

## OPENING OF COUNCIL BY PRAYER.

Select Committee Report.

The SPEAKER brought up the report.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the report be adopted. Question put and passed.

The Council adjourned at 5 p.m.

## LEGISLATIVE COUNCIL,

Thursday, 8th December, 1870.

Reply to the Governor's Address—Swearing in of Members—Publicans' Petition—First Readings—Message from the Governor—Standing Rules and Orders—First Readings—Repeal of License to Kill Kangaroos Bill: first reading—Survey Department Returns—Estimates: in committee.

The SPEAKER took the Chair at 8 p.m.  
PRAYERS.

## REPLY TO THE GOVERNOR'S ADDRESS.

The SPEAKER informed the House that in pursuance of the resolution that had been agreed to, he had yesterday presented the Address of the House to His Excellency the Governor, and that he expected a message from His Excellency with a reply.

## SWEARING IN OF MEMBERS.

The Clerk of the Council read a Commission from his Excellency the Governor authorising the Speaker to administer the Oath of Allegiance to Members of the House.

## PUBLICANS' PETITION.

Mr. NEWMAN presented a petition from the Licensed Victuallers praying—

1. For the reduction of license fee.
2. For the restriction of the gallon license.
3. That the time for closing the hotel business be extended to 12 o'clock.

Petition received and read.

## FIRST READINGS.

The following Bills were read a first time, in accordance with notice, on motions by the Colonial Secretary (Hon. F. P. Barlee): Divorce and Matrimonial Causes Bill, Fremantle Carriage Ordinance, 1868, Law of Evidence and Practice on Criminal Trials Bill, Law of Evidence Bill, Larceny and Embezzlement Bill, Administration of Estates of Deceased Persons Bill.

## MESSAGE FROM THE GOVERNOR.

The SPEAKER presented to the Council the following Message from His Excellency the Governor—

Mr. Speaker, and Honourable Gentlemen of the Legislative Council.—I thank you for your loyal Address, I express my hope that your co-operation in all measures that may be found conducive to the public good may promote the welfare of the country.

Government House, Perth, 8th December, 1870.

## STANDING RULES AND ORDERS.

The SPEAKER presented to the Council the following Message from His Excellency the Governor—

Mr. Speaker, and Honourable Gentlemen of the Legislative Council.—The Governor has been pleased to approve the Standing Orders which have been passed by the Legislative Council.

Government House, Perth, 8th December, 1870.

## FIRST READINGS.

The following Bills were read a first time, in accordance with notice, on motions by the Colonial Secretary (Hon. F. P. Barlee): Specialty and Simple Contract Debts Bill, Distressed Colonial Seamen Bill, Naturalization Bill, and Guildford Appropriation Lands Bill.

## REPEAL OF LICENSE TO KILL KANGAROOS BILL.

First Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee), in accordance with notice, moved for leave to bring in a Bill to Repeal an Ordinance Intituled an Ordinance to Provide for the issue of Licenses to kill Kangaroos. He said this Bill had been introduced at the request of a number of settlers. Kangaroos and other wild animals had increased so greatly, that their destruction was absolutely necessary. The natives were not numerous enough to consume them, and besides they now lived more on flour, etc., which they procured from the European population, than on the kangaroo and other animals. As this was an important Bill, he would propose the second reading for Wednesday, the 16th inst.

The Bill was read a first time.

## SURVEY DEPARTMENT RETURNS.

Mr. SHENTON, in accordance with notice, moved that the undermentioned returns

from the Survey Department be laid on the Table of the House—

1. The names and situation of all officers employed in the Survey Department in the year 1849.
2. The number of surveyors actually employed in the field in 1849, stating the number of carts, horses, and men employed with each surveyor, during that year.
3. The number of locations, and the total amount in acres marked out by each surveyor in 1849.
4. The number of miles chained, in marking the above, distinguishing the number of miles of boundary lines from miles of tie lines, run to connect the locations with fixed known points.
5. The number of miles of roads actually chained and laid out by each surveyor during the same period.
6. The same particulars for the years 1859 and 1869.

Question put and passed.

