

LEGISLATIVE COUNCIL,

Monday, 18th August, 1884.

Fortescue Telegraph Station—Land Grant Railway, Beverley to Eucla (Message No. 18.), consideration of; referred to a select committee—Message (No. 20): Forwarding Scheme submitted by Mr. Anthony Hordern for the further settlement and development of the colony; referred to a select committee—Message (No. 21): Schedule of Public Works to be included in proposed Loan Bill of £255,000—Imported Labor Registry Bill: second reading; referred to select committee—Adjournment.

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

PRAYERS.

TELEGRAPH STATION AT FORTESCUE RIVER.

MR. McRAE moved, "That an humble address be presented to His Excellency the Governor, praying that he will be pleased to take the necessary steps for establishing a telegraph station at the Fortescue River, on the Northampton and Roebourne telegraph line, now in course of construction." The Fortescue river district, he said, was one of those places on the North-West coast of this colony which had been established and settled for some years, and had of late assumed considerable importance. The steamers now occasionally called there, landing supplies for the settlers, and an English wool vessel called there annually to take away their wool direct to London. He expected that when the survey which was now being carried on by the Admiralty surveyors is completed, steamers would call regularly at the Fortescue, and he thought that on these grounds alone the place was entitled to a telegraph station. The distance between the Fortescue and the proposed station at the Ashburton was about 170 miles, being about midway between that place and Roebourne. As it was one of the most important districts in the North, and as this telegraph line would run through the greater part of it, and, so to speak, pass by the very doors of a great many of the settlers, he thought the House would agree with him that they had a just claim to consideration in this matter.

THE DIRECTOR OF PUBLIC WORKS (Mr. C. T. Mason) said he did not rise to oppose the presentation of this address; he could only assure the hon.

member, in somewhat similar words to what he had used the other night, that if the Government were satisfied as to the necessity of this station they would have no objection whatever to its being established. On the contrary, anxious as they were to push forward works of this description, they would be prepared to do so.

MR. MARMION thought the Director of Public Works' reply was rather an evasive one, and not altogether satisfactory. As to the Government being satisfied with regard to the necessity of this station, he thought the Government should, to a great extent, be guided by the opinions of that House as to the necessity or desirability of works of this character. They were constructed out of public money, and if the representatives of the public considered the expenditure necessary, the Government should in a great measure be guided by that consideration. This might be regarded as a somewhat Radical view, but that was his opinion. The Fortescue was a very important district, and the country around comprised some of the very best in the North, and, as the object in view was to afford increased convenience to the settlers along this line, he trusted the Government—although they might not themselves consider the work a necessary one—would, if they found a majority of the House expressing a wish to have this station established, give effect to those wishes.

MR. GRANT hoped there would be no delay on the part of the Government in establishing this station. The Fortescue, as already said, was a very important district, a very important district indeed, and a very extensive one, and the settlers were entitled to every consideration. He hoped there would be no dilly-dallying with this work as there had been with the line from Cossack to Roebourne, for which the money was voted last year but in respect of which no action had yet been taken by the Government to carry out the work.

MR. VENN had no doubt the resolution would be carried almost unanimously, but it should be borne in mind that it did not alone mean the establishment of a station but also the expenditure of a considerably larger amount—a post office and possibly a police station. At the

same time he had much pleasure in supporting it.

MR. LOTON said the resolution had his most cordial support. He should have thought the Government hardly needed such a motion to be brought forward. The extension of our telegraph lines would be of very little service unless we had stations at the various centres of population through which the lines passed, and, looking at the growing importance of the Ashburton, he thought it was highly desirable there should be a telegraph station at or near the mouth of the Fortescue. As to the question of expense in maintaining the line, the line would have to be looked after, for purposes of repair, whichever way it went, and if a station were opened at the Fortescue it struck him that the cost of repairs would be considerably reduced, as there would then be somebody in the neighborhood to look after the line. He hoped there would be no difference of opinion as to the advisability of giving effect to the resolution.

MR. SHENTON said the desire of the House in voting money for public works was to afford convenience to the public; and when they looked at the value of the exports which already were made from the Fortescue and the surrounding districts, he thought the settlers of the neighborhood had a right to receive the benefit of telegraphic communication.

