

WESTERN AUSTRALIA.

PARLIAMENTARY DEBATES.

Legislative Council—Session of 1874-75.

Opened on Wednesday, 18th November, 1874.

LEGISLATIVE COUNCIL,

Wednesday, 18th November, 1874.

Opening of the Council—Swearing in of Members—Election of Speaker—The Governor's Speech—Foreign Recruiting Bill: first reading—Election Petition—Papers Tabled—Address in Reply to the Governor's Speech—Business of the House.

OPENING OF THE COUNCIL.

The Council was prorogued by His Excellency the Governor, on the 6th August, 1874 to the 18th November, 1874, on which day it met for the despatch of business.

The Council met at 2.30 p.m.

PRAYERS.

SWEARING IN OF MEMBERS.

The COLONIAL SECRETARY (Hon. F. P. Barlee) read a Commission from His Excellency the Governor authorizing him to administer the Oath of Allegiance to Members of the House. Thereupon all the members present took and subscribed the Oath of Allegiance.

ELECTION OF SPEAKER.

The COLONIAL SECRETARY (Hon. F. P. Barlee), in moving that Mr. L. S. Leake be the Speaker of the House, expressed the pleasure he felt in moving that the same hon. gentleman who had resided over the deliberations of the House since the introduction of Representative Government should again take the Chair as Speaker, being assured that the hon. gentleman's lengthened experience and his other qualifications for such a position would render him acceptable to the majority of the House. Mr. Leake was so well known to hon. members, both in his private and public character, that it would be superfluous, on his (Mr. Barlee's) part to descant on his qualifications to discharge the duties appertaining to the office;

therefore, without further comment, he begged to move in due form that he do take the Chair of the House as Speaker. (Hear, hear.)

Mr. STEERE, briefly seconded the nomination, alluding in complimentary terms to the manner in which Mr. Leake had previously performed the duties of the high office to which he had been elected.

No other nomination being made,

Mr. LEAKE rose in his place, and returned his sincere thanks to the hon. member who proposed him, as well as to the hon. member who had seconded the proposition, and, though perfectly sensible of not being worthy of the encomiums they had thought fit to pass upon him, submitted himself respectfully to the pleasure of the House.

The Speaker Elect was then conducted by the Colonial Secretary and Mr. Steere to the Chair, on reaching which he again tendered his respectful thanks to the House for the high and great honor they had done him.

The House then adjourned, and the members proceeded in a body to Government House to submit the newly-elected Speaker for the approval of His Excellency the Governor.

Upon their return to the Council Chamber,

The SPEAKER announced that His Excellency had been pleased to ratify the choice of the House.

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,—

The approaching close of the financial year has rendered it necessary for me to call you together to make provision for carrying on the

Public Service; but the appointment and expected arrival of my successor precludes me from bringing forward measures of a political character, whilst the Estimates that will be placed before you will differ but slightly from those already submitted to the late Council, but not finally adopted before the dissolution.

A knowledge derived from recent personal communication of the views of Her Majesty's Government, and of the conditions they may see fit to impose in regard to constitutional changes, will probably enable my successor to throw fresh light on that important question, and greatly assist you in the very careful and cautious deliberations which may be expected from a Council elected especially to consider a constitutional question upon which such extremely grave issues are at stake.

I heartily congratulate this Colony upon the success of Mr. John Forrest in an enterprise which will be ever memorable in your annals. In an exceptionally dry season, and without camels, this gallant leader and his few but determined followers have journeyed and taken horses from our western shores, discovering fresh pastoral country on the Murchison, surmounting all difficulties and dangers, and penetrating past our eastern boundary till they have reached the object of their efforts, the Telegraph Line in Central Australia.

You will readily join with me in offering the thanks of this Colony to Mr. John Forrest and his companions, and I shall further ask you to mark your sense of their courage, enterprise, and services, by a substantial recognition. You will also, I doubt not, desire cordially to acknowledge the generous assistance and welcome which has been accorded to Mr. Forrest and his party by His Excellency the Governor, the Government, and the people of South Australia.

Correspondence, to which I invite your attention, will be laid before you, regarding the promotion of the Smelting industry.

In accordance with the request of the late Council, I caused a communication to be made to the Government of Victoria, asking that their Engineer-in-Chief might be permitted to visit this Country, in order to examine, report, and advise upon the question of Harbor Works. You will learn with satisfaction that the request has been courteously acceded to, and that the Engineer may be immediately expected.