#### ESTIMATES.

The COLONIAL SECRETARY (Hon. F. P. Barlee), in accordance with notice, moved that the Council do now resolve itself into a Committee of the whole Council, to consider the following resolution:—

That in the opinion of this Council it is desirable that the Estimates should be brought forward at the earliest possible period, with a view to passing the Appropriation Act before the ending of the financial year.

Question put and passed.

#### In Committee.

The COLONIAL SECRETARY (Hon. F. P. Barlee), in rising, said that he believed that an impression existed in the minds of some hon. members that this resolution was brought forward with a view to passing the Estimates hurriedly, and without due consideration. He assured the House such was far from his intention, and that his sole object in proposing it was to enable him to make a statement to the House of the policy the Government proposed should be adopted during the present session. That done, so far as he was concerned, he would withdraw the resolution, if it was the wish of the House. It was, he remarked, an axiom well established, and one, he was sure, that would be well understood by those he addressed that evening, that before any large

undertaking was commenced, it should be carefully examined in every point of view and the cost clearly understood. This colony had commenced a great undertaking; it had done so deliberately; it had not hastily rushed into Representative Government; it had been a matter that had grown up during the past 10 years—a matter finally established by the omnipotent will of the people. Henceforth the destinies of Western Australia would lie with her inhabitants, and they who were there assembled might be looked on as having the honor to be among the pioneers of those who first would guide the tottering steps of a province just commencing to feel its way, and watch its progress with that anxiety, that fostering care, and that heartfelt interest in all that concerned her—an interest that he earnestly prayed might be rewarded by seeing her emerge from her present position of obscurity, and take rapid strides to wealth and prosperity. But the work they had met to do was no mere child's play; there was that before them that required, if they wished to succeed, deep consideration, great judgment, an entire absence of selfish motives, an earnestness of purpose, a determination to bear and forbear, and to work together, and, above all, a firm reliance that the blessing of Almighty God would rest upon their efforts. The hon. member said he spoke earnestly and he felt earnestly—he could not doubt that every hon. member felt the responsibility of his position, the responsibility to his constituents, the responsibility to the colony at large, and, above all, the responsibility to his own conscience; and, believing this, he assumed that one and all could in some measure give him credit for the almost overwhelming sense of responsibility that his position there devolved on him. He stood there that night as one who had steadily advocated the advent of Representative Government since the question was first introduced; through evil report and good report he had firmly held to the opinions he had formed, and he saw no reason to doubt that these opinions were correct. But now that the day had arrived that he had looked forward to for years with a sort of joyous anticipation, he had felt like one standing on a hot day by the bank of a river longing to bathe in the cool waters below, but afraid to make the first plunge. When he found himself in the House nearly alone, with not one of his old colleagues in office to support or assist him, with at present but one public officer to aid him in the arduous task before him, and when he knew how unreasonable it would be for him to expect from his friend the Attorney General, during this session, that valuable assistance which he

was sure he might rely on in future sessions, when he would be acquainted with the colony and its inhabitants; when he had thought of all this, he had at times felt disheartened, but one look round the House reassured him. He saw, though strangers to him in the Legislative Council, faces that were not strange to him elsewhere—men that he had known intimately in their various relations in life—men whose sole interests were bound up in the colony, who, far from throwing obstacles in his path, would aid him in what he had to do, would carefully consider those propositions which it was his duty to bring before them; and if they rejected them, would do so on conscientious grounds, and because they believed they could do better things for the colony. This assurance, this conviction, would render his work a labor of love, and enable him that night, and henceforth, to feel that though for the first time in the history of the colony they had assembled in a House with a semblance of Government and Opposition benches, it was but a semblance, and that all met with one common end in view. He said one of the first things the Council had to do in meeting there to legislate for the wants of the country, was to count the cost of what that session it was proposed to do. He was unaware of the particular propositions, involving expense, which hon. members desired to bring under consideration. He could not be altogether ignorant of the ideas of many of those now holding seats in the Council, as shown in their election addresses, and he was of course more or less aware of the many schemes—some of them, in his opinion, most unpracticable ones—that have been promulgated in other places during the past few months; but with these he had nothing to do. It would be his duty to submit for their consideration during the session many measures of importance, the majority of which would, in a greater or less degree, involve expense; and he had felt it would simplify their proceedings very materially if he made, at an early day in the session, a statement of the general policy of the Government, the nature of the expense involved, the salient points in the Estimates to be brought forward, and thus consult the convenience of the House as to the order in which they should be considered. He would assure hon. members that the programme he would put before them had been most carefully considered; each and every measure, each and every item of expenditure to which he should allude, had been decided on only after mature thought; and he relied on, indeed he claimed on the part of the Council, that same careful consideration and that same

