BROWN: I cannot help thinking that there must have been some misunderstanding with reference to the attitude assumed by the Government in this matter. I think it is rather strange that the Governor should, in effect, say to this House, "you have a right to the information you have asked for, according to your Standing Orders; at the same time, you have not sufficiently humbled yourselves, and you cannot get it until you approach me in a humbler manner." Either the Governor is laboring under a misunderstanding, or that must be his feeling, and, if it is, every member in this House must regret it exceedingly.

MR. BURGESS: I think if a member asks for a return like that asked for by the hon. member for Newcastle, the Government ought to furnish it, without there existing any necessity for discussing the particular form in which the motion should be made, so long as we adhere to our Standing Orders.

MR. SHENTON said he would renew his application next day.

MR. CROWTHER: If we have a right to the return asked for, I should renew the application until the day of judgment, or until we obtained it. If we have no right to the information sought, then we have no right to press for it.

MR. RANDELL: I cannot help thinking that the hon. the Acting Colonial

Secretary has mistaken the course to be adopted in this case. I think the House is entitled to the information asked for, and I think the Speaker should lay down a definite rule for our future guidance in similar cases.

MR. SPEAKER: As I read the Standing Orders, I should consider that the hon. member for Newcastle, in moving for the return in the form in which he did, had done his duty, and I should have expected an answer. When the Acting Colonial Secretary declined to supply the information asked for, I was under the impression that he was guided by some rule of parliamentary practice with which I was not conversant. I should be sorry to be overbearing in pressing my opinion upon the House, but, so far as common sense goes, I have no doubt in my own mind that the motion is in proper form.

The question then dropped, Mr. Shenton intimating his intention of renewing his motion on the following day.

GUN BILL.

In reply to Mr. Shenton,

THE ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) said it was not the intention of the Government to introduce a Gun Bill, as recommended by a select committee, and approved by the House, last session.

EASTERN DISTRICTS RAILWAY.

MR. BROWN, in accordance with notice, moved, "That an humble address be presented to His Excellency the Governor, praying that he will cause to be placed on the Estimates such a sum as may be requisite to provide for the survey of a suitable route for the Eastern Districts railway, between Guildford and a point as nearly as practicable equidistant from Northam and York; also, for the preparation of requisite drawings and specifications upon which competitive tenders for the construction of the railway may be invited." The hon. member assumed there would be no division of opinion among the representative members of the House and the Government upon this subject. A railway to the Eastern districts was a project which had already been accepted by the country and by the Government, and the sole object

he had now in view in bringing forward his motion was to facilitate the progress of a work so important, and so necessary to the welfare of the Colony. In all parts of the world it had been found expedient and desirable to keep railway surveys in advance of the railway requirements of the country, regard being had to future extension; and it appeared to him highly desirable that the survey of the contemplated line to the Eastern districts should be undertaken without further delay, and that the country should be made acquainted with the proposed route as soon as possible. Although, in the motion before the House, a point equidistant from Northam and York was mentioned as the terminus of the line, he was not prepared to say that this precise point would be the most advantageous site for the terminus; his object was to elicit discussion in the House as to the best route to be adopted, for the guidance of the Government in conducting the necessary survey.

MR. RANDELL thought it would be better not to define any particular route, but leave the matter in the hands of the Government. There was a general feeling in favor of another route than that indicated in the motion before the House. He would suggest that the Government should be asked to cause a survey to be made of alternative routes, in the same way as had been done with the proposed line from Fremantle to Guildford.

MR. BROWN said his object was merely to ascertain the feeling of the House in the matter. There were many reasons why the railway should not be taken higher North than the point he had indicated, among which was the fact that there was much more good land available for agricultural purposes and settlement to the South of the point alluded to in the motion before the House.

MR. SHENTON said the hon. member seemed to ignore altogether the line surveyed by Mr. Major two or three years ago, from Guildford to the Eastern districts by way of Chittering Brook. He (Mr. Shenton) thought this line should not be lost sight of, and that the proposed survey should not be confined to a route having for its terminus a point equidistant from Northam and York.

MR. PADBURY'S idea of a railway was that, as far as possible, it should go

through the centres of population, so as to command as much traffic as possible. He was quite satisfied that if a railway were made to York, the proper route to adopt was that surveyed by Mr. Major. Possibly that line would cost more than a direct line to York, but it would on the other hand create a great deal more traffic. If they went in a direct line to York or Northam, the railway would traverse a mahogany forest nearly all along the route, and would not open up any productive part of the country. Of course it would command the traffic of Northam and York, but that was all; whereas, if the line went by way of the Swan and Chittering Brook, as surveyed by Mr. Major, it would take in the whole traffic of Gingin, Chittering, Moore River, Victoria Plains, and Bindoon—four times as much traffic as the other line. If they made a railway at all, for goodness' sake let it be made where there was likely to be some traffic to keep it going.