MR. BROWN said the resolution had been on the notice paper for some time, and he had hoped the Government would by this time have been prepared to say that the proposal would have their support. His knowledge of the place extended over the past 23 years, and, so far as that went, he might claim the right of priority to speak on the subject. He had also been through that part of the country eighteen months ago, and if the Government knew as much as he did of its requirements in the way of telegraphic communication there would not be one dissentient voice on the Government bench. No doubt it would involve greater expense than the mere establishment of a telegraph station—there would be a residence wanted for the operator, and his salary, and possibly other expenses; and if the motion had been to place a sum of money on the Estimates for this purpose he should have opposed

it, for it was work that undoubtedly should not come out of current revenue but out of loan. It appeared to him there would not be a sufficient balance left out of the present loan appropriated for the Northern line to admit of these buildings being constructed at the Fortescue; and, if not, he thought it was one of those matters that might very well be included in the new loan. There would be no necessity to delay the work, for the money might in the first instance be advanced out of current revenue, in the same way as had been done more than once with regard to other public works.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said that some of the remarks which had fallen from hon. members that evening would induce a person who listened to them, and who did not otherwise know anything about the matter, to believe that there was some enemy in the background, preparing to come forward and in some way to oppose this motion. But he thought it was not so. It was perhaps as well that the discussion should have proceeded thus far, for it enabled the Government to see, and to see with pleasure, how unanimous the House was in this matter. The motion before the House was that an address be presented to the Governor, and he had not yet heard a word said in opposition to it. That bench was quite prepared to assent to the motion, and the Director of Public Works had said that the Government would take the matter into consideration, being most anxious, as it always was, to be in accord with the sentiments of that Council. He therefore thought there was some little misapprehension, as to the effect of what had fallen from the Director of Public Works.

The resolution was then put and passed, *nem. con.*

LAND GRANT RAILWAY, BEVERLEY TO EUCLA (MESSAGE No. 18).

On the order of the day for the consideration of His Excellency's Message (No. 18) relating to the negotiations with Sir Julius Vogel with reference to the construction of a railway on the land grant system from Beverley to Eucla,

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said he thought it would be desirable that the Message should be

referred to the same select committee as had dealt with the other land grant railway schemes. He would therefore move that His Excellency's Message No. 18 be referred to a committee consisting of the Commissioner of Railways, the Commissioner of Crown Lands, Sir T. Cockburn-Campbell, Mr. Brown, and the mover, and, with leave, Mr. Marmion, Mr. Randell, Mr. S. H. Parker, Mr. Loton, the Hon. J. G. Lee Steere, and the Colonial Secretary.

MR. RANDELL said he did not rise to oppose the motion, but all he could say was he thought it would only be a waste of time to refer the question to any committee. The papers were in the hands of hon. members, and he was sure if they looked them over they would agree with him that there was no need for going into this question any further. It was quite apparent that the scheme was a Utopian one, and that the promoters themselves had no faith in it. He thought—and he trusted the House would be with him—that it was unnecessary to waste any time over it. He hoped that, in the event of any further schemes of the character being put forward, the Government would insist upon a good round sum of money being deposited, before the time of that House was taken up in discussing such projects as this.

THE ATTORNEY GENERAL (Hon. A. P. Hensman): Before the matter goes any further I would say that if the opinion just expressed by the hon. member, Mr. Randell, is the opinion of the Council, it will be idle to refer this matter to a select committee, and a waste of time. Therefore, perhaps, if other hon. members would at this stage express their views on this subject, it might obviate the necessity of taking any further steps in the matter, and I would at once withdraw the motion for referring it to a select committee.

MR. BROWN trusted there would be no further opposition to the motion. He thought it was a very proper course to refer the matter to a select committee. The subject had been referred to the Council by His Excellency the Governor, and he thought the papers had not been considered fully. There might be something in the proposals more than the hon. member, Mr. Randell, imagined—

he was not prepared to say that there was; but he did think that, seeing the large amount of labor which members had had to perform since the commencement of the session, there were possibly several amongst them who had not yet had an opportunity of considering the terms of these proposals. Under the circumstances he thought it was very desirable that the matter should be referred to a select committee, and that the committee should report fully upon it. If the scheme be such a scheme as the hon. members supposed it to be, then it would be well that the committee should say so, in plain terms. He thought the matter would be better dealt with in the calm and cautious way suggested by the Attorney General, rather than in the off-hand manner suggested by the hon. member, Mr. Randell.

The motion to refer the message to a select committee was then put and passed.