thought which had been bestowed on them. It would be unreasonable in him to expect, and he did not expect, that all the measures he brought forward would be carried into effect; but he was sure hon. members, in considering them, would not fail to recollect that they had been prepared by those who had had some experience in colonial finance here and elsewhere, and that they were put forward, in every sense of the word, honestly, with a due regard to the economy and efficiency of the Public Service. The Council had met at a time of great depression: three bad seasons had followed one after the other; poverty and distress were perhaps more rife than at any period for years past; the imports had fallen off; the revenue in other ways had decreased; the Imperial expenditure was decreasing; but there was no cessation of the colonial expenditure. Indeed, he was not at all inclined to believe it would have been a wise policy to have attempted at such a time materially to reduce the public expenditure. In other countries, and especially in the neighboring colonies, one bad harvest, the cessation of the yield from a goldfield, a too large or sudden influx of immigrants, would have been the signal for the inauguration of some public work. This was not done here because the funds were not available; but though of late the expenditure had exceeded the revenue, he would be in a position to satisfy them that the funds had been judiciously expended. It had been said that the colony was in a critical state, and he thought it was so. It appeared to him just now that the scale was evenly balanced, and that it required but little to turn it either to prosperity or adversity. He was glad to say that he could see many matters tending to the former, but few to the latter. Among those matters which would have an adverse influence on the destinies of the colony, would be any serious difference of opinion which might arise between the House and the Home Government. From the assurances given by hon. members he was glad to believe that there was little prospect of such occurring. The hon. gentleman then took a retrospective view of the history of the colony since 1850, and showed the following figures:—

	1850	1855	1860	1865	1869
Population.....	5,886	12,838	15,227	20,260	24,785
Revenue.....	19,137	48,039	69,682	77,942	103,661
Imports.....	52,351	105,319	169,074	168,413	256,729
Exports.....	22,134	46,314	89,296	179,148	205,602
Public Works.....	1,195	6,811	12,741	8,327	22,091
Sheep.....	128,111	181,114	260,136	445,044	654,064

He said that the expenditure had kept equal pace with the revenue, and that if in the figures he had quoted there was nothing at which to be exceedingly exultant, there was nothing which should create

despondency. The colony had slowly and steadily progressed: it had never stood still for any length of time. Of late, matters had not progressed satisfactorily; there were various causes of depression, but he held these causes to be of a temporary nature, and he thought there were many matters now before the House, and under consideration, which bid fair to tend to the development of the resources of the colony—to the introduction of capital and population, and, what was far better, the making the colony known beyond her shores. In a late visit to the Eastern Colonies he was astonished to find how little was known of us, and how much of that little was erroneous. A good deal of attention had been attracted to the colony lately by the introduction of Representative Government, the formation of timber companies by men of capital from Melbourne, and by the publication of the Governor's Despatches. He had not failed to do what lay in his power to dispel the dark cloud of ignorance, and he was glad to find that his endeavours had been, since his return, supplemented by the Census Report of the Registrar General, and that succinct but faithful little history of the colony published by his son, Mr. W. H. Knight. Having, however, arrived at 1870, and indeed nearly at the end of it, it behoved the Council to think of the ways and means for 1871, and he must get on with the work he had in hand, for he had that to say which would occupy the attention of the Council for some time. He laid upon the table a financial return, shewing the following results:—