MR. MONGER said he certainly did not agree with the hon. member for Swan, and he thought no one acquainted with the character of the country along the route which he recommended would agree with the hon. member. From Chittering to the townsite of Toodyay was a continuation of barren country, chiefly consisting of bastard white gum trees, and he certainly did not think the House would be doing right in making a railway which would have to run a distance of forty miles through a barren country. A survey had already been made of the route recommended by the hon. member for Swan; let another be made in the direction indicated in the motion before the House. The relative advantages of the two routes would then soon be apparent. The latter, in addition to opening up a large portion of land for agriculture, would also embrace some mineral country.

MR. HAMERSLEY moved, as an amendment upon the motion before the House, That the words "between Guildford and a point as nearly as practicable equidistant from Northam and York," be omitted. It appeared to him that the Government should be left free agents to determine, after the surveys were made, which would be the best route to adopt. He would not attempt to bind them at present to any particular route.

MR. STEERE considered the amendment a very good one indeed. He did not think it would be at all advisable to tie the hands of the Government by limiting the survey to any particular line, though he was very much inclined to agree with the hon. member for Geraldton in his estimation of the route surveyed by Mr. Major, which he had never cared much for. He would like to see a more direct line to York, with branch lines running therefrom to other parts of the Eastern districts.

MR. MARMION was afraid the question before the House had not received that consideration at the hands of hon. members which it ought to have done, and that it had been brought forward too early in the session, before hon. members had had an opportunity of weighing arguments *pro* and *con*. It was just possible that after the survey of the particular route indicated in the motion before the House had been made, it might evoke as much opposition as that already surveyed by Mr. Major, and it might be deemed inadvisable by the House to proceed with it. The result would be a wasteful expenditure of another £3,000 or £4,000. He thought it would be a pity if the House were that night to affirm the motion under discussion, even as amended, because he considered the question was not ripe for a decision one way or the other. At any rate, he trusted the House would be satisfied with a rough survey, and not such an elaborate survey as that contemplated in the motion. This railway had been spoken of for a very long time, and it was unquestionably a most important and most necessary undertaking; but it was also a work involving a very large expenditure of money, and he was afraid they would have much difficulty in persuading the Secretary of State that we were in a position to pay the interest on the capital which would have to be expended in its construction. Great care and caution would have to be exercised in determining the best route, and he would be sorry to see the Government confined to one particular survey. He thought it would be advisable to ascertain the nature of the country through which the line should go, before committing the House to an expensive survey. He would prefer to see the motion adopted without including the latter part of it.

MR. BROWN said he would be sorry to see the amendment carried, because it would defeat one of the very objects he had in view in moving the resolution which stood in his name; namely, that the House should take upon its own shoulders the responsibility of determining the route of the proposed railway. When the survey was made, the House would not be bound to adopt that particular line; he simply intended the survey for the purpose of determining if the route referred to was an adaptable and advantageous route to adopt. He thought the other route (that surveyed by Mr. Major) had been abandoned by the country. It was somewhat amusing to hear the hon. member for Fremantle (Mr. Marmion) stating that he did not think this question had received sufficient consideration at the hands of hon. members and of the country. Why, for years past, the subject had been discussed over and over again, both in that House and by the public Press, and the relative merits of various routes had been repeatedly dilated upon by their respective supporters; and he thought it was high time the Council should be in a position to indicate to the Government the general route which the line should traverse, and not shirk the responsibility of so doing. With reference to the latter part of the resolution, he had merely followed the course suggested by the Secretary of State with reference to the proposed line from Fremantle to Guildford. The same preliminary steps which His Lordship insisted upon with respect to that line, in his despatch of the 19th June, would of course be insisted upon in connection with the Eastern districts line. If, after a fair discussion, some other route than that indicated in the motion before the House should be agreed upon, he (Mr. Brown) would not object to it; but he did think that it was the duty of the Council to intimate to the Government the general direction in which the railway ought to go.

