

WESTERN AUSTRALIA.

PARLIAMENTARY DEBATES.

Legislative Council—Session of 1874.

Opened on Wednesday, 1st July, 1874.

LEGISLATIVE COUNCIL,

Wednesday, 1st July, 1874.

Opening of the Council—Clerk to the Legislative Council—Swearing in of Members—The Governor's Speech—Dogs Ordinances Amendment Bill: first reading—Papers Tabled—Address in Reply to the Governor's Speech.

OPENING OF THE COUNCIL.

The Council was prorogued by His Excellency the Governor on the 22nd November, 1873 to the 16th April, 1874; thence to the 1st June, 1874; thence to the 1st July, 1874, on which day it met for the despatch of business.

The Council met at 2 p.m.

CLERK TO THE LEGISLATIVE COUNCIL.

Mr. James Cowan was sworn in as Clerk of the Council.

PRAYERS.

SWEARING IN OF MEMBERS.

The SPEAKER administered the Oath of Allegiance to the Acting Attorney General (Hon. G. W. Leake), Mr. Burt, Mr. Glyde, Mr. Hamersley, and Mr. Crowther.

THE GOVERNOR'S SPEECH.

The Sergeant-at-Arms announced the approach of His Excellency the Governor. The Governor entered the Council Chamber.

His EXCELLENCY was then pleased to deliver the following Speech:—

Mr. Speaker, and Honorable Gentlemen of the Legislative Council,—

I am—in meeting you at the opening of this Fourth Session of Your Honorable Council—again able to congratulate you upon the continuously increasing prosperity of the Colony under my charge.

You have now a revenue and a surplus at your disposal, far in excess of that of any previous period in the history of Western Australia.

To the progressive policy in which you have supported me, to augmented facilities for communication which you have enabled me to establish, to a sound state of trade, to the remunerative prices ruling for wool, pearl shells, sandalwood, timber, and farm produce, may be referred a progress which is the more sound because coincident with the reduction of Imperial Expenditure.

All your industries are in an improved condition: the Pearl Fishery is increasingly prosperous; the Timber Trade is rising into importance, and seems only limited by want of labor and shipping; Mining enterprise, encouraged by the altered Regulations, is extending, and will receive a great impulse from the construction of the Geraldton and Northampton Railway; Pastoral Stations are spreading into the interior, and bridging the gap between this Colony and adjacent provinces; whilst not only for pastoral, but also for agricultural purposes, fresh land is being taken up; and I earnestly hope, notwithstanding the bad seasons from which it is now recovering, that with an improved system of agriculture, attention to the cultivation of the vine, and such other products as are more especially suited to the soil and to the climate, the agricultural interest may yet attain a highly prosperous future.

The search for gold which by a vote last Session you enabled me to set on foot has only yet resulted in the discovery of small quantities of gold—distributed, however, over many districts; whilst the existence of payable auriferous quartz reefs seems now to be placed beyond question.

I cannot doubt but that you will be prepared to give your most earnest attention to the question of Immigration, which I look upon as one of vital importance. I am prepared to place a considerable sum on the Estimates to be expended in such manner as you may, after due deliberation, advise as best calculated to ensure a supply of labor and to induce settlement.

Information on this subject will be placed on your table.

Your Honorable Council having appointed a Select Committee upon the question of Harbor Works at our principal port, and adopted their Report, I have carefully adhered to your recommendations, and a report from the gentlemen to whom you referred the subject will be laid before you. It is impossible to over-rate the importance to the Colony of this question, and I shall have much satisfaction in learning that you have arrived at a decision, and will readily lay before Her Majesty's Secretary of State any well-considered scheme that you may adopt, should you request me to do so.

Everything that increases your commerce, unites you with other countries, and extends your means of communication, not only directly manifests the great necessity that exists for Harbor Improvements, but also indirectly supplies the means of construction; and for this reason, as well as upon its own merits, I strongly recommend that a part of your surplus revenue be devoted to the construction of a Telegraph line to South Australia. Brought thus into immediate communication with Europe and the Colonies, you would terminate that isolation which has so long retarded the advancement of Western Australia.

You will, in correspondence which will be laid before you on this subject, readily recognize the liberal spirit which animates the Governments of South Australia and Victoria.