Balance, 1st January, 1870, £20,385 5s.; Receipts from that date to 8th December, £98,431 15s. 3d.; Expenditure during same period £112,973 11s. 2d.; Balance at present date, £5,843 9s. 1d. He fully allowed this was not a satisfactory return; it was, however, open to explanation in every particular, and though, during the first nine months in this year, the expenditure had exceeded the similar period in 1869 by £10,000, he should be able to afford at the proper time detailed explanations on each and every item of expenditure, and fully to satisfy the Council. He desired not to be misunderstood in the matter, he had not said that £10,000 in excess of the Estimates had been spent during the first nine months of this year, but that he drew a comparison between the nine months of 1869 and 1870. He could satisfactorily account for the expenditure, and he had merely alluded to it to show the wisdom of that policy which in better times had hoarded for a rainy day the surplus revenue which of late had come in so opportunely. He then showed how the causes of the excess during the current year had occurred, and

proved that it was not for salaries and allowances, for which services the sums voted had not been expended, and clearly proved that it was for services over which the Government could really exercise no control, and which must have been provided for. He then asked whether, with a small balance in the chest, a decreasing revenue, with no immediate prospect of increasing funds, this was the time to launch forth new undertakings, to commence large public works, to push onto the colony heavy burdens, to add fresh taxation on the people, and said that if he looked no farther than to-day, he should emphatically answer in the negative; but he looked beyond the hour in which we lived—he took a broader and wider range; he saw many changes coming over the colony, which he believed must and would result in great good, and that might justify us in putting away old things and commencing new things. Measures were already before the Council invoking such changes; such measures directly or indirectly brought expense with them; if we wanted things done well we must pay for them. Good things are often in the long run the cheapest. He believed in doing what was to be done thoroughly; in getting good agents to carry out what was to be done; to have a sufficient number of efficient agents, and no more. Now such measures as the Road Boards Bill, the Lunacy Bill, the Bankruptcy Bill, the Municipal Bill, and others, the titles of which he could not then remember, none of them involved any immediate cost in staff, or otherwise that could be calculated, but they were, one and all of them, Bills that would in their time involve considerable cost, which it would be next to impossible for the Council or any power in the colony to keep down, and so it was with the general expenditure of the colony; as its area extended, so would expenses arise, expenses unforeseen that cannot be kept down. Every one could understand this by the regulation of his own income; let him calculate as closely as he would, unless a large margin was left for contingencies, the balance would be found at the wrong side of the ledger at the end of the year. He expressed a belief that the tendency of measures of such a nature which assimilated our proceedings to those of more advanced colonies, was to draw attention to us, to cause more energy and activity in public works, because people would have a special interest in them, and so indirectly increase the revenue. He wanted however to impress the House with the fact that, as the revenue increased, so would the expenditure. Be as careful as was possible, learn to—say “no” even to those requests to which it would be very desirable to reply in the

affirmative, it would be found no easy matter to make both ends meet. He might be asked why he had endeavoured to impress this matter so fully on the Council, and he would simply reply, because in framing the Estimates for the coming year he had experienced great difficulty in making the ways and means commensurate to the expenditure. It was his duty to submit to them that evening what in the opinion of the Government was the best mode of so doing, and he would endeavour briefly, but still in such a form as would clearly show an outline of the plan to be adopted so to do. Before he commenced he would make one remark. A very general impression existed that it would be advisable to negotiate a public loan for the purpose of inaugurating certain public works, the performance of which could not, so far as could be reasonably seen, be defrayed from current revenue. He was not prepared at all to disagree with that impression, and he would, before he sat down, give the opinions of the Government on the subject; but this much he felt it right to say then for the information of the House, that no promise was made on the Estimates for a loan, for any interest on a loan, nor was any allusion made to those public works which would, in the opinion of the Government, be properly provided for by such means. These were matters which must stand alone, be provided for by separate and special legislation, which may require reference elsewhere, and would form no part of the Estimates which would that evening be placed in the hands of hon. members for consideration. On these Estimates he would now offer some remarks. It would be in the recollection of some of the members that at the session of 1869, a session presided over by an hon. and gallant officer now no more, a considerable discussion arose as to the classification of clerks in the Public Service, and that a pledge was then given that the matter should be brought under the consideration of Governor Weld on his arrival, and some scheme submitted on the subject. Now, though matters have very materially changed since that time, he had felt it right such pledge should be redeemed, and he had drawn up a minute on the subject which he would lay on the table. He had great difficulty in arriving at what would in his opinion meet the requirements of the service, render due justice to the clerks employed in it, and at the same time be acceptable to the Council as a just and reasonable proposition; at all events, on this head no additional expense was imposed. Provision was made on the Estimates for the expenses of the Council; small salaries were suggested for the Speaker, the Clerk, and the Sergeant-at-