MR. HAMERSLEY said there might be engineering and other difficulties on one line which were not to be met on another, and no satisfactory information could be obtained on this point until the surveys were made. He therefore thought it would be premature and unwise on the part of the House to commit itself at

this stage to any particular route. In his opinion, precisely the same steps should be taken with regard to this line as had already been adopted with respect to the Fremantle and Guildford railway; two or three routes should be surveyed, and the most advantageous one afterwards selected. As to the cost of the necessary surveys, if we were not in a position to incur that expenditure, we certainly were not in a position to undertake the construction of the proposed line from Fremantle to Guildford.

MR. MARMION, while opposed to the expenditure of public money which an elaborate survey would entail, was not averse to a rough survey being made with a view to determine the most suitable route. Perhaps the hon. the Surveyor General would inform the House what the difference was between a rough preliminary survey and such a survey as would be required "for the preparation of the requisite drawings and specifications upon which competitive tenders for the construction of a railway might be invited."

THE SURVEYOR GENERAL said there was nothing in which the House was so liberal as in this matter of surveys, and if this sort of thing continued much longer the cost of surveying our railways would be as much as would, in a great measure, cover the cost of construction. It would be in the recollection of hon. members that a committee—consisting of the late Mr. Drummond, Mr. Gull, and himself—had been appointed by the House some years ago, to determine and report upon the most advantageous route to be adopted for a line of railway to the Eastern districts. With the assistance of some of the resident settlers, the committee spent some weeks in determining the route, and plans were prepared and presented to the House showing the direction which, in the opinion of the committee, the line should take. Money was voted for a survey of the line, and the survey was completed, at a cost of about £1,300,—the sum paid to the surveying engineer being £12 a mile. That was a mere preliminary survey—such a survey as would not fulfil the conditions of the resolution before the House, having regard to the preparation of the requisite drawings and specifications for inviting competitive tenders for the construction

of the line; and he would warn the House against giving these unlimited orders for surveys, without some definite end in view. Until the Council was in real earnest as to the construction of a line of railway to the Eastern districts, he thought that the expenditure of such a sum as the resolution before the House would entail would be very unwise and indiscreet. He was not opposing the motion for an address to His Excellency, but he would warn the House that these railway surveys were not simply a matter of a £5 note.

MR. STEERE moved an amendment upon the amendment of the hon. member for Murray, omitting all the words "between Guildford and a point as nearly as practicable equi-distant from Northam and York; also, for the preparation of requisite drawings and specifications upon which competitive tenders for the construction of the railway be invited"—thus leaving the question of route and the character of the survey to the discretion of the Government.

MR. BURGESS seconded the motion, and

MR. HAMERSLEY thereupon withdrew his amendment.

MR. RANDELL moved, as a further amendment, That it is inexpedient at the present time to adopt any address to His Excellency the Governor for a survey of a line of railway to the Eastern districts. He was quite as much in favor of a railway to the Eastern districts as anyone in the Colony, for he considered it absolutely necessary not only for the development of the resources of those districts, but even to enable the settlers to maintain their present position. But, bearing in mind the replies of the settlers to the memorandum submitted to them by His Excellency the Governor with reference to the surrendering of land for railway purposes, he certainly did think there was very little hope—even if the motion for an address were adopted—of His Excellency acceding to the terms of the resolution. It must not be forgotten that the route of the first part of the proposed railway—that between Fremantle and Guildford—had not yet been determined, and he thought it was altogether premature to spend the public money in a survey of the contemplated extension line to the Eastern districts.

He was quite of opinion that the House should determine what particular route should be adopted, before a proper survey should be made; but he did not think the time had arrived for doing so yet. He did not believe anything would be lost by allowing the matter to stand over for another session. They would then know whether they could obtain the money for the construction of the first portion of the line, and, if they found that they could, they might then, with some show of reason, face the other and more important portion. Personally, he did not think there was the slightest chance of a line of railway to the Eastern districts being made for the next ten years, and for that reason he had proposed the amendment now before the House.

MR. MARMION said he could not support the amendment, inasmuch as it would grievously disappoint a great many persons, not only among the hon. members of that House, but throughout the Colony, and especially in the Eastern districts, who would regard it as a wet blanket thrown over the projected railway scheme, and who would think they had been falsely led to support the proposed line from Fremantle to Guildford, which they had been led to believe was the fore-runner of a line to York. He was not one who would break faith with them in this matter, and he would vote for the expenditure of a sum of money for the preliminary survey, in the hope that some good would come out of it.