I have steadily, ever since I assumed the Government, worked for the establishment of a Telegraphic System which would be completed by a direct submarine line from Western Australia to Galle. Much has been already effected. The Telegraph line is now at work from Geraldton to Albany, throughout your

settled districts, and, together with the establishment of Steam Communication on your coast, has given a great, and now undoubted, impulse to the Colony.

The settlers of Western Australia have, since your last Session, hailed the arrival of Colonel Warburton and his party from Central Australia, with an unanimous feeling of admiration for the determination and endurance which enabled them to overcome difficulties unsurpassed in the history of Australian exploration. I gladly unite to theirs my appreciation of the successful efforts of these undaunted explorers, and of the public spirit of those who sent them forth.

Mr. John Forrest, of our Survey Department, with a small exploring party of volunteers, is now in the interior. I can wish his efforts no results more beneficial to the Colony than those which attended his former adventurous journey to South Australia.

Estimates of lines of light Railway to the Eastern Districts, and from Fremantle *via* Perth to Guildford, prepared at your request, will be laid before you.

You will be asked to provide your proportion of the expenses requisite for the continuation of the joint Marine Survey, the useful results of which are already manifest.

A Land Registration Bill on the Torrens system will be introduced by Government at your expressed desire, and several other measures of utility will be proposed, which I commend to your careful consideration.

Mr. Speaker, and Honorable Gentlemen,—

I should ill represent the feelings of the people of this part of Her Majesty's Dominions did I not take this first occasion of expressing the heartfelt good wishes which we all unite in offering to His Royal Highness the Duke of Edinburgh and his Consort on the occasion of their marriage. You will with me hail this auspicious event as devoted subjects of Her Most Gracious Majesty The Queen, and also as having yourselves experienced the personal interest with which His Royal Highness has regarded these Colonies.

It now only remains to me to declare this Session opened; and, in doing so, to express my trust that it may, by God's help, be fruitful in good to this country and people, and that the work of your former Sessions, may be continued and matured in the wise deliberations and careful conclusions of this.

Having handed a copy of the Vice-Regal Speech to the Speaker, His Excellency, accompanied by his staff, withdrew from the House.

The SPEAKER took the Chair.

### DOGS ORDINANCES AMENDMENT BILL.

#### First Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee), with leave, without notice, moved that leave be given to bring in a Bill to amend the Ordinances 4th and 5th Victoria, No. 14, 1841, and 10th Victoria, No. 5, of 1847. He said that in introducing the Bill he was merely following the usual constitutional method of asserting the privileges of the House.

The Bill was read a first time.

### PAPERS TABLED.

The COLONIAL SECRETARY (Hon. F. P. Barlee) laid upon the Table of the House the following papers:—

1. Blue Book for the year 1873.
2. Amended Land Regulations.
3. Memorandum on the Electric Telegraph Department.
4. Memoranda regarding Indian coolie labor.
5. Letter from His Lordship the Bishop of Perth concerning the support of Aboriginal native children.
6. Report upon the quarantine laws and regulations.
7. Report of the Honorable the Surveyor General on his proceedings during his visit to Melbourne on public business.
8. Report by the Reverend C. Nicolay, on the natural facilities afforded for the construction of a ship canal to connect Rocky Bay, in the Swan River, with the sea.
9. Return of the transactions of the Post Office Savings' Bank during the year ended 31st December, 1873.
10. Return of the Perth Working Men's Benefit Society, for the year 1873.
11. Return of the New Swan Lodge of Oddfellows, No. 4406, for the year 1873.
12. Return of the City of Perth Lodge of Oddfellows, No. 4702, for the year 1873.
13. Eastern districts railway plans, by Mr. James Major, C.E.
14. Fremantle to Guildford railway plans, and report, by Mr. H. E. Victor, C.E.
15. Report on Crown lands and surveys, for the year 1873.
16. Report of the Central Board of Education for the year 1873.

17. Reports from the leaders of the several gold prospecting parties.
18. Correspondence with the National Bank of Australasia, Melbourne, as to floating public works loan of £100,000.
19. Seven volumes presented by Mr. Field to the Law and Parliamentary Library of Western Australia, viz.:—The Political, Penal, and Civil Code, also the Codes of Civil and Criminal Procedure (with book of forms) of the State of New York; and draft outlines of an international code.

