

themselves whom they wish to nominate, we can at very short notice to-morrow complete the formal nomination. I merely mention the subject now because I should regret if, through any informality, this nomination should hereafter be found to be illegal. I do not know whether it is the wish of the House to proceed by ballot to the election of these two members: I apprehend everybody has fixed upon some one for the position, and I do not think the occupants of the Government bench need take any part in the nomination.

MR. CAREY: I would suggest the names of Mr. Brown and Mr. Marmion.

MR. GRANT: I do not think a more judicious selection could be made.

MR. BROWN: I can only say that should hon. members do me the honor of nominating me to a seat on the board, I shall be most happy to discharge the duties of the position to the best of my ability. I hope, however, the members of the Government will not refrain from voting in this matter. I know no distinction, I recognise no distinction, between Government members and any other members in this House.

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

## LEGISLATIVE COUNCIL,

*Saturday, 8th September, 1883.*

Tramway between Roebourne and Cossack—Message (No. 39): Vetoing Imported Labor Registry Bill—Message (No. 40): Totalisator Bill—Message (No. 41): Assenting to Bills—Immigration Board—Prorogation.

THE SPEAKER took the Chair at half-past two o'clock, p.m.

PRAYERS.

## TRAMWAY BETWEEN ROEBOURNE AND COSSACK.

MR. SHENTON, without notice, expressed a hope that, if an opportunity offered during the recess for having a survey made of a line of country between Roebourne and Cossack, for the purpose of ascertaining the probable cost of a steam tramway, and, if the Government had any means at their disposal, they would have the survey made. He believed that somebody would have to be employed in making a survey of the line to the Irwin, in accordance with the resolution of the House, and it might be possible to send this officer to the Northern District to make this other survey. He understood from the Commissioner of Railways it would only cost a small sum to make a survey of the country between Cossack and Roebourne, for the purposes of a tramway.

THE COLONIAL SECRETARY (Hon. M. Fraser): I will draw His Excellency's attention to the question raised, and if His Excellency approves of the proposal, and if arrangements can be made, I trust that what the hon. member wishes may be given effect to.

## MESSAGE (No. 39): VETOING IMPORTED LABOR REGISTRY BILL.

MR. SPEAKER notified the receipt of the following Message from His Excellency the Governor:—

"The Governor has the honor to inform the Honorable the Legislative Council that he has carefully considered the Bill intituled:—

*"An Act to consolidate and amend the Law providing for the Registration of certain persons who shall be imported into Western Australia or employed in any manner within the Territorial Dominion thereof."*

"This Bill, the short title of which is 'The Imported Labor Registry Act, 1883,' purports to repeal and amend 'The Imported Labor Registry Act, 1882;' and the Governor understands that a chief object of the Bill is the removal of a difficulty connected with the form of contract prescribed by the 11th clause of the existing Act.

"In removing this difficulty, however, the Bill unguards the interests of the laborer, in matters as to which the

"Council probably has no wish to leave such interests in jeopardy.

"For instance, under the Bill as passed, our Magistrates might be compelled to witness and enforce an agreement having its origin in a country not under a civilised Government, and perhaps extending over a long term of years, stipulating that the laborer should receive no money wages at all, but only rations, and containing no reference to medical attendance or to a return passage. Should the laborer object to terms which there might be no evidence to show that he had ever really understood or agreed to, it is not stated that the contract, however manifestly unfair, could be set aside or amended by the Magistrate.

"The Act of 1882 is no doubt insufficient; and there could be no objection to giving currency and force in this Colony, after due examination and endorsement by a Magistrate, to any agreement just in itself and substantially according to the form given in the schedule to the Act, or bearing upon its face evidence of the supervision and sanction of a British Government, or of a Foreign European Government named in the Act. In case of such previous sanction by a British or Foreign European Government, a return passage need not necessarily form part of the agreement.

"The Governor believes that this is all that the Council requires, and the best course he can take will be to withhold his assent from the present Bill, and to bring forward next Session a measure which, in amending the existing law, will guard the interests of all concerned, and at the same time meet the special circumstances of the Colony.

"Meanwhile, the Government Residents and Magistrates will be instructed to administer the Act of 1882 in as liberal a spirit as is consistent with its provisions.

"Government House, Perth, 8th September, 1883."

MESSAGE (No. 40): TOTALISATOR BILL.

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

"The Governor has the honor to inform the Honorable the Legislative Council

"that, in view of communications he has received from representatives of different churches in the Colony, as to the injurious results likely to be produced by the Bill 'To legalise the use of the Totalisator under certain circumstances,' he has decided to postpone his decision upon this measure until he has ascertained the effects of its operation in other parts of Australia.

