

£1,000 to £1,200

£700 to £900

£8,400 to £9,850

(9.) *Schedule D*:—The sums named to be altered as follows:—

£300 to £400

£2,050 to £2,150

And further, in reply to His Excellency's Message returning the Bill intitled "An Act to provide for certain matters connected with the Aborigines," that this Council agrees to Clause 8, line 4, being amended by the omission of the words "in Council."

Agreed to.

#### IMPORTATION OF VINE CUTTINGS FROM SOUTH AUSTRALIA.

MR. PATERSON moved "That an humble address be presented to His Excellency the Governor, praying that he would be pleased to remove, for six months only, the prohibition upon the importation of grape vine cuttings; the removal of such prohibition to apply only to grape vine cuttings the produce of the colony of South Australia." The hon. member said a great many persons were going in for vine planting in the Southern districts, some of them on a very extensive scale; but there was a great difficulty in obtaining the right sort of cuttings, in sufficient quantities, of the same kind of grape. As there was no disease among the vines in South Australia—only oïdium; no phylloxera—it was thought that this would be a favorable chance for having a number of cuttings imported by those who were going in for this industry on an extensive scale; while at the same time no danger would be incurred of importing any disease into this colony. It was necessary in the interest of viticulture that this should be done, and it was solely in that interest that he asked the House to agree to this address. If we only got the right sort of cuttings he believed we could produce better wines here than in the other colonies; we had moisture at the right time here, and also dry weather; and, altogether, the climatic conditions here were more favorable than in any of the other colonies. All we wanted was to get the right sort of grapes, and in sufficient quantities, and that was the object of this address. It was only proposed to remove the prohibition for six months.

MR. RICHARDSON said no doubt it was very necessary that we should guard against such a direful disease as phylloxera, but, it appeared, that disease had no existence at present in South Australia, and therefore there would be no fear of introducing it here if this prohibition were removed as was now proposed. It was very necessary to do all we could to encourage the vine industry. He thought this was a wine-producing country if it was a producing country at all; and so long as the necessary precautions were taken against the introduction of disease he thought there would be no danger in doing what this address proposed to do.

MR. MORRISON thought it was only playing at legislation to place a prohibition on the introduction of stock or plants, and then remove the prohibition a few months afterwards, just for the sake of one particular district or one particular industry. He could only say that he should vote against the motion.

Motion put and carried.

The House adjourned at a quarter to twelve (midnight).

---

---

#### LEGISLATIVE COUNCIL,

*Monday, 15th April, 1889.*

Telegraph line between Geraldton and Newcastle—  
Passenger Traffic between Perth and Stations east  
of Chidlow's Well—Message (No. 17): Constitution  
Bill; further telegrams between the Governor and  
the Secretary of State—Message (No. 18): Amend-  
ments in Constitution Bill—Adjournment.

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

PRAYERS.

POINT OF PROCEDURE: NOTICES OF MOTION.

THE SPEAKER: I think it would be well that I should draw the attention of the House to the position in which the two

orders of the day on the Notice Paper stand. They appear as follows:—"Message No. 14 (Petition of Messrs. Harper and Hackett respecting the Chief Justice); consideration of."—"Message No. 15 (Concessions to W. A. Timber Company); consideration of." There is no motion or resolution on the Notice Paper relating to either of these Messages; therefore no practical result whatever can follow any discussion upon them, as it is not competent for any member to make any motion on these Messages this evening. It has been done on former occasions, but it is not in order, and I think I ought to call attention to the rule on the subject. Our 43rd Standing Order provides "that no member shall make any motion initiating a subject for discussion but in pursuance of notice given at a previous sitting of the Council." It certainly has been ordered by the House that these Messages be taken into consideration this evening; but no notice of any motion in regard to either of them has been given; and, according to the Standing Order I have just read, no motion initiating a subject for discussion can be made except after due notice given at a previous sitting. Our Standing Order is in accord with the practice of the House of Commons. Sir H. Brand, late Speaker of the House of Commons, in his "Decisions," says: "Before a motion is offered to the House and submitted from the Chair the terms of the motion must be in possession of the House beforehand." He then quotes the following ruling of a previous Speaker: "An hon. member having placed on the Paper a notice that he would call attention to certain matters and would move a resolution, Mr. Speaker reminded the hon. member that when an hon. member has given notice of his intention to bring before the House a motion, the House expects that before that motion is offered and submitted to the House from the Chair the terms of that motion shall, within a reasonable time, be in its possession." Therefore, if any member wishes to bring any matter initiating a subject for discussion before the House, he must give notice beforehand of the terms of that motion, so that the House may not be taken by surprise.