MESSAGE (No. 20): FORWARDING MR. ANTHONY HORDERN'S PROPOSALS FOR A SCHEME FOR THE SETTLEMENT AND DEVELOPMENT OF THE COLONY.

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

"The Governor has the honor to transmit, herewith, for the consideration of the Honorable the Legislative Council, a communication,* dated the 11th inst., received from Mr. Anthony Horden, enclosing proposals for a scheme of an extensive nature in connection with the further settlement and development of the Colony.

"Government House, Perth, 18th August, 1884."

* Council Paper, A 16.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) moved that the Message be referred to a select committee; such committee to consist of the Commissioner of Railways, the Commissioner of Crown Lands, Sir T. C. Campbell, Mr. Brown, and the mover, and, with leave, Mr. Marmion, Mr. Randell, Mr. S. H. Parker, Mr. Loton, the Hon. J. G. Lee Steere, and the Hon. M. Fraser.

Agreed to.

MESSAGE (No. 21): SCHEDULE OF
PUBLIC WORKS TO BE INCLUDED IN
NEW LOAN BILL.

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

"The Governor has the honor to request the Honorable the Legislative Council to favor him with a list of the Public Works, and the sums therefor, which, in the opinion of the Council, should be named in the schedule to the Bill about to be brought forward for raising a Loan of £525,000.

"2. In asking the advice of the Council, the Governor will briefly state the points which occur to him in connection with this very important matter.

"3. The first question presenting itself for consideration is, it will probably be admitted, that of Harbor Works at Fremantle. These have been reported upon by Sir John Coode, and this eminent Engineer has put forward two schemes, the details of which are well known to the members of the Legislature.

"4. The larger of these two schemes, estimated to cost £638,000, appears beyond the present means of the Colony, and the Governor will not further refer to it.

"5. The smaller scheme, estimated to cost £242,000, would be within the scope of the proposed loan, though its completion would absorb nearly one half of the total funds.

"6. It is to be noted that Sir John Coode, at page 4 of his report, writes of the information before him, and on which his designs are based, as being 'deficient in some important respects, notably with regard to sections and borings,' adding that, though he is able to report 'generally' as to the best course to be followed, his report leaves the details of construction, and possibly also to some extent the cost of the works, to be modified hereafter, 'should fuller and more complete data render any change desirable.' At page 14, referring to the driving of piles, Sir John Coode further observes that, 'before commencing any works, it would be necessary to make a detailed survey and examination of the site, when all doubt upon this and other matters would be cleared up.'

"7. These extracts from the report show that something is still required, before Sir John Coode's design can be finally approved; and it would certainly be to the last degree imprudent to engage in a work of this description and magnitude, until inquiry has been exhausted, and every doubt determined, either by Sir John Coode visiting the Colony in person, and examining the features of the port on the spot, or by his deputing another engineer, in whose report he would have confidence, to make the required survey. It should, in particular, be rendered certain that the estimate of cost is accurate and will not be exceeded.

"8. By adopting Sir John Coode's scheme, but only providing for a portion of its cost, say £100,000, out of the present loan, the works might be put in hand and carried on for a time; and a much larger sum might thus be devoted to railways and other immediate undertakings. This mode of proceeding would have the disadvantage of leaving the completion of the Harbor works in a state of uncertainty. Nevertheless, there are some reasons in its favor, which would be still stronger if the viaduct, 1,800 feet long, ending in a large jetty in about 20 feet of water, would be likely to form by itself a useful work, in case the stone breakwater, the main feature of the whole design, could not be proceeded with for some considerable period. Sir John Coode might be consulted as to this.

"9. Turning to other public works, a Telegraph line to the Kimberley District seems very necessary; and the same may be said of an extension of the Eastern Railway to Beverley, and a branch line to Northam and Newcastle. The roughly estimated cost of these works is:—Telegraph line Roebourne to Derby 530 miles, £35,000; Railway York to Beverley, 20 miles at £4,000 per mile, £80,000; Railway Spencer's Brook to Northam and Newcastle, 23 miles at £4,000 per mile, £92,000; Total, £207,000. If either of the railways mentioned should be constructed on the land grant system, as to which there are proposals before the Council, the loan would of course be relieved of the charge.

"10. Next to these important works, may be placed the construction and improvement of Jetties (including Goods Sheds) at the various ports of the Colony, for which £20,000 would not be at all too much to set apart.