"Government House, Perth, 8th September, 1883."

#### MESSAGE (No. 41): ASSENTING TO BILLS.

MR. SPEAKER notified the receipt of the following Message from His Excellency the Governor:

"The Governor informs the Honorable the Legislative Council that he has this day assented, in Her Majesty's name, to the undermentioned Bills:—

- "6. *An Act to consolidate and amend the Laws providing for the Abolition of Grand Juries and for the Summary Discharge, in certain cases, of Persons under Committal for Trial for Felonies and Misdemeanors.*
- "7. *An Act to regulate the Volunteer Force.*
- "8. *An Act to consolidate and amend the Laws providing for the summary trial and punishment of Aboriginal Native Offenders in certain cases.*
- "9. *An Act to determine the direction of the latter part of the Eastern Railway within and near to the Town of York.*
- "10. *An Act to amend 'The Pearl Shell Fishery Regulation Act, 1875.'*
- "11. *An Act to enable 'The Governors of the High School, Perth,' to raise Money on Mortgage.*
- "12. *An Act to regulate and protect Electric Telegraphs.*
- "13. *An Act to consolidate and amend the Law relating to Dogs.*
- "14. *An Act to repeal 'An Ordinance to provide additional Regulations for the Port of Fremantle.'*
- "15. *An Act to provide for the Destruction of Rabbits in Western Australia.*
- "16. *An Act to provide for the payment of the Salary of the Puisne Judge of the Supreme Court.*

- "17. *An Act to extend the provisions of "the Shipping and Pilotage Acts 1855 "and 1873.*
- "18. *An Act to amend 'The District Roads Act, 1871, Amendment Act, 1876.'*
- "19. *An Act to amend 'The Municipal "Institutions Further Amendment Act, "1882.'*
- "20. *An Act for the protection and better "Administration of the Estates of "Deceased Persons in certain cases.*
- "21. *An Act to authorise the establish- "ment of Private Warehouses for "Goods subject to Customs Duties.*
- "22. *An Act to further amend 'The "Transfer of Land Act, 1874.'*
- "23. *An Act further to amend 'The "Wild Cattle Nuisance Act, 1871.'*
- "24. *An Act to promote the further "Settlement of the Colony of Western "Australia by the establishment of a "Board of Immigration, and of an "Immigration Fund.*
- "25. *An Act to appropriate the sum of "Two Hundred and Forty-five Thou- "sand Four Hundred and Eighty-six "Pounds and Threepence out of the "General Revenue of the Colony for "such Services as shall come in course "of payment during the year One thou- "sand eight hundred and eighty-four.*
- "Government House, Perth, 8th Sep-  
tember, 1883."

#### IMMIGRATION BOARD.

THE COLONIAL SECRETARY (Hon. M. Fraser): Following up our proceedings of last night, I have pleasure in moving that Messrs. Brown and Marmion, members of this Council, be nominated for appointment by His Excellency the Governor as members of the Board of Immigration.

Agreed to, *nem. con.*

#### PROROGATION.

HIS EXCELLENCY THE GOVERNOR shortly afterwards entered the Council Chamber, and delivered the following Speech:

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

"In releasing you from your labours, I have to thank you for the valuable advice and cordial assistance you have

"afforded me during the Session now at a close, and to express my appreciation of the diligence and care which have marked your transaction of the public business.

"In addition to the ordinary legislation of the year, you have devoted much time and attention to the consideration of undertakings of unusual magnitude, and of important bearing on the future of the Colony.

"Foremost among these, have been the schemes for the construction of Railways on the Land Grant System; and I shall at once transmit to the Secretary of State for the Colonies the report on this subject you have placed in my hands. In doing so, I propose to recommend that, after due inquiry, the Crown Agents be authorised to enter into provisional agreements with Sir Julius Vogel, or with Mr. Hordern; or, if it should seem desirable for the stability and quick progress of the whole undertaking, with both gentlemen, or with the capitalists they represent, for the construction of Railways from York to Eucla and from Beverley to Albany. In case of any material deviation from the terms indicated in your report, I shall again consult you before the agreements are ratified. The Colony is anxious for these railways, and is willing to concede the land that is asked. If, therefore, Sir Julius Vogel and Mr. Hordern are also willing and able to proceed with their proposals, I do not see why the two lines should not be put in hand before the close of 1884.

"A railway to Eucla, in conjunction with harbor improvements at Fremantle, may, I think, be accepted by the colony as a central and not impracticable idea of future progress. In any case, and independently of the present proposals, the geographical position of Western Australia must sooner or later assert itself by the construction of such a line, looking to the fact that it presents no difficulty but its cost, and that, with the ultimately certain co-operation of South Australia, it would diminish considerably the time occupied by the transit of mails between Europe and the great communities of this continent.