Arms. Had it not been that there were certain expenses thrown on the Speaker, he should personally have preferred that the appointment should have been an honorary one till such time as the colony would have been in a position to offer a salary creditable alike to the Government to offer and the hon. gentleman to receive. He presumed that in making any statement on the Estimates he must not omit allusion to the Survey Department, that very important branch of the Public Service, in which so much interest was felt in the House and elsewhere. He assumed that before many days were over proposals would be made for alterations in the Land Regulations; this subject would probably best be considered by a select committee composed of those members most immediately interested in the matter, who could be authorised to take evidence and generally report on the subject. He need not here remind hon. members that the lands of this colony were not, if he might use the expression, the property of the colony, that the Council really dealt with the lands on sufferance, not as to the expenditure in connection with them and the revenue derived from them. In mentioning this, the House might rest assured that he desired no change in the present arrangement, and that he apprehended none, and he could conceive none more suited to deal with such a matter than those who were so immediately interested in the results. It was always well that one's actual position should be clearly defined, and hence his allusion to the subject. He would only then say, that the Government was ready to afford every facility in its power for such inquiry into the working of the land system as might be considered necessary. But in the meantime, there was the question of the survey staff to carry on current works during such inquiry. One face, hitherto never absent from a Legislative Council, since the foundation of the colony in 1829, was, if he might use a hackneyed but forcible phrase, conspicuous for its absence on that occasion. Captain Roe, as all were aware, had sent in his resignation, and only held office till the arrival of his successor; that successor was expected in a few days, and would in all probability be appointed to assist in their deliberations. He had felt that it would be unreasonable to expect from him definite suggestions as to the staff he would require till he had sufficient time to make himself acquainted with the country, and the nature and extent of the work to be performed. He conceived he would, if such a committee, as that to which he had alluded was formed, be a member of such committee, and while there learning

very much that would be useful to him in the important duties he was able to assume, he would bring to bear that great and valuable experience he had gained in the management of Crown lands elsewhere. He assumed that the Council would meet some time next month to pass the Estimates for 1871, and by that time the new Surveyor General would in all probability be in a position to report as to the requirements of his office in regard to staff, and personally on those employed in the department. This report would, as a matter of course, be laid before the Council. Provision had therefore been made on the Estimates for the actual staff at present employed, and no more; and it was his duty to recommend that such should remain intact for the next six or eight months, pending the receipt of the report alluded to. Of course in Committee on the Estimates he would go fully into detail in regard to the whole question. Hon. members would find provision made on the Estimates for a Government Geologist; this was made in pursuance of a resolution passed in 1869, by the then Legislative Council. He thought the good likely to result from the publication and distribution here and elsewhere of reports and maps on the geological strata of the colony too apparent to require further remark from him at the present time. After remarking on certain extra expenses that would be required in the Harbor Master's Department, and that of the Superintendent of Rottneet, and showing that increased revenue from light and port dues would meet the expenditure, the hon. gentleman said he had now come to a very important matter, to which he must make allusion. That matter was the grant for ecclesiastical purposes. The altered statistics shown by the lately-published census must necessarily alter the proportions payable to the various denominations, if the same system that has hitherto been in vogue was to continue. The Church of England had, up to the present time, been treated more in the light of a State Church than any other, and this, so far from being a boon, had in reality been to her disadvantage, for provision had been made on the Estimates for salaries to district chaplains, while in that of other denominations a lump sum, calculated in exact numerical accordance with the grant given to the Church of England, had been virtually handed over. At the commencement of each year letters were addressed to the heads of the respective churches, stating the amount provided on the Estimates for their denominations, and asking in what way it was proposed to be expanded. The replies usually stated where it was proposed to locate chaplains, the amount to be paid to