"11. Public Buildings deserve consideration, and another £20,000 might well be devoted to the completion of the Perth Public Offices, to a much required new Supreme Court House, and to other buildings.

"12. A Railway (8 miles) from Cos-sack to Roebourne, costing, with equipment, say £35,000, should, the Governor thinks, be provided for, if possible. Looking to the revenue contributed by the Northern districts of the Colony, and to the public expenditure they may fairly expect, this work appears to have a strong claim. The various undertakings which have now been mentioned more than dispose of the whole loan, for it must not be forgotten that the loss and expenses in floating the loan will amount to about £20,000.

"13. Should either the Newcastle or Beverley Railway Extension be proceeded with upon the Land Grant system, or should only £100,000 be provided towards Harbor Works out of the loan, it would be possible to consider further works. Another course would be, to postpone Sir John Coode's scheme altogether for the present, but to spend, say, £20,000 on the improvement of the Jetties and traffic accommodation of the port of Fremantle. Desiring to bring the whole subject fully forward, the Governor mentions this alternative as one which has occurred to him, and one which would permit of the largest distribution of the loan in Public Works in different districts of the Colony. But such an arrangement would not satisfy the people of Fremantle, whose views are very clearly expressed in a petition now before the Legislature.

"14. Should additional funds be set free in any one of the three modes mentioned in the preceding paragraph, it would become possible to consider the construction of the Greenough Railway, which, reckoning the 45 miles from Geraldton to Dongarra at £3,500 per mile, would cost about £160,000; also, the railway from Bunbury to the

"Timber Ranges, 20 miles at £4,000 a mile, which would cost £80,000. Another £10,000 might easily be absorbed in desirable telegraphs and public buildings. But the figures show that, under any circumstances, the whole of the above-named works could not be undertaken.

"15. The sums which the Governor has stated as the probable cost of the different works referred to in this message are, of course, only roughly approximate. He is assured that they are sufficient, but they must be regarded as subject to revision. It may be hoped that complete information will reduce some of the estimates which have been given.

"16. Schemes of Harbor Works other than Sir John Coode's are not referred to here. Sir John Coode appears to have considered with care the various proposals which have from time to time been made, and the Governor feels quite unable to go behind his report.

"17. Taking all circumstances into consideration, and setting aside any question of Land Grant Railways, the following commend themselves to the Governor as the main items of the

schedule to the Loan Bill:—	
"Harbor Works at Fremantle	£100,000
"Telegraph Line, Roebourne	
"to Derby	£35,000
"Railway, York to Beverley ...	£80,000
"Railway, Spencer's Brook to	
Newcastle	£92,000
"Railway, Cossack to Roebourne	£35,000
"Jetties and Goods Sheds ...	£20,000
"Perth Public Offices, Supreme	
Court - House and other	
public buildings	£20,000

"Total £382,000

"From the balance of £143,000, not less than £20,000 must, as above stated, be deducted on account of loss and expense in realising the loan. This leaves £123,000 to be apportioned among some of the other works which have been mentioned. It would be advisable, the Governor thinks, to schedule a certain sum under the head of 'Miscellaneous.' If a second £100,000, from the above balance, were reserved for Harbor Works, their completion would be ensured.

"Government House, Perth, 18th August, 1884."

The Message was referred to a select committee consisting of the Director of Public Works, the Colonial Secretary, Mr. Marmion, Mr. Randell, Mr. Shenton, Mr. Venn, Mr. Grant, Mr. Brown, and the Hon. J. G. Lee Steere.

IMPORTED LABOR REGISTRY BILL.

THE ATTORNEY GENERAL (Hon. A. P. Hensman), in moving the second reading of this bill, said he might remind the Council that since the year 1874 legislation had been adopted in this colony regulating or controlling the contracts entered into between persons in the colony and the natives of India, China, the Malayan archipelago, and other places, and providing for the due protection of the natives so imported. The Act at present in force was one that was passed as recently as 1882, and no doubt it was thought at that time that the Act would last probably for several years and do all that was necessary in this matter. But experience had shown that the Act did not in some respects work well, and it had been represented to the Government from time to time that there were difficulties in the way of carrying out its provisions, and therefore the Government were anxious to do all that it could to make the law such as would work smoothly,—such as would afford protection to the imported laborer on the one hand and at the same time cause no unnecessary inconvenience to the settlers. Consequently the Government had introduced this bill, which it was hoped would meet the difficulties which had arisen. Of course it was obvious to every hon. member that it was necessary there should be some law on the statute book which would ensure protection to persons who were brought to the colony for purposes of labor from the countries referred to. It was necessary there should be some legislation to ensure that laborers who are brought here from the islands of the Pacific (it might be), or from the Straits, or from China or from India, or any other places of that kind, should be brought here under proper agreements, and that on their arrival here they should have all the protection which the laws of the colony could give. In giving them this protection there was no desire to suggest that these laborers were not, as a rule—and it was to