MR. BROWN said he had always looked upon the hon. member for Perth (Mr. Randell) and himself as two of the staunchest supporters of the existing constitution. They had always maintained that, under it, every necessary work calculated to benefit the Colony could readily be secured from the Imperial Government, and that there was no necessity to adopt Responsible Government for that purpose. He was therefore surprised to find the hon. member putting forward the amendment which he had just submitted to the House, affirming that it was impolitic to proceed with the survey of the proposed railway to the Eastern districts, because, in his opinion, it will be fully ten years before such a railway will be an accomplished fact, notwithstanding the absolute necessity of it,

as acknowledged by the hon. member himself. He (Mr. Brown) was quite in accord with the hon. member as to the imperative necessity of the proposed railway, and he wanted to see it carried out under our present constitution. He considered it would be a very strong argument, indeed, in favor of the adoption of Responsible Government, if we had to wait ten years before this very necessary public work were undertaken and carried out. He hoped the House would mark its sense of the necessity of this railway by throwing out the hon. member's amendment.

Question put, "That the words proposed to be struck out by Mr. Randell's amendment stand part of the resolution," upon which a division was called for, with the following result:—

Ayes	...	...	14
Noes	...	...	5
Majority for			9

AYES.	NOES.
Mr. Burges	The Hon. A. O'G. Lefroy
Mr. Shenton	The Hon. H. H. Hocking
Mr. Pearce	The Hon. M. Fraser
Mr. Glyde	Sir L. S. Leake
Mr. Parker	Mr. G. Randell (Teller.)
Mr. Marmion	
Mr. Monger	
Mr. Steere	
Mr. Crowther	
Mr. Padbury	
Mr. Gale	
Mr. Hamersley	
Mr. Hardey	
Mr. Brown (Teller.)	

Mr. Randell's amendment was therefore negatived.

MR. BURGESS said, if a railway from Fremantle to Guildford were constructed, it must eventually be extended to the Eastern districts, and it was on that understanding that he had supported the proposal for constructing the line to Guildford. It was true that a survey had already been made of a line to the Eastern districts—whether it was a desirable route he could not say; but there was no reason why a better one should not exist, and he would be glad to see another survey undertaken. These surveys were very important matters, and required to be very carefully conducted. The survey of the Geraldton and Northampton railway had been very hastily made, and the result was that a much better and safer route had afterwards been discovered. He hoped the same mistake would not take place with refer-

ence to the lines now in contemplation. He must say, he had expected something much more definite placed before them this session with regard to railway construction, and he confessed to a feeling of disappointment that the question had not advanced more than it had. If the same delay would take place with respect to the Eastern districts line as had occurred in connection with the proposed railway from Fremantle to Guildford, a long time indeed would elapse before the Eastern districts would be placed in direct steam communication with a port of shipment. He thought no time should be lost in making a survey of the line, without confining the Government to any particular route.

MR. MARMION said he also had an amendment to make, for he considered the amendment of the hon. member for Wellington too vague and indefinite. In order to save the time of the Government, and of the surveying party, he thought it would be advisable to indicate the direction which the line should take, as nearly as possible. He would therefore move the insertion of the words "preliminary survey of a suitable route for the Eastern districts railway between Guildford and York, and also of an alternative route from Guildford to a point in the neighborhood of Northam, or equi-distant between Northam and York."

MR. PADBURY thought it would be better to leave the hands of the Government unfettered in the matter of fixing the route; they were in a better position to determine that point than the House was.

MR. MONGER said he was quite positive in his own mind, from the experience he had had of the country, that the route which would be ultimately adopted would be that indicated in the motion of the hon. member for Geraldton.

MR. BROWN said he would vote for the amendment of the hon. member for Fremantle (Mr. Marmion), inasmuch as it embraced all the important part of his own resolution, and even went further. But he would point out to hon. members, that if the amendment was lost and the original motion negatived, the House would have expressed no opinion as to the particular route which the line should traverse; and if the Government in the

exercise of their wise discretion—and he was sure they would exercise a wise discretion—came to the conclusion that the best route would be by way of Pinjarrah, or any other out-of-the-way locality, and the House did not approve of their selection, hon. members would bear in mind that they had elected to leave the matter entirely in the hands of the Government, to whom no blame could attach.