each, and this was usually formally approved by the Governor. As a fact, however, the total amount of money went into the hands of the managing powers of the respective churches, and was disbursed in such manner as in accordance with their rules was thought best; and it had not been the practice of the Government to interfere so long as the duties required to be done were performed. Not so, however, with the Church of England; any vacancy at once caused a cessation of salary, which reverted to the public chest, and not for the benefit of the church. Now, if the sum hitherto paid to the Church of England was to be taken as that requisite for her wants at the present time, when the number of her adherents was 58-98 of the population, instead, as heretofore calculated, at upwards of 70 per cent. of the population, it followed as a matter of course that additions would have to be made to other grants, and hence a further vote would be necessary. He believed that the principle adopted, that all denominations should be treated alike, was a just and equitable principle, and so long as any grant was given, that would be the line adopted by the Government. The ecclesiastical grant had been removed from the "Establishments" to those services "Exclusive of Establishments," and the amount for each denomination placed in one sum. In the disbursements of these sums, it would be clearly understood that all existing interests would be maintained, and no changes made in the salaries of those officers who had directly received permanent appointments as chaplains. The formal proposition of the Government was to adopt that course he had stated, and, to carry it into effect, a further sum of £466 would be required for the following denominations:—

Roman Catholics, £408 5s. 4d.; Wesleyans, £30 16s.; Presbyterians, £27 2s 6d. Now, as he knew this was a fruitful subject of discussion, he would, to simplify the bounds of that discussion, put to the Council the several questions that he thought should be argued out in their minds in arriving at a decision on this important question:—

1. Was the Council prepared to increase the grant for ecclesiastical services?
2. If so, were they prepared to increase it in the manner suggested by him?
3. Should it be decided not to increase the grant, how were they prepared to readjust the existing grant?
4. Would they, to ensure each denomination receiving its due share, break faith with existing

office holders, and take from one denomination to give to the other?

5. Should the system hitherto in force be carried on as the population increased?

One other suggestion he would offer, but this was a personal suggestion, and he merely threw it out for consideration, and that was, at some early date to buy up the ecclesiastical grant by purchase, say of seven years, and thus close the whole vote. In his opinion this was the best arrangement which could be made for the church to which he belonged, and he had some reason to believe that it would not be distasteful to the heads of more than one church. Of course it could not now be entertained; there were obvious reasons why, and among them the great fact of raising funds for the purpose. Passing on from the ecclesiastical grant, he would next observe that it was proposed to withdraw from the Estimates altogether the salaries for the Aboriginal Department, and to grant small pensions to those whose offices would be thereby abolished. In doing this, a considerable saving would be effected. It must not be supposed that the Government did not recognize the duty that devolved on the people of the colony towards the Aboriginal population, a duty that had been greatly neglected, and which he looked on as grievous sin that lay at their doors. The sums for Aborigines, exclusive of establishments, would be left intact, in order that the same assistance, little enough, hitherto granted for the care and maintenance of the Aborigines might be continued. It could not but be known to hon. members that the Bishop of Perth was deeply interested in the civilization of the native race, and that but a short time ago he contemplated making a great personal sacrifice in furtherance of his views on that question; it would be further known to hon. members that he had, at the request of a large body of persons who waited on him, consented to give up his intention to resign his see, and locate himself at Albany; and that his doing so caused a strong feeling in favor of his views as to the treatment of the Aborigines, and a pledge was given that support should be accorded to such scheme as he might decide was best for the civilization of the natives. He was in a position to say that his Lordship purposed, with the funds that had already been placed at his disposal, and with the assistance of those funds hitherto paid for the maintenance of children at Albany, to inaugurate an institution at Perth, to superintend it himself with the assistance of others who would gladly co-operate with him in the work, and that it was further intended to close the in-

stitution at Albany, and to remove the children now there maintained to the Perth institution.