be hoped almost always—well treated by those who brought them. But the law was made not only for well-intentioned persons, who were anxious to carry out their contracts with justice towards those whom they had engaged; it was made also to prevent ill-disposed persons, if there should be any, from taking advantage of the unprotected and ignorant position of the laborers whom they might introduce here, under contracts that were not fair to them. The present bill had been before the House and before the public for a considerable time, and no doubt hon. members were fully prepared to consider its various provisions. The first important clause of the bill seemed to him to be the 4th clause, and this provided, as the late law did, that no laborer shall be brought into the colony from the countries named unless a contract in certain terms has been previously entered into with him. He thought no one could object to that, and no one he presumed would object to the next clause, which provided that this contract should be entered into with him at the port of shipment. It was obvious that to bring him here otherwise would be to place him at a disadvantage. They next came to the form of the contract, which was to be in writing; and he presumed no hon. member would object to that. It was obvious that if they brought a man all this distance from his friends and his home, the contract between him and his employer should be such as to be clearly understood; and the clause went on to provide that the contract must show the specific nature of the employment, the period of service, the amount of wages, and the daily rations the laborer was to have. He thought every one would agree that the man should know how long he came for, which the bill proposed should not exceed three years—long enough, if he was a good man and had been well treated, to induce him to stay longer. No one would suggest that these were not all very fair terms. Then came a provision that the contract shall contain a stipulation that the laborer shall be returned to the port or place of his shipment, at the expense of his employer, at the end of the period of his service. That provision stood in the existing law without any qualification. Under the existing law an employer was bound to

return the man, and the contract must contain that provision under any circumstances. It had been represented that this was a hardship or inconvenience in some cases, and therefore it had been provided here that this stipulation need not be in the contract, provided the contract bears the written approval of any British authority, or of any authority of a European Government, at the port where the contract was made and where the man shipped. This therefore was an attempt on the part of the Government to provide a clause which would be for the convenience of the employers, enabling them to dispense with this return passage agreement, if the contract was made before any British authority, such as a consul, magistrate, or emigration agent, at the port of shipment. If that authority was satisfied that the contract was a fair contract, and did not require that stipulation, then the stipulation need not be inserted. The next clause provided that the master of every vessel arriving here with laborers had to hand in a list of such laborers,—which all would agree was a desirable and proper thing to do. A medical certificate had also to be produced in respect to each laborer, showing that he was free from disease and of a sound constitution—which he again thought the House would be of opinion was a desirable provision to make, as one of the objects of the bill was to prevent the importation of diseased or sickly persons. Within seven days after the laborer landed, it would be necessary under the bill, as in the existing Act, that he should be taken before the magistrate at the port of landing, who should satisfy himself that the contract had been freely entered into by the laborer and that it was a reasonable one. Of course contracts which had been made in any British colony, at Singapore or elsewhere where there was a European Government, would in all probability be fair contracts; but this Act had to deal with all laborers, and not only with all laborers that may be imported at the present time, but also all laborers that may in the future be imported, and by any sort of person. It might happen hereafter, or even now it might be the case, that there were some people who would, unless restrained, go to some of the islands of the