MR. VENN: I do not quite understand your Honor, with regard to these two

orders of the day; do I understand that the House is not in a position to discuss them at all this evening?

MR. SPEAKER: I think it is not. Of course the House could discuss them, but what would be the good of discussing them unless some question could be put from the Chair, and some practical result arrived at?

MR. VENN: Then these matters will lapse?

MR. SPEAKER: They will not lapse, but they cannot be proceeded with to-night. Whoever is in charge of them, or any member who takes an interest in them, can move that they be made orders of the day for to-morrow or any future day, and give notice of any motion or resolution he intends to move in regard to them, so that the terms of the motion may appear on the Notice Paper beforehand.

#### TELEGRAPH LINE BETWEEN GERALDTON AND NEWCASTLE.

MR. GRANT, in accordance with notice, asked the Director of Public Works what was being done in regard to the duplication of the telegraph line from Newcastle to Berkshire Valley; and when it was likely to be completed?

THE DIRECTOR OF PUBLIC WORKS (Hon. J. A. Wright) replied:—The work of duplicating the Perth-Geraldton telegraph line was completed as far as Newcastle on Friday last, and tenders have already been called for the distribution of the material for the 2nd section (Newcastle to New Norcia). The duplication of this portion will, it is expected, be finished about the 20th May, before which date the material ordered from England should be here. So soon as this arrives, the further extension to Geraldton will be pushed on with all speed.

#### PASSENGER TRAFFIC BETWEEN PERTH AND STATIONS EAST OF CHIDLOW'S WELL.

MR. HARPER, in accordance with notice, moved that the following return be laid upon the table of the House by the Commissioner of Railways:—A return showing the number of passengers passing to and fro on the Eastern Railway between Perth and stations east of

Chidlow's Well for the first quarter of the years 1887, 1888, and 1889, respectively.

Motion agreed to.

**MESSAGE (No. 17): CONSTITUTION BILL  
—FURTHER TELEGRAMS FROM THE  
SECRETARY OF STATE.**

THE SPEAKER announced the receipt of the following Message from His Excellency the Governor:

"The Governor has the honor to transmit, herewith, for the information of the Honorable the Legislative Council, further telegraphic correspondence with the Right Honorable the Secretary of State in connection with the Constitution Bill.

"Government House, 15th April, 1889."

**TELEGRAMS.**

*Governor to Secretary of State.*

"To Secretary of State for the Colonies, London.

"Perth, 12th April, 1889.

"Responsible Government—Will Legislature completely control lands South latitude twenty-six?

"(Sd.) GOVERNOR, WESTERN AUSTRALIA."

*Secretary of State to Governor.*

"To Governor, Western Australia.

"London, 13th April, 1889.

"Referring to your telegram of 12th April, my intention is as stated, but cannot undertake Imperial Parliament will not make some modifications.

"(Sd.) SECRETARY OF STATE FOR THE COLONIES."

**MESSAGE (No. 18): AMENDMENTS IN  
THE CONSTITUTION BILL.**

THE SPEAKER also announced the receipt of the following Message from His Excellency the Governor:

"The Governor has the honor to return, herewith, the Bill intituled:—'An Act to confer a Constitution on Western Australia, and to grant a Civil List to Her Majesty,' for the consideration of the following further amendments therein:

"(1.) *Preamble, page 2, line 4:*—The word 'a' to be inserted before the word 'Legislative.'

"(2.) *Clause 18:*—The words 'Assembly' and 'Council' to be transposed.

"(3.) *Clause 24, Sub-section 2:*—The word 'costs' to be 'cost.'

"(4.) *Clause 28, Rubric:*—The words "except Chief Executive Offices" to be 'Chief Executive Offices excepted.' The following to be added as a new sub-section:—

"*Such Offices to be designated.*—The said Offices shall be such five Offices as shall be designated and declared by the Governor in Council, within one month of the coming into operation of this Act, and thereafter from time to time as may be, to be the five principal Executive Offices of the Government for the purposes of this Act.