A new department had been created at a cost of £852, for which the Council was responsible. He alluded to the Printing Department. So soon as it was decided to have a Representative Council, he knew that it would be impossible longer to carry on the printing by prison labor at Fremantle, and he at once organized a printing office at Perth, on a small scale. It had been modelled on the cheapest possible scale; he doubted if it would prove equal to the wants of the Public Service; should it not do so, he would have to rely on the Council for such excess as might be absolutely necessary to incur. He could say from personal enquiry that the staff, even allowing for the population of the colony, was ludicrously disproportioned to similar establishments in the Eastern colonies. The only other department to which he would allude was the Educational Department; and perhaps there was no subject to which more attention had been attracted during the last year. It had been the question of debate at the hustings, and perhaps the only question that had at all raised anything in the shape of angry discussion. He believed that in uttering the sentiments of the Government on this occasion, he should utter those of every member of the Council. At all events, those sentiments were his own. He could conceive that nothing could be farther from the wishes of any one really interested in the progress and well-doing of Western Australia than that at her outset of political institutions, they should be turned into an arena for the discussion of questions of a religious tendency. An hon. member of the House, writing to him the other day, expressed in telling words his sentiments on this question, and in these sentiments he thoroughly and entirely concurred. While deprecating the discussion as to separate grants for education to any one special denomination, he said, "Surely there ought to be no occasion for such discussion. Could not all allow their children to meet on the common ground, *'Thou shalt love the Lord thy God with all thy heart, and thy neighbor as thyself?*' and leave all else for parents and pastors to teach." In the existing state of the colony these were his sentiments, and he believed that any general attempt to alter the existing form of public education would be fraught with disaster to the cause of education. He understood that the general view of the people was averse to any change in the present system, but there was a minority dissatisfied, and who would, unless some arrangement was arrived at, keep up

the very undesirable agitation, which, he did not hesitate to say, was baneful to the interests of the colony in many ways. He desired to stop that agitation; he had long endeavored to do so, and, after much consideration, he had addressed a minute to the Governor, which, with the permission of the House, he would read:—

Memorandum to His Excellency the Governor:—

The question of aid from public funds to the Roman Catholic schools in the colony has, as no-one is more fully aware than your Excellency, long occupied public attention. It has been, more than any other, the vexed question at the late general election, and it may be truthfully said, that generally the expressed opinion is opposed to any change. Personally, as a member of the community, and as chairman of the General Board of Education, I cannot allow that the Roman Catholics have more ground for complaint than any other denomination of Christians. No denomination considers the system of education in force to be satisfactory. Each sacrifices its own personal feelings, and cheerfully accords to the system, under a belief that, in the existing state of things, it is that system which alone can be satisfactorily worked. The Roman Catholics alone hold aloof from it. Having said thus much, I now approach the question from a different point of view. I find that the Roman Catholics number 28.73 of the population, and thus should exercise a voice in the taxation imposed on them, but, being in a minority, they cannot carry out their wishes. I recognize that the schools under their supervision in Perth and Fremantle have been and are to a certain extent inconvenienced to the Government, and that they were in existence prior to the inauguration of the present educational system. Simply, therefore, on these grounds, and with a view to prevent the Legislative Council being made an arena for the discussion of questions of a religious tendency, I advise, and am prepared to recommend in Council, if needed, that a subsidy should be made to the Roman Catholic schools at Perth and Fremantle. In advising this course, it must be clearly understood that I do so to stop the future agitation of the question and with no idea of increasing the subsidy recommended, or encouraging the formation of large schools elsewhere. According to the replies given by the Very Reverend M.

Griever to your Excellency, in March last, there were 742 children attending the several Roman Catholic schools in Perth and Fremantle, of whom 75 were Protestants thus leaving 667 Roman Catholic children. The salaries now paid to the various teachers in the several Government schools in Perth and Fremantle amount to £1,231. Therefore if 71.27 of the population in these towns cost for education, £1,231, 28.73 at the same rate would cost £469 4s. 8d. and this latter amount, or, say £500, I advise should be placed on the Estimates for consideration in Legislative Council at the ensuing session as an Educational Grant to the Roman Catholics on the above terms. I would further say, that if the above suggestion comes into force, the Government inspector should, in my opinion, have liberty at any time to inspect and report on the Roman Catholic schools in Perth and in Fremantle, with reference to secular instruction only, and his report should be annually placed before the Legislative Council. I have been led to understand that an impression exists that children are compelled to attend at the reading of the scripture lessons in the various schools of the colony. This is not so; the Board sees no objection to children absenting themselves at such time, if they do so at the express wish of their parents or guardians; and instructions to this effect have been issued to the several local committees.—FRED. P. BARLEE.