### ADDRESS IN REPLY TO THE GOVERNOR'S SPEECH.

Mr. BURT moved that an humble Address be presented to His Excellency the Governor in reply to the Speech he had been pleased to deliver to the Council. He said he was sure it must be a source of great satisfaction to every hon. member in the House that His Excellency was again able to offer congratulations upon the continuously-increasing prosperity of the colony, and an unprecedentedly large revenue and surplus. This fact was the more gratifying in the face of the reduction of Imperial expenditure, which apparently had not proved so disastrous as some people had anticipated. The hon. member then proceeded to deal with each paragraph of the speech *seriatim*, and referred with approbation to the principal topics contained therein. In reference to the promised introduction of the Torrens Land Act he only hoped that, ere the House adopted it, hon. members would take the trouble to read it, and endeavor, if they could, to master its details. He hoped they would not adopt the Torrens Land Act simply because it was the Torrens Land Act. One of the fundamental principles of the measure appeared to be the taxation of every class of the community for the sole benefit of the proprietors of land. After some further remarks the hon. member concluded by formally moving an Address in Reply to the Vice-Regal Speech, and sat down amidst cheering.

Mr. HAMERSLEY briefly seconded the motion.

Mr. STEERE said it had been customary to move that the debate on the Governor's Speech be adjourned until hon. members had had an opportunity of carefully considering it, but in the present instance he thought there was no necessity for adopting that course, as the Speech contained nought but what must meet with the approbation of the House.

There was no divergence of opinion as to the necessity and importance of most, if not all, of the measures promised, and it afforded him much pleasure in supporting the motion before the House.

No other hon. member rising,

The COLONIAL SECRETARY (Hon. F. P. Barlee) having congratulated the House on the acquisition of so fluent a speaker as the mover of the Address, expressed his satisfaction at the unanimity with which hon. members had adopted the motion for an Address in Reply to the Vice-Regal Speech, to which he could not conceive that any opposition could be offered. He was of course aware that in agreeing to the motion before the House hon. members did not pledge themselves to support, in detail, any of the measures alluded to in the Speech, but merely expressed their concurrence in respect of the importance and necessity of introducing those measures, an opportunity for the discussion of the details of which would be afforded during the session. After some further observation, and the motion before the House being affirmed, the hon. gentleman moved that a select committee, consisting of Messrs. Burt, S.R. Hamersley, Padbury, Crowther, and the Mover be appointed to frame an Address in Reply.

Question put and passed.

The Address, read at the Table by the Clerk, was as follows:—

May it please Your Excellency:

We, the Members of the Legislative Council of Western Australia, in Council assembled, desire to express our thanks for the Address with which Your Excellency has opened the Fourth Session of this Honorable Council, and to reciprocate your congratulations upon the increasing prosperity of the Colony.

We concur with Your Excellency in the causes which have led to this prosperous condition, in the face of a reduced Imperial Expenditure; and it is satisfactory to us to learn that, in Your Excellency's opinion, all colonial industries are in a sound condition; and we echo your hope, that notwithstanding the bad seasons that have lately prevailed, the Agricultural interests may yet attain a prosperous future.

Although no great results in alluvial soil have as yet arisen from the expenditure of the sum voted for gold prospecting, we agree in thinking that the existence of payable auriferous quartz reefs has been satisfactorily proved.

Your Excellency may rest assured that our most earnest attention will be given to the subject of Immigration, which we fully recognize as one of vital importance at the present time; and we rejoice to learn that Your Excellency will be prepared to devote a considerable sum of money for this purpose.

We will give our best consideration to the report on Harbor Works to which Your Excellency has alluded, and trust that the present Session will not close without some decision on this important point being arrived at.

The construction of a Telegraph Line to South Australia we recognize as a work of great importance; we fully estimate the advantages that have accrued to Western Australia from the establishment of telegraphic communication throughout the settled districts, and those that must follow her connection with the Eastern Colonies and Europe, and the consequent termination of that isolation which has so long retarded her advancement.