"(5.) *Clause 29, Sub-section 4:*—The words after the word 'attendance,' in line 1, to the word 'Assembly,' inclusive, in line 6, to be omitted, and the words, 'in the Legislative Council or in the Legislative Assembly, as the case may be' to be inserted in lieu thereof. In the last line of the sub-section insert the words 'Council or' before, and the words 'as the case may be' after the word 'Assembly.'

"(6.) *Clause 39, sub-section 3, line 2:*—Insert the word 'and' after the word 'registered.' *Sub-section 4, line 2:*—Insert the word 'and' after the word 'registered.' *Line 3,* the full stop to be a colon.

"(7.) *Clause 53, sub-section 3, line 2:*—Insert the word 'and' after the word 'registered.' *Line 3:*—The comma to be a colon. *Sub-section 4, line 1,* insert a comma after the word 'occupied.' *Line 2:*—Insert the word 'and' after the word 'registered.' *Line 3:*—Insert a comma after the word 'registered.' *Line 4:*—Omit the words 'within such division.'

"(8.) *Clause 73:*—The figures 69, 70, 71, 72 to be expressed in words.

"(9.) *Clause 76:*—The words 'twenty-sixth degree of South Latitude' to be substituted for the words "Tropic of Capricorn."

"The Governor also returns the Bill intituled:—'An Act to provide for certain matters connected with the Aborigines,' for the consideration of the following further amendment therein:—*Clause 8:*—All the words after the

"word 'half-castes' to be omitted, and the following substituted therefor:—'All Native Reserves existing at the date of the passing of this Act are hereby vested in the Aborigines Protection Board in trust for the benefit of the Aboriginal natives; and all Native Reserves which may hereafter be made as aforesaid shall also similarly vest in the said Board on and from the date of reservation.'

"The amendments now further suggested to be made in the Constitution Bill are verbal, with the exceptions of Nos. 4 and 9.

"Amendment No. 4 is proposed in order to make provision for the designation of the five offices the holders of which are liable to retire on political grounds. It seems necessary that such a provision should be inserted in the Bill.

"Amendment No. 9 is proposed with reference to the Secretary of State's telegram, transmitted by Message No. 8, of the 29th ultimo, and with the view of obviating possible difficulty in connection with the land question.

"The amendment to Clause 8 of the Aborigines Bill is proposed in order to remedy an obvious omission. It is clear that existing as well as future Native Reserves should be vested in the Aborigines Protection Board, and this provision should have been transferred from the Constitution Bill approved by the Secretary of State, in which it appears, to the Aborigines Bill.

"Government House, 15th April, 1889."

#### QUESTION OF ADJOURNMENT.

After a pause of several minutes,

MR. A. FORREST asked what they were waiting for?

MR. BURT: The hon. member had better move the adjournment of the House, if he wishes it.

MR. A. FORREST: I move that the House do now adjourn.

The motion was put and negatived on the voices, whereupon Mr. A. Forrest called for a division. The division bell having been rung.

THE SPEAKER put the question.

No member rising from his seat,

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) asked what question was before the House?

MR. PARKER said it was ruled a few minutes ago by His Honor the Speaker, that certain Messages could not be considered that evening although they were orders of the day, because there was no notice of a resolution. He believed some members were now preparing a resolution for the following day, with reference to one of those Messages. He understood that the Government wanted the business of the House over by Thursday, in order that the Governor might prorogue the Council on that day, and, if so, the House had better have the notice of motion upon the paper for the following day.

THE COLONIAL SECRETARY (Hon. Sir M. Fraser) said it was not the Governor's intention to prorogue the Council on Thursday, unless the business of the House was completed by that day.

THE SPEAKER said he understood that hon. members did not want to divide, as no member had moved when the question was put. Even the hon. member who moved the adjournment did not move from his seat.

MR. A. FORREST said he did not move, because hon. members were addressing His Honor.

A division was then taken upon the motion for adjournment, with the result that the motion was negatived by a majority of 13 to 9.

MR. RICHARDSON then gave notice of a motion for the following day, with reference to Message No. 14 (Petition of Messrs. Harper & Hackett, respecting the Chief Justice).

MR. PARKER moved, that the House do now adjourn.

THE ATTORNEY GENERAL (Hon. C. N. Warton) pointed out that a quarter of an hour's time had not elapsed since the former motion was put.

Several members then left the House, and at twenty-five minutes to nine o'clock, p.m., the Council adjourned.