Pacific or to other places where there was no European authority, and get a number of laborers on board and bring them here, under contracts that were anything but fair towards the laborer, or under no contract at all. Therefore the House he thought would be of opinion that it was desirable, as regards all laborers introduced, that the magistrate at the port of landing should have an opportunity of inquiring into the matter, and should satisfy himself that the laborer had freely entered into the contract and had not been kidnapped, also that the contract was a reasonable one. The bill went on to say that, after a contract had once been made, it may at any time be rescinded or amended by mutual consent of the parties concerned, provided it be done in the presence of the magistrate who had previously countersigned the contract. The bill made that provision, but, with regard to this and other parts of the bill, it would be quite open to amendment in committee, if suggestions were made showing that it was capable of improvement in any respect. At the end of the first contract another contract might be entered into without any stipulation as to the return passage, and the provisions of the bill were made to cease at the end of four years after the laborer's first arrival in the colony, so that any contract then entered into with him might be made as freely as with any European person. With regard to the time specified, four years was the time which the Government suggested as a reasonable time to enable a laborer to become acquainted with the conditions of the labor market here and so on; but the Government were not wedded to any exact time, and if it could be shown that a shorter time than four years would be more desirable, the Government would be fully prepared to consider the suggestion, and he hoped they would be able to meet the wishes of the House in that respect. It appeared to him that the other clauses of the bill were not important, and in fact were to be found, in substance, in the present Act. Therefore in summing up the distinction between this bill and the Act now on the statute book, it seemed to him there were three points in which the present bill sought to remove difficulties out of the way of the employer of labor. In the first place,

whereas the existing Act provided that the contract must contain a stipulation as to the return passage, the present bill proposed to modify that, and to provide that if the European authority at the port of shipment was content—if it was considered that the contract was a fair contract, and that this stipulation was not necessary—then there need not be such a stipulation inserted in this contract. That was a modification which he ventured to submit was very much in favor of the employer of labor. This bill also provided that, whereas the Act now in force declared that any second contract entered into here must be before the Resident Magistrate, the present bill provided that any second contract may be made before any Justice of the Peace. That, it would be seen at once, would also be a very great benefit to the employer. Instead of having to go, as now, to the magistrate at the port of landing to renew a contract he could go before any justice, in any part of the colony, for that purpose. The third and an important distinction between the Act now in force and the present bill was this: whereas now every imported laborer seemed to remain for ever under the provisions of the Act, and the same formalities had to be observed in entering into any contract with him long after he may have become domiciled and accustomed to the conditions of our labor market, as had to be observed in the first instance, the present bill recognised that at the end of a certain term, whatever it might be, these laborers shall be regarded like any other persons in the colony, and should be free to enter into any contract just like any other servant, either by word of mouth or otherwise, and without the intervention of any justice. In these respects, then, which were the main provisions in which the present bill differed from the existing law, he thought it would be admitted that the proposed changes were in favor of the employer. They had been introduced by the Government with the wish if possible of removing all inconvenience from those who desired to enter into these contracts, — always, however, consistent with the duty of the Government to protect the imported laborer. As he had already said, there might be no cases, or very few cases, in which efforts may have been made to introduce persons into the colony

improperly, but they would be shutting their eyes, he thought, to well known facts if they did not acknowledge that such efforts might be made, and might be made by persons who would wish to make a profit by the introduction of forced labor into the colony. In a great colony like this—great as to the vastness of its territory—and with our comparatively small means of looking after these laborers, it was most desirable that the contract under which these men came here should be looked into by some authority upon their landing, who should satisfy himself that they had come here as free agents. He thought, whatever view the House might take as to the details of this measure, or of any other measure of the kind, they would agree it was most important there should be some provision made in that respect. For every ninety-nine honest men who might import labor with an intention of dealing fairly with their laborers, there might be one dishonest person who would wish to do that which was wrong; and the law was meant to prevent cases of that description from taking place with impunity. These were the main provisions of the bill, and these were the reasons which had induced the Government to bring it in. So far as the Government were concerned, there was no reason why the Act now in force should not stand; they would then have done their duty in endeavoring to protect these imported laborers. But the desire of the Government was to do away with the difficulties which had been pointed out to them in the working of the law, passed by that House only two years ago. The House then were of opinion that an Imported Labor Bill of the nature of that which was now law was a right and proper measure; but it had been found that it presented certain difficulties, and that it did not work smoothly, and the Government, recognising these difficulties, were now doing what they promised to do last year, particularly when the hon. member for the Gascoyne moved in this matter,—that they would consider the question and bring in a bill this session in which they would endeavor to meet these difficulties. They had endeavored to do so, and he thought every hon. member would acknowledge that the position the Government were in, with regard to this

matter, was a somewhat difficult position to be placed in. They had every wish to study the convenience of the settlers and to smooth the way for the importation of these natives, while on the other hand they were bound to see that these laborers were imported into the colony under conditions which would not, as the Government thought, press unfairly upon them. The Government were anxious to afford every reasonable facility to those employers who desired only to introduce laborers under fair contracts, while at the same time they were also anxious to prevent persons who might wish to introduce them under unfair contracts from doing so.