Mr. Speaker, and Honourable Gentlemen,—

The shortness of the time which has elapsed since last Session, and the circumstances under which I now meet this Council, render it unnecessary and inopportune to touch on

many topics; but, addressing you now for the last time, I cannot but recall how four years ago, opening Your Honorable Council for the first time, it was my painful duty to point out that the Colony was then in a most depressed condition, with a diminishing revenue: I recapitulated certain steps I had already taken, which I hoped would bear fruit; and I asked your assistance and support in a progressive policy, in the inauguration of local self-government, in the promotion of new industries, in the establishment of telegraphic communication, and in various other important matters. Now, through the blessing of Providence, I am able to congratulate you upon having passed from that depressed state to one of prosperity unprecedented in this Colony; and that in despite of bad seasons, and great reduction of Imperial Expenditure. I am, moreover, able to congratulate you upon the fact that this prosperity is sound, that it is mainly based upon the development of industries and the resources of the Colony, and that the increase of revenue accrues chiefly from the increase of exports. I will not stop to recapitulate measures adopted, or works carried out or commenced, but I will in a few round figures furnish you with one test by which the Western Australia of five years ago may be compared with the Western Australia of to-day. Taking the year ending on the 30th September, 1869 (the day of my entering into office), and the year ending on the 30th September, 1874, I find that then the revenue was under £109,000, the expenditure over £107,000, as against, for last year, a revenue exceeding £161,000, and an expenditure of about £131,000: the increase of revenue, therefore, was £52,000, of which only about £12,000 is derived from net increase of taxation,—whilst the excess of revenue over expenditure, which in 1869 was something over £1,000, was in the last year £24,000. Cash in the Treasury at Perth was under £20,000 on my arrival; on the 30th September, 1874, it was in excess of £36,000.

These figures are independent of the Loan Account. When the whole Loan is raised, your total indebtedness will still be less than one year's income.

I will only further add, that during the period referred to, your Imports have increased from £233,000 to over £367,000,—showing the increased means and consuming power of the Colony; and your Exports, calculated at very moderate values, from about £179,000 to £400,000,—marking the increased producing power of the Colony.

Mr. Speaker, and Honorable Gentlemen,—

Called by Her Most Gracious Majesty to a new sphere of duty, it now only remains to me

to thank you for the support that has been given to me by this Honorable Council; and to assure you that it is my earnest prayer that this Colony may continue to advance in prosperity, and that your deliberations (on which that prosperity will greatly depend) may be so guided that they may end in wise and prudent measures, and secure the welfare of the people of Western Australia.

I now declare this Session opened.

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.

FOREIGN RECRUITING BILL.

First Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee), with leave, without notice, and in order to assert and maintain the rights and privileges of the House, moved that leave be given to bring in a Bill to control Recruiting in Western Australia for the service of Foreign States.

The Bill was read a first time.

PAPERS TABLED.

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

1. Circular Despatch from Her Majesty's Secretary of State for the Colonies, advising legislation for controlling Recruiting in the Colonies for Foreign States.
2. Despatch from Her Majesty's Secretary of State, dated 12th September, 1874, acknowledging congratulatory Address on the marriage of His Royal Highness the Duke of Edinburgh.
3. Correspondence on the question of the future supervision and control of Public Works.
4. Petition from settlers in the Melbourne District, for appointment of a Resident Magistrate.
5. Two Memorials from settlers at the Vasse, for extension of Busselton Jetty.
6. Memorial from settlers at the Vasse, for a bridge over the "Margaret" River.
7. Memorial from members of the Roebourne Road Board, for grant of £2,000 for making road over the Marsh between Roebourne and Cossack.

8. Memorial from members of the Victoria Plains Road Board, asking for £1,000 for a bridge over the Moore River at New Norcia.
9. Memorial from members of the York Road Board, for an increased grant of money.
10. Report and Estimate for supplying Water to the Shipping at Fremantle.
11. Report by Harbor Master as to cost, &c., of buoying the Challenger Passage.
12. Letter from the Secretary to the New South Wales Agricultural Society, suggesting that Western Australia take part in the World's Exhibition to be held at Philadelphia in 1876.
13. Correspondence between Mr. Richard Hodgson and the Colonial Secretary, on the subject of erection of Smelting Works.
14. Memorandum of instructions issued to Mr. P. Walcott, Master of the Government Cutter "Pearl."
15. Offer from Mr. C. Gill to make track from Murchison to Shark's Bay, and sink wells.
16. By-laws of the Central Board of Education.
17. Plans and Estimates, Hospital, Roebourne.
18. Plans and Estimates, Police Buildings, Roebourne and Cossack.