Question put, "That the words proposed to be inserted by the hon. member Mr. Marmion be inserted," upon which a division was called for, with the following result:—

Ayes	...	...	8
Noes	...	...	10

Majority against ... 2

AYES.	NOES.
Mr. Hardey	The Hon. A. O'G. Lefroy
Mr. Glyde	The Hon. H. H. Hocking
Mr. Parker	The Hon. M. Fraser
Mr. Monger	Mr. Randell
Mr. Marmion	Mr. Shenton
Mr. Pearse	Mr. Padbury
Mr. Crowther	Mr. Burges
Mr. Brown (Teller.)	Mr. Hamersley
	Mr. Gale
	Mr. Steere (Teller.)

The amendment of the hon. member, Mr. Marmion, was therefore negatived.

The House then divided on the original amendment, proposed by the hon. member for Wellington (Mr. Steere), when there appeared:—

Ayes	...	...	4
Noes	...	...	15

Majority against ... 11

AYES.	NOES.
Mr. Hamersley	The Hon. A. O'G. Lefroy
Mr. Burges	The Hon. H. H. Hocking
Mr. Glyde	The Hon. M. Fraser
Mr. Steere (Teller.)	Mr. Randell
	Sir L. S. Leake
	Mr. Shenton
	Mr. Padbury
	Mr. Brown
	Mr. Gale
	Mr. Parker
	Mr. Monger
	Mr. Marmion
	Mr. Hardey
	Mr. Pearse
	Mr. Crowther (Teller.)

The amendment was consequently negatived.

Progress reported.

GUILDFORD AND FREMANTLE RAILWAY—LOAN BILL.

MR. STEERE, in accordance with notice, moved the following resolution: "That an humble address be presented

to His Excellency the Governor, praying that he will, during the present session of the Legislative Council, introduce a Bill to authorise the raising of a loan of such an amount as may be requisite to provide for the construction of a portion of the projected railway to connect the Eastern Districts with the port of Fremantle, between Guildford and Fremantle." He did not bring forward the motion in a spirit of antagonism or opposition to the Government, but rather to assist them in carrying out this very necessary and important undertaking. After reading the correspondence which had taken place between the Governor and the Secretary of State relating to this work, he had arrived at the conclusion that His Excellency was precluded from taking action with regard to introducing a Loan Bill unless asked to do so by the House. Hence the resolution which he had now proposed. He believed the Government were in favor of the construction of this line of railway, and he accepted it as a fact that the majority of hon. members in the House were of opinion that the work should be undertaken and carried out without any unnecessary delay. At the last session of Council it was resolved that the proposed railway was the public work which the Colony could most advantageously undertake, and a sum of money was voted for a survey of the line. His Excellency so far concurred in the desirability of the work that he caused the necessary survey to be made, and an estimate of the cost of the line to be prepared and forwarded for the information of the Secretary of State. Just to show the House the immense length of time which the project had been under consideration, he would remind hon. members that the first despatch in which the subject was mentioned by His Excellency the Governor to the Secretary of State was so far back as the 28th August, 1875, very nearly two years ago; and when he came to look at the progress made with the question since that time, he was really almost obliged to come to the conclusion that the hon. member for Perth (Mr. Randell) was not far wrong when he stated as his opinion that we should have no railway to the Eastern Districts for the next ten years. The projected railway was next referred to by His Excellency in a des-

patch dated the 16th February, 1876, to which an answer was returned by the Secretary of State on the 19th June, in which His Lordship said that as soon as he was furnished with certain information relative to the proposed undertaking, he would be prepared to give the matter further consideration. The information which the Secretary of State asked for was not forwarded until the 6th June of the present year—the delay, he believed, having been unavoidable. That despatch of His Excellency (dated June 6, 1877) would reach the Secretary of State about August, when Parliament would be dispersing, and very possibly His Lordship would be out of town. Some months, therefore, must necessarily elapse before a reply was received to His Excellency's despatch, and if the House had agreed to the resolution which he had submitted for its adoption, and a Bill were introduced this session authorising the raising of a loan to carry out the projected scheme, the Bill—if forwarded home next mail—would receive the consideration of the Secretary of State at the same time as His Excellency's despatch, and they would thus save, he believed, twelve months at least—which he considered a very material point. The proposed railway, though possibly not of such vital importance to the Colony that it should be commenced without delay, was certainly absolutely essential to the progress of the Colony. It was most disheartening to the House and to the public generally that no more progress had been made with this question than had been. He could not see very well how His Excellency himself could, in the face of Lord Carnarvon's despatch, have introduced a Railway Loan Bill this session, unless requested to do so by the House. He therefore hoped the resolution which he had proposed would be affirmed, and that His Excellency would concur in the expediency of introducing a Loan Bill for the purposes of the railway before the present session ended, so that it might be sent home by the next outgoing mail and receive the attention of the Secretary of State simultaneously with His Excellency's despatch of the 6th June proximo.