"In agreeing to a concession in favor of a submarine cable, you have helped

"forward another important project, the carrying into effect of which must signally benefit the Colony. You have also voted sums of money to encourage the direct steam carriage of passengers and goods between London and Fremantle, and between Fremantle and Singapore. Such lines of steamers, even making but three or four voyages a year, would be a boon to our commerce, now weighted by much cost and delay of transshipment.

"You have devoted a large sum of money to assist Immigration, and have framed a law organising a Board to superintend the introduction of suitable immigrants and empowering me to appoint an Agent to act under the Board in England. I trust that this measure may promote the settlement and population of the Colony, now far in arrear of its resources and aspirations.

"The suggestions you have made for the amendment of the Land Regulations will be submitted to the Secretary of State with my support, saving a doubt whether it be altogether wise to make any declaration at present respecting even a permissive renewal of the pastoral leases which do not expire till 1893. No doubt, when the occasion comes, the Government, and also the Legislature and people of the Colony, will be ready to deal equitably with the stockowner, recognising at the same time the wisdom of providing an open field for agriculture, and especially for that backbone of a healthy community, 'the small farmer.'

"The Legislation of the Session has not been voluminous, but some of the twenty-seven measures passed are important, and will, I hope, satisfy the Colony and prove of practical use. The Immigration Act is certainly a valuable law; and I trust that the Act dealing with Dogs will lessen the losses and annoyance caused to stockowners by these animals. The Aboriginal Offenders Act amends and declares the law in some important respects; and I have full confidence that the Justices of the Peace will use with discretion the additional power entrusted to them.

"The Statute Book of the Colony has hitherto been without any measures dealing adequately with the construc-

tion and maintenance of Electric Telegraphs, with the organisation and discipline of the Volunteer Force, and with the Administration of Intestate Estates. These matters you have now provided for. The law authorising the erection of Private Bonded Warehouses gives our merchants a convenience to which they are entitled, and deserves to be noticed.

"It has been generally felt that the time has come when the Chairman and Municipal Council of our principal port may have conferred upon them the higher status of a Mayor and Corporation. You have agreed to this, and have also provided material assistance towards the building of a Town Hall for Fremantle. I congratulate the citizens on having reached a new starting point in their Municipal career.

"Your Honorable House has, I think wisely, deferred expressing an opinion in favor of the adoption of Responsible Government. Glad as I should be to see Western Australia take such a forward step during my Administration, I am inclined to agree with those who consider there are circumstances which show that the time to take it has hardly yet come. But this is a subject as to which I feel it my duty to watch, rather than attempt to guide, public opinion.

"This Government has recently been invited by the Eastern Colonies to express its views upon the annexation of certain of the Pacific Islands and other matters, and to send representatives to an Intercolonial Convention. I have acted upon these invitations; and you will agree with me in thinking that such recognitions of the place of this Colony in the Australian family are not only pleasing and complimentary in themselves, but have a practical value which must increase as time goes on.

"The bench of the Supreme Court has been strengthened by the appointment as Judge of an esteemed member of the local bar. This measure will both economise and strengthen the administration of Justice.

"If the construction of the Eastern Railway, of the Roebourne Telegraph, and of the Jetties, Bridges, and other important public works you have decided upon, makes that progress during

"the recess which we may reasonably expect, the social and commercial well-being of this community will be very considerably advanced by the time you again meet together.

"As the year goes on, the Revenue is answering the most sanguine expectations. The months of July and August show a surplus of receipts over expenditure of £3,216, raising to £95,054 the balance of £91,838 referred to in my Speech at the opening of the Session.

"The Colony is prosperous. In a time of plenty, government is easy; but should we hereafter have again to cope with difficulties and anxieties such as those which have weighted Western Australia in former years, I feel convinced that you will meet them in a spirit of patriotic devotion and loyal co-operation with the head of the Government.

"During the next few months, I hope to be able to visit a considerable portion of the Colony; and I look forward with pleasure to meeting you in your several districts, and to gaining that wide personal acquaintance with the people which I hold to be one of the first duties of a Governor.

"MR. SPEAKER AND GENTLEMEN,—

"I thank you for the supplies which you have so liberally voted for the public service, and I will spare no effort to ensure the economical and beneficial expenditure of the large sums you have placed at my disposal.

"I now prorogue this Council to Wednesday, the 12th day of December next."

HIS EXCELLENCY, having handed a copy of the Speech to Mr. Speaker, retired from the Council Chamber, and the Session closed.