MR. BROWN said he had begun to feel a little frightened. He had begun to imagine that the present Government were really after all infallible; but, after the remarks which had just fallen from the Attorney General, he found that they were fallible to some extent at any rate. The hon. and learned gentleman said that, so far as the Government were concerned, there was no reason whatever why the present Imported Labor Registry Act should not stand. Now he thought that was a most surprising statement to every member of the House acquainted with the provisions of that Act, and with its working. He admitted the conciliatory tone of the hon. gentleman's remarks, and he was pleased that it was evidently the hon. gentleman's desire, and the desire of the Government, that the Act should now be so altered as not to cause any undue inconvenience to the importers of labor. Such being the spirit of the Government, and it being a fact that the Government were now prepared to enter upon the consideration of this question—although they would not do so last year, when urged to it, as he thought, by almost every member of the House—but as they were now prepared to enter upon it in the spirit foreshadowed by the speech of the hon. gentleman in charge of the bill, he had no doubt whatever that a satisfactory conclusion would be arrived at. The bill, he must confess, judged by the character of the bills on such subjects which had been placed before the House by the Government in the past, was a much more reasonable bill than he expected to see put forward. At the same time there were certain provisions in

it which would not work smoothly, either in the interests of the employer or in the interests of the laborer. At least such was his opinion, and it was his intention to give notice of the amendments which he thought it would be desirable to introduce in those portions of the bill which required amending. If it were not for the fact that we had on our statute book, not the Act referred to by the Attorney General, but an obnoxious measure which rendered it utterly impossible that any of these laborers could be legally employed in this colony, unless they were engaged in the colony,—if it were not that such an Act as that was in existence, and that it was desirable to get rid of it, he should have moved that this bill be read a second time that day six months, and he had no doubt that every hon. member—not every member perhaps, but nearly every hon. member—would have supported that motion, because there was really no necessity for legislation of this character. The only absolute necessity for such legislation now was in order to get rid of the existing Act, and if they were to refuse to allow this bill to be read a second time there would be no other way to get rid of that obnoxious measure. Up to the present time no laborers coming within the category of those included in the interpretation clause had been imported into the colony except from Singapore, China, and in a few instances the Malayan archipelago; from places where they had local laws providing for the special protection of native laborers about to enter into such contracts; and, that being the case, it would have been time enough to have introduced stringent legislation such as we now had and such as this bill proposed, when we had to go further afield, where there were no native protectors (if he might so term them) to look after the interests of these laborers. With regard to his objections to the present bill they were not very many, and if it was a fact that the Government desired them to frame a law now which would operate so that no undue inconvenience might arise to the employers of labor, consistently with the due protection of the laborers themselves, he was satisfied they would join in the amendments he would have to propose.

MR. GRANT said it was rather pleasant to him to hear what had fallen from the

Attorney General in moving the second reading of the bill, with regard to the desire of the Government to meet the wishes of the settlers and the employers of labor in connection with this question. He trusted that the House and the Government would this time come to some satisfactory understanding on the subject. The Attorney General said he would be quite willing to submit his bill for amendment, and yet at the same time the hon. gentleman in the same breath stated that the present Act suited the Government very well, so far as they were concerned. However it might suit the Government, it was very certain it did not suit the public, it did not suit the employers of labor, and there were some things, he thought, in the present bill, which were altogether opposed to the interests of employers,—in fact it afforded them no protection whatever, in many respects, and he hoped the Attorney General would stick to his first statement, that the Government were now desirous of studying the convenience of the settlers in this matter. He thought the Government would act wisely if they were to submit themselves in matters like these to the opinion of members who had had some practical experience in dealing with this class of labor. The Government themselves knew nothing about it. They probably had never had a Chinaman in their employ in their life.

THE ATTORNEY GENERAL (Hon. A. P. Hensman): The hon. member I think is wrong there. My hon. friend the Commissioner of Crown Lands, I am informed, has a Chinaman in his employ at the present moment.

MR. GRANT: But was his Chinaman introduced in accordance with the law of the colony? I doubt it very much. The interests of the settlers in this matter have been persistently opposed in the past by the Government, as represented in this House by their Attorney Generals, and I hope we shall have no further opposition, and that the amendments sketched out by the hon. member for the Gascoyne will commend themselves to the good judgment of the House generally. The colony is now on the eve of borrowing a large sum of money for public works, in various parts of the country, and unless care is taken to regulate the supply of labor of all classes, so

that employers may not be hampered and crippled unnecessarily, we shall find the colony, notwithstanding all its borrowing, drifting back into a position worse than it has ever been in before.