MR. RANDELL did not think the adoption of the resolution would advance the projected railway in the least, any

more than would the railway, if constructed, advance the Colony in any way. It would, of course, afford increased facilities for passengers travelling between the towns of Fremantle, Perth, and Guildford, and that was all. It would not develop any of the resources of the Colony; it would not tap any producing country. Even the route which the line should traverse had not yet been decided upon, and until that was determined it appeared to him premature to make such a motion as that before the House. The cost of the line had not been stated yet, beyond an approximate estimate given by the Director of Public Works, which did not provide for rolling stock—not that he (Mr. Randell) thought for a moment that the cost of the line would stand in the way of the railway being constructed. There was a general feeling abroad that one of the results of the work being undertaken would be that it would create a large circulation of capital in the Colony; but he thought that, under existing circumstances, very little of the money expended would remain in the Colony. The principal portion would go out of the country; much of it to South Australia and much of it to England, for imports. And, when the railway was finished, they would find the Colony burdened with a debt, and with no reproductive work to show for it—nothing calculated to advance the Colony, in return for the money spent. He had been surprised at the statement in His Excellency's opening speech to the effect that His Excellency saw no reason to dissent from the estimates of revenue prepared by the original promoters of the line, whereas it had been shown in the House by more than one member that those estimates were utterly unreliable, both as regarded expenditure and revenue. He maintained that so far from there being a balance of £12,000 yearly to go to the general revenue from the traffic returns, as estimated by the Director of Public Works, the railway would not even cover its working expenses. The statistics referred to, in the first place, went on the assumption that the whole of the traffic between Fremantle, Perth, and Guildford, would necessarily be absorbed by the railway, ignoring the fact that there existed other means of trans-

port, in competition; and that until harbor improvements at Fremantle had been effected the existing means of transport would be cheaper and more convenient than forwarding goods by rail to be subsequently placed on board cargo boats at Fremantle for conveyance to the ships in harbor. The motion before the House was one which he could not assent to.

The resolution was then put to the House and agreed to.

SCAB IN SHEEP—SELECT COMMITTEE.

MR. STEERE, pursuant to notice, moved: "For a select committee to inquire into the operation of the Acts in force for the prevention of scab in sheep; with power to call for papers and persons, and to report to the House whether it would be advisable to make a fresh distribution of the various Inspectors' districts to ensure a more efficient supervision of infected sheep; such committee to consist of Sir T. C. Campbell, Mr. Brown, Mr. Burges, Mr. Hamersley, and the mover." The hon. member said his reason for moving for the appointment of this select committee was that there was a large portion of the Colony entirely free from scab, and yet there were Scab Inspectors stationed there, where, of course, their services were not required. On the other hand, there were other districts of the Colony where there was a great deal of scab, and these districts were without efficient supervision. Possibly, a select committee might recommend some scheme to remedy this state of things, by a fresh distribution of the Inspectors, and other means for ensuring a more efficient supervision of infected sheep. He thought that, considering the small number of sheep we had in the Colony, it was not much to our credit that we should have scab so prevalent as it was, as compared with the other Colonies; and he believed this might be remedied to some extent by carrying out the suggestion contemplated in the motion before the House.

SIR T. COCKBURN-CAMPBELL said his constituents had, year after year, for some time past, begged that some action should be taken in this direction. Their district being, happily, free from scab, they naturally considered it very hard that they should be called upon to

pay a tax upon their sheep on account of the neglect of duty on the part of Scab-Inspectors in other parts of the Colony—as it must be—for had they efficiently carried out the provisions of the Acts in force for the prevention of scab, the disease would have been eradicated before now. He considered the motion a highly desirable one.

Motion agreed to.

THE BUNBURY BOARD OF INQUIRY.

MR. STEERE, in accordance with notice moved, "That an address be presented to His Excellency, requesting that he will be good enough to lay upon the Table of the House the report of the Board of Inquiry which was held at Bunbury to inquire into certain charges made against the Resident Magistrate by a late Justice of the Peace in that district, and certain counter-charges made by the Resident Magistrate, and also to inform the House what decision has been arrived at with reference to these charges. The hon. member said he had been induced to bring forward this motion in consequence of the false statements which had been circulated with reference to the result of the inquiry. The hon. gentlemen also expressed his astonishment at the reticence of the Press in connection with this matter, and asserted that one of the newspapers had been actually requested to state the decision of the Board of Inquiry, but had not done so.