ELECTION PETITION.

Mr. STEERE presented a petition on the part of Mr. S. S. Parker, of York, a candidate at the election of a member of the Legislative Council for the York District, against the return of Mr. J. H. Monger, as member for the said district, and moved that the petition be received, and forwarded to His Honor, the Acting Chief Justice.

The motion was seconded by Mr. Crowther.

Question put and passed.

ADDRESS IN REPLY TO THE GOVERNOR'S SPEECH.

Mr. BROWN rose to move that a respectful address in reply to the Vice-Regal Speech be presented to His Excellency, and craved the indulgence of hon. members in the position in which he was placed, having been called at the eleventh hour to propose the resolution. It, however, afforded him great pleasure to do so, because he fully concurred in the sentiments embodied in the inaugural speech, and felt that the country was under great obligations to His

Excellency for the liberal and progressive policy he had adopted and pursued during his administration of the colony's affairs, of which there was ample and satisfactory proof in the figures quoted in the Speech. Referring to the paragraph congratulatory of the success of Mr. Forrest and his party, he felt sure there could be no difference of opinion in the minds of hon. members as to the success of that exploratory enterprise. Mr. Forrest had received a magnificent reception in South Australia, though not one whit more so than he and his Government party were entitled to (cheers); and he (Mr. Brown) was convinced that hon. members would readily join with His Excellency in offering the thanks of this colony to Mr. Forrest and his companions and in further marking their sense of their intrepid courage and valuable services by a substantial recognition. He concluded by moving the resolution.

Mr. MARMION rose with pleasure to second the motion for the adoption of a reply to the Governor's Speech, and briefly reviewed its various paragraphs *seriatim*.

No objection being offered to the resolution,

The COLONIAL SECRETARY (Hon. F. P. Barlee) said it was satisfactory to find so much unanimity prevailed with reference thereto, and moved that a select committee be appointed to prepare the Address in Reply, such committee to consist of Mr. Brown, Mr. Marmion, Mr. Steere, Mr. E. Hamersley, and the Mover.

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

May it please Your Excellency:

We, the Members of the Legislative Council, in Council assembled, in thanking Your Excellency for the Address with which you have opened the First Session of this Council, fully recognise the necessity for calling us together for the purpose of making provision for carrying on the Public Service during the ensuing year; and we shall be prepared carefully to consider the Estimates which may be placed before us.

Chosen as this Council has been for the special consideration of important Constitutional Changes, and impressed as we are with the necessity that a decision should be arrived at without delay on a matter vitally affecting the interests of the whole Community, we yet acknowledge the wisdom of the course advised by Your Excellency, and shall refrain from any further discussion of the question till the arrival of Your Excellency's Successor, whose knowledge of the views of Her Majesty's Government, and the conditions they may see fit to impose, may greatly simplify our deliberations.

We heartily echo Your Excellency's congratulations on the successful issue of the Exploring Expedition under Mr. John Forrest, whose courage, endurance, and enterprise deserve all praise at the hands of his fellow Colonists. We shall be prepared favourably to consider any proposition Your Excellency may recommend as a recognition of his services and those of his party.

We are deeply sensible of the generous assistance and kindness afforded to Mr. Forrest by His Excellency the Governor, The Government, and the people of South Australia.

Our attention shall be given to the correspondence regarding the promotion of the Smelting Industry.

We are glad to learn that the request made by Your Excellency, in accordance with the desire of the last Council, for the services of an Engineer from Victoria, has been courteously acceded to; and we trust that matters which have long been under consideration may thereby be set at rest.

This may be the last time that we the Members of the Legislative Council may have an opportunity to approach Your Excellency; and we desire to express to Your Excellency our sense of the unfailing courtesy and cordial assistance you have ever rendered to us in the discharge of our important duties. The progress of the Colony during Your Excellency's Administration has been unprecedented; and we trust that, under God's Providence, the policy inaugurated by Your Excellency, and adopted by us, may result in laying a foundation for the future and permanent prosperity of Western Australia.