We gladly add our testimony to the feeling of admiration you have expressed on behalf of the gallant officer and his small band of Explorers who arrived here from a journey only accomplished after encountering hardships and privations endured with heroic fortitude, and we join in your wishes for a successful issue to the expedition that has lately been sent from hence into the interior of Australia, under the command of Mr. John Forrest.

The several measures to which Your Excellency has alluded shall receive our careful consideration.

We heartily unite with Your Excellency in expressing our sincere congratulations to His Royal Highness The Duke of Edinburgh and his Imperial Consort on the occasion of their Marriage; and we are well aware that we represent, in these congratulations, the united sentiments of the whole population of this loyal Colony.

It only now remains for us, in again thanking Your Excellency for the Address with which you have been pleased to open this Session, to join our prayer with you that our deliberations may, by God's Help, be fruitful in good to the Colony.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Address be adopted.

The ACTING ATTORNEY GENERAL  
(Hon. G. W. Leake) seconded the motion.

Question put and passed.

The Council adjourned at 3.25 p.m.

## LEGISLATIVE COUNCIL,

*Thursday, 2nd July, 1874.*

Privilege—Address in Reply to the Governor's Speech—First Readings—Harbor Improvements: select committee—Immigration: select committee—Postage on Newspapers: in committee.

The SPEAKER took the Chair at 12 noon.

PRAYERS.

### PRIVILEGE.

Mr. STEERE, without notice, called attention to a question of privilege, and protested against the precedent of nominee members being appointed until the writs had been returned for the election of all the elected members.

The COLONIAL SECRETARY (Hon. F. P. Barlee) stated that the question had not escaped the notice of the Government. His Excellency the Governor had submitted the question for the advice of the Hon. the Acting Attorney General, and the grounds on which that officer had advised His Excellency to make the appointment of a fourth unofficial nominee member were concurred in by His Excellency the Governor in Executive Council. The Attorney General (who was absent) would be prepared to state to the Council the grounds on which he had advised His Excellency to make the appointment.

### ADDRESS IN REPLY TO THE GOVERNOR'S SPEECH.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Address to His Excellency the Governor, in reply to his Speech, be presented by the Speaker and other members of the House.

Mr. STEERE seconded the motion.

Question put and passed.

The Council adjourned and reassembled at 1 p.m.

The SPEAKER announced that the Address to His Excellency the Governor had been presented in accordance with the resolution of the House.

### FIRST READINGS.

The following Bills were read a first time, in accordance with notice, on motions by the Colonial Secretary (Hon. F. P. Barlee): Confirmation of Expenditure Bill, Transfer of Land Bill, Land Transfer Duty Act Amendment Bill, Aboriginal Native Offenders Amendment Bill, Imported Labor Registry Bill, Telegraphic Messages Bill, Game Bill, Charitable Institutions Bill, Exportation of Horses Bill, Miners Water Supply Bill, Education Act Amendment Bill, and the Wines, Beer, and Spirit Sale Act, 1872, Amendment Bill.

### HARBOR IMPROVEMENTS.

#### Select Committee.

The COLONIAL SECRETARY (Hon. F. P. Barlee), in accordance with notice, moved for the appointment of a select committee to take into consideration the report of the engineers of the Government of Victoria on the several plans for harbor improvements submitted to them, to report on further proposals of a similar nature, and to recommend for the consideration of the Council what measures should be adopted to bring this question to a speedy and practical issue. The committee to consist of Mr. Birch, Mr. Burt, Mr. Crowther, Mr. Glyde, Mr. Marmion, Mr. Padbury, and Mr. Steere.

Mr. STEERE pointed out that there was no official member on the committee, a fact that appeared to him very strange. He did not think it right. It looked as if the Government sought to cast the whole responsibility of deciding the question of harbor improvements upon unofficial members. So far as he himself was personally concerned he would prefer his name being struck out and included in the committee on immigration with which subject he was more conversant.

Mr. CROWTHER said the question of harbor improvements and that of immigration were of such vast and vital importance that he would be glad to see them considered in a Committee of the whole House. At any rate he certainly thought, with the hon. member for Wellington, that some member of the Government ought to be on the committee, the appointment of which was then under the consideration of the House.

Mr. BIRCH had no wish to shirk any duties imposed upon him by the House, but he did think there were hon. members present more conversant than himself with the question of harbor improvements, and he would be glad to have his name transferred to the list of the