Motion adopted.

SAVINGS' BANK DEPOSITS.

MR. MARMION, pursuant to notice, moved, "That in the opinion of this Council the rate of interest now charged upon Savings' Bank deposits lent upon mortgage is excessively high, and acts as a check to the favorable investment of such moneys; and further that a reduction to a minimum of six per cent. would be advantageous." In support of the motion, the hon. member said the House must be aware that money was lent in the Colony, on good security, at a much lower rate than the interest charged by the Government on the Savings' Bank deposits. For this reason, the Government found themselves with a large amount of money lying idle, and which they were

unable to invest. On reference to a return prepared by the Postmaster General, he found that there was £12,000 belonging to the Savings' Bank funds invested at fixed deposits in the National and Western Australian Banks, in addition to which there was an amount of £3,800 in the hands of the Acting Colonial Treasurer, making a total of £15,000—without reference to some smaller sums to which he need not allude—a portion of which was not invested at all, and the balance only realising interest at the rate of four per cent., which he believed was the rate allowed by the Banks on fixed deposits. To prove the correctness of his views on this question, he would quote an extract from the report of the Postmaster General for the past year: "With respect to Government investments of a portion of the Bank Deposits, I regret to say they have not realised the anticipated results during the last two years. The interest paid to Depositors for 1876 was £878 4s. 8d., and that accruing from the several Investments for the same period £1,060, which includes interest on the fixed deposits at the Western Australian and National Banks, leaving a balance in favor of the Savings' Bank of £181 15s. 4d. This small profit would be considerably increased were the whole of the available deposits invested, which is not the case of a large sum now in the hands of the Colonial Treasurer, the non-investment of which is mainly attributable to the unwillingness of persons to borrow from Government at 8 per cent. when they can obtain money at a lower rate of interest from private sources. It is a matter, therefore, that well deserves an early consideration of His Excellency the Governor, as to the expediency of reducing the interest to six per cent., at which rate I have no doubt all available deposits might be readily and profitably invested, and thereby render the Savings' Bank a source of larger profit to Government." The extract he had read was so clear and to the point, that he need hardly say any more. But he would like to point out what advantages might accrue to the revenue were the Savings' Bank deposits invested on more favorable terms. Supposing this £15,000, already alluded to, were invested, say one half at seven per cent. and the other half at six per cent. there would be accruing in the shape of

interest something like £500 a year on the one amount, and about £450 a year on the other, making a total of £950, whereas at the present time the amount of interest received was only about £400. Therefore, if the money were invested to greater advantage, the revenue of the Colony would be a gainer of something between £400 and £500 a year, which to a Colony like this was worthy of consideration.

MR. SHENTON supported the motion. He thought it was a pity to see such a large sum of money bringing in such a small rate of interest. Considering that the Government debentures had been issued at six per cent., he thought that rate should be the minimum rate of interest upon the moneys invested by the Government out of the Savings' Bank deposits.

THE ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) said if the hon. member (Mr. Marmion) had looked at the Ordinance under which the Government was empowered to invest this money, he would have seen that they were not allowed by law to invest the whole of the Savings' Bank deposits; one-third had to be reserved, available in the event of a call being made on the bank. The hon. member was in error, too, as to the Government having fixed a minimum rate of interest at eight per cent. No such a minimum had ever been fixed. The Government were ruled by the value of money in the market, as regarded the rate of interest which they charged upon loans made out of the Savings' Bank deposits. The difficulty which the Government had experienced had not been in consequence of the rate of interest which they charged, but owing to the difficulty of finding safe and valid security, as provided in the Ordinance. Whenever such security was forthcoming, there had been no hesitation on the part of the Government to advance the money, at the current rate of interest in the local money market. Only recently, an application for a loan was received from Fremantle, and entertained by the Government, the interest charged being at the rate of six per cent.—the very sum fixed by the hon. member himself. He thought it would be very unwise on the part of the House to tie the hands of the Government with regard to the rate of

interest which they should charge on loans out of these deposits, seeing that the money market was subjected to frequent fluctuations.

MR. MARMION was at a loss to know how to reconcile the statement of the hon. the Colonial Secretary as to the Government not having fixed the rate of interest at eight per cent. with the extract which he had read from the report of the Postmaster General. It was fortunate for the hon. gentleman that he had been able to adduce a solitary instance in which the Government had acknowledged the policy of departing from their usual rate of interest. He believed that was the only instance on record, in which they had done so. He had no desire at all to bind the Government to any hard and fast line; his resolution only proposed that the minimum rate of interest should be six per cent., which did not preclude the Government from charging more if they could get it.