In bidding farewell to Your Excellency, on the eve of your departure to administer the Government of another Colony, we assure Your Excellency that you will carry with you the earnest good wishes of the Members of this Council for the health and happiness of yourself, Mrs. Weld, and your family.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved the adoption of the reply, which was seconded by Mr. STEERE.

Question put and passed.

BUSINESS OF THE HOUSE.

The COLONIAL SECRETARY (Hon. F. P. Barlee) intimated that beyond the Bill he had introduced *pro forma*, and the Estimates, he did not propose to proceed with any other public business during the present session, as the House would be again summoned immediately on the arrival of the new Governor, who was entrusted with instructions from the Imperial Government relative to the Constitution Bill.

With regard to the sessional business before the House, he was entirely in the hands of hon. members. On the part of the Government he was prepared to proceed with the Estimates at once, or, on the other hand, postpone their consideration until such time as the House deemed desirable.

Mr. STEERE suggested that the House adjourn until next day.

The Council adjourned at 4.05 p.m.

LEGISLATIVE COUNCIL,

Thursday, 19th November, 1874.

Swearing in of Member—Election Petition—Temporal Affairs of the Church of England Petition—Address in Reply to the Governor's Speech—Standing Orders—Law and Parliamentary Library Committee—Foreign Recruiting Bill: second reading: Chairman of Committee: in committee—Estimates: in committee—Messages from the Governor, Nos. 1 and 2—Estimates: in committee.

The SPEAKER took the Chair at 12 noon.
PRAYERS.

SWEARING IN OF MEMBER.

The SPEAKER announced that His Excellency the Governor had authorized him to administer the Oath of Allegiance to the members. The Speaker administered the Oath of Allegiance to Mr. Bickley, who thereupon took his seat.

ELECTION PETITION.

The SPEAKER announced that the petition of Mr. S. S. Parker of York, a candidate at the election of a member of the Legislative Council of the York District against the return of Mr. J. H. Monger as member for the said district, had been forwarded to His Honor the Acting Chief Justice.

TEMPORAL AFFAIRS OF THE CHURCH OF ENGLAND PETITION.

Mr. BURT presented a petition from the Right Reverend Mathew B. Hale, D. D., praying the Council to receive and pass a private Bill relating to the temporal affairs of the Church of England.

The petition was received and read by the Clerk.

ADDRESS IN REPLY TO THE GOVERNOR'S SPEECH.

Mr. BROWN 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. MARMION seconded the motion.

Question put and passed.

The Council adjourned and reassembled at 1.30 p.m.

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

STANDING ORDERS.

The COLONIAL SECRETARY (Hon. F. P. Barlee), in accordance with notice, moved that the Standing Orders of the last Session of the last Council be now adopted as the Standing Orders of the Legislative Council of this Colony, together with the following amendment, That the word "Six," in the first line of the Second Clause, be struck out and the word "Seven" inserted in lieu thereof.

Mr. STEERE seconded the motion.

Mr. BICKLEY moved, as an amendment that this Honorable Council do take into consideration the propriety of amending the following clauses of the Standing Orders of the Council as under:—Clause 66—To strike out the words "unless by leave of the Council." Clause 85—To insert, after the words "on some convenient day," the words "not earlier than seven." Clause 88 to be substituted by the following:—"That when a Bill shall have been reported with amendments, it shall be ordered to be printed as amended, and notice may be given of a motion that it be read a third time on any convenient day not earlier than five days after the fair print of the Bill shall have been placed before the Council; and that, when the motion is made for the reading of the Bill a third time, it may, on motion, be recommitted for further amendment, and when again reported with amendments it shall be printed as so amended, and may, on motion, be read a third time on any convenient day which the Speaker may order, provided the fair print of the Bill, as so amended, shall have been before the Council at least three days before such reading."

Mr. BURT seconded the amendment.

A conversational discussion ensued, after which the amendment was withdrawn.

Motion put and passed.

LAW AND PARLIAMENTARY LIBRARY COMMITTEE.

The ACTING ATTORNEY GENERAL (Hon. G. W. Leake), in accordance with notice, moved that the hon. member for Wellington, Mr. Steere, be appointed by the Legislative Council as a member of the Law and Parliamentary Library Committee.

Question put and passed.