THE HON. J. G. LEE STEERE was very glad to hear the hon. member for the Gascoyne stating he did not intend to oppose the second reading of the bill, and for the reasons which the hon. member gave at the time,—reasons with which he entirely coincided, as, otherwise, a very unworkable and objectionable bill would still remain on the statute book. In legislating on this subject, it should be borne in mind that we have only to deal with two particular classes of laborers, Malays and Chinese, who were the only people likely to be imported into this colony. There was no likelihood of any natives being introduced here from any of the South Sea islands and other places requiring such stringent regulations as the Secretary of State desired to see enacted. He was informed by the hon. member for the North, who was a large employer of this class of labor, that all the Chinese laborers imported into the colony had to be engaged in the presence of a native protector, and their contracts explained to them. If that was the case, if the interests of the laborer were protected in this way, there could be no reason why an opportunity should not be afforded magistrates in this colony of judging whether on the other hand the contract did not press unduly harsh upon the employer. He thought there were several provisions of the bill that would have to be amended when they went into committee on it, and, for his own part, he should like to see the bill, in the first instance, referred to a select committee.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) said he was glad to find that the bill in its present shape met with so much acceptance. What objections had been raised to it were objections which he thought might easily be removed or modified, so that there was a chance of a very good bill becoming law, and a bill that would become acceptable to the country.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) having expressed his willingness to refer the bill to a select committee, in the event of the second reading being agreed to, the question

that the bill be now read a second time was put and passed.

Bill read a second time.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) then moved that the bill be referred to a select committee, consisting of the Commissioner of Crown Lands, Mr. Brown, the Hon. J. G. Lee Steere, Mr. Grant, Mr. Davis, Mr. Venn, and the mover.

This was agreed to.

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

LEGISLATIVE COUNCIL,

Tuesday, 19th August, 1885.

Telegraph Line, Roebourne to Cossack—Report of Immigration Board—Increase of Salary to His Excellency the Governor—Reply to Message (No. 2) respecting Diseases in Imported Stock—Land Quarantine Bill: in committee—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

TELEGRAPH LINE FROM ROEBOURNE TO COSSACK.

MR. McRAE asked the Director of Public Works if the amount of £250 placed on the Estimates of 1884, for the purpose of constructing a Telegraph Line between Roebourne and Cossack, was still available for that purpose, and if the Government had any intention of proceeding with the work at once?

THE DIRECTOR OF PUBLIC WORKS (Mr. C. T. Mason) said the money was still available, and that the Government intended proceeding with the work. The hon. member must be aware of the difficulty in the way of carrying it out hitherto, there being no vote available for building the necessary offices for working the line. But as he (Mr. Mason) would probably be visiting the district

next month, possibly some temporary arrangements might be made for providing these offices. The Government had every intention of proceeding with the work as soon as possible.

REPORT OF IMMIGRATION BOARD.

THE COLONIAL SECRETARY (Hon. M. Fraser), in moving that the papers presented to the House regarding immigration be taken into consideration, said hon. members would observe from the papers that the Board appointed by His Excellency for superintending and promoting immigration had made a progress report, showing the proceedings and transactions of the Board up to the 30th June last. The Board had gone to work very carefully, and, in his opinion, very judiciously. Before recommending the Government to embark in any large system of immigration, they were desirous of trying what could be done by encouraging the nominated system as far as possible, and the result so far had not been unfavorable. The Board proposed, if practicable, that 500 immigrants (statute adults) should be introduced into the colony during the present year, and there was no reason to believe now that the full number would not be obtained. The Board had worked cordially with the public in the colony and with the Crown Agents at home in encouraging the nomination system, and he thought the House would be with him when he stated that it would not be well, as yet, to disturb the present arrangement. Hon. members would perhaps want to know why action had not been taken to appoint an Immigration Agent in England, as was meditated when the question was before the House last year, but he thought it would be admitted that, looking at the scope and class and the extent of the immigration at present proposed, and in view of the contemplated land grant railway schemes, under which the promoters would probably introduce immigrants on a large scale, it would neither have been prudent nor advantageous to have appointed a special agent in London, which would greatly have added to the expense of working the present system, without any corresponding advantages. Probably, in the future, it might be necessary to appoint