THE ACTING COLONIAL SECRETARY (Hon. A. O'Grady Lefroy) said the Postmaster General was incorrect in stating that the Government charged eight per cent. That gentleman was not the officer entrusted with the lending of the money, but the Colonial Treasurer, with the sanction of the Governor in Council. Throughout the whole period of his lengthened experience in the Treasury, he had never known a case in which a loan had been refused on account of the rate of interest demanded.

THE ATTORNEY GENERAL (Hon. H. H. Hocking) confirmed what had fallen from the hon. the Colonial Secretary as to there never (within his knowledge) having been a loan rejected in consequence of the rate of interest charged by the Government. He thought it would be impolitic to fetter the Government in this matter; they had not yet shown any indisposition to follow the market value of money when dealing with these deposits. Their maxim had been "Better to get what we can, than let the money lie idle." Possibly, the erroneous impression under which the hon. member for Fremantle labored as to the rate of interest charged by the Government was a popular error; but it was unfounded.

MR. MARMION said the case alluded to by the Colonial Secretary as the instance in which the Government had

only charged six per cent. was an exceptional case. The money was lent to a religious body. As to no loans having been refused on account of the rate of interest demanded, that was not at all unlikely; no one would apply to the Government for a loan, when it was understood that they charged eight per cent., if the money could be had cheaper from other sources.

MR. STEERE was glad this discussion had taken place, so as to remove the impression which undoubtedly existed outside—and which was entirely confirmed by the report of the Postmaster General—that the Government was in the habit of charging eight per cent.

MR. RANDELL mentioned another case in which the Government had lent money at six per cent., namely to the Perth City Council, which, some time ago, borrowed £2,500 at that rate.

MR. MARMION said that having received the assurance of the representatives of the Government in the House, that in fixing the rate of interest they were always ruled by the state of the money market, he would, with leave, withdraw his motion.

Motion withdrawn.

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

LEGISLATIVE COUNCIL,

Tuesday, 17th July, 1877.

Police Return: Point of Order—Geraldton and Northampton Railway—Pensions Bill: first reading—District Roads Audit Bill: second reading—Imported Stock Act, 1876, Amendment Bill, 1877: second reading—Industrial Schools Act, 1874, Amendment Bill, 1877: second reading—Confirmation of Expenditure Bill: second reading—Extradition Bill, Western Australia, 1877: second reading; in committee—Roads Parties Discipline Bill: third reading—Ballot Bill: second reading.

THE SPEAKER took the chair at noon.

PRAYERS.

POLICE RETURN—POINT OF ORDER.

MR. SHENTON intimated his intention of renewing his motion for a return

showing the names, duties, and salaries of all officers of the police force stationed in the Perth district, inclusive of the Detective department.

MR. SPEAKER: (reading from *May*)—"It is a rule in both Houses not to permit any question or bill to be offered, which is substantially the same as one on which their judgment has already been expressed in the current session. This is necessary, in order to avoid contradictory decisions, to prevent surprises, and to afford proper opportunities for determining several questions, as they arise."

MR. SHENTON: In this case I maintain that the House has arrived at no decision. I asked the Colonial Secretary to lay the return asked for on the Table, and the hon. gentleman replied that it was of a character which required it should be moved for by an address to His Excellency the Governor. I then rose to a point of order, drawing your honor's attention to Standing Order No. 50, and your honor ruled that in this instance an address to His Excellency was not necessary. According to the rule you have read from *May*, when a member of this House asks for a return, or any information, from the Government relating to the public service, it would be competent for the Government, by simply raising a point of order, to virtually shelve the question for the remainder of the session. Such tactics as that would do away in a great measure with the independence and privileges of this House, and our mouths would be shut. I distinctly maintain that no decision whatever has been given to my question of yesterday, because your honor ruled that the answer given by the hon. the Colonial Secretary was not in accordance with the standing order of the House. I have received no reply, yea or nay, from the Government, as to whether the return I have asked for shall be laid on the Table. If the rule which your honor has just quoted is to govern our proceedings in such cases as this, then all I can say is that it seriously infringes upon the privileges of the elected members, who, I hope, will join me in protesting against it.

MR. SPEAKER: Your notice had better be inserted on the notice paper, and in the meantime I shall have time to consider the question.