Memorandum by the Rev. M. Gibney.—Having consulted the Catholic Education Lay Committee on the subject of Mr. Barlee's memo and that of your Excellency, subjoined thereto, I beg to make the following remarks. That the recent elections would appear to show that the feeling of the majority of the colony is averse to a change in the present Educational System. Under these circumstances, I am unwilling to raise or continue an agitation which might not be justified by results, and which, therefore, may be avoided without sacrifice of principle. On these grounds, still retaining my opinions and principles regarding education, and what is due to minorities, and trusting that at some future time such views may be those of the colony generally, irrespective of creed, I feel myself justified in accepting the proposition contained in Mr. Barlee's memo in the conciliating spirit



in which it is made; and I trust the Legislature will see, in such frank acceptance, an earnest of my desire to obviate difficulties, and to promote the public interest.—M. GIBNEY, pro Administrator.

He was glad to say that the Governor, concurring in this minute, placed himself in communication with the principal members of the Roman Catholic Church in the colony, and hence the reply which had been read to the House, meeting the suggestions he had made in the same spirit in which they had been offered. It would only now remain for the Council to ratify the proposal, and thus end a discussion that could, at the present juncture, result in no good. He would add that there were several increases and alterations in the educational establishments, which he would advert to when in Committee on the Estimates, in the full faith that the Council would deal with no niggard hand in that very desirable and important matter—the training and education of the rising generation of Western Australia. So far as the establishments were concerned, he did not propose to make any further remarks. The total amount for 1871 would show a decrease of £7,000 as compared with 1870; but he was bound to be honest with the Committee, and tell them it was an apparent, and not a real decrease. The removal of the ecclesiastical vote and the amount voted for the civil list, which was provided for elsewhere, would swell the sum fully up to that of previous years. He would still have to trouble the Committee with a few remarks on those services exclusive of the establishments, and first on his list stood that of pensions, and under that head he had to ask the Council to vote a very large increase—an increase of from £500 to £1,659 10s. He was unwilling to believe for one moment that he should meet with other than success in his request, nor that hon. members would grudge to those old public servants that reward for their long and faithful services which they would have been entitled to receive had the colony remained a Crown colony for a few months longer. When he mentioned the names of Captain Roe, Mr. Alfred Stone (the Master of the Supreme Court,) his brother, the late Attorney General, and one or two others—all, with one exception, upwards of 70 years of age, he felt that no one would suggest that the sums required to enable them to pass the short time yet allotted to them in this world, the evening of their days, in comfort and retirement. In laying on the table a return of all pensions for which provision was required, he called special attention to the case of Captain Roe, the Surveyor General, whose

case stood somewhat different to that of others. He had sent in his resignation when this colony was a Crown colony, and in sending Home the usual documents to the Secretary of State, the Governor, believing that he should give effect to what would be the desire of a very large majority of the people in the colony, had recommended Captain Roe should receive his full salary. A reply to that recommendation was shortly expected, and he fully expected it would be endorsed, and he should ask the Council, with great confidence, to carry out the recommendation in favor of one who had worked hard for the colony since 1829, who was 74 years of age, and whose services he recapitulated at some length. He had to ask for an increased vote for the forage of police horses, and to remind those hon. members who were members of the late Council that at the session of 1869 he told them this would have to be done; he had also to ask for a large sum for the conveyance of mails. Plans for the various public works proposed on the Estimates would be laid on the table, and hon. members would not fail to note the sum allotted for roads and bridges; though less in amount than last year, it would, he thought, go further, as it would be solely devoted to roads and bridges, and no portion, as had previously been the case, devoted to other services. The select committee on the road Bill would probably suggest the division of districts and the rateable distribution of the vote having reference to the need of leaving such amount as may be necessary for the maintenance of roads in districts where no committees exist. He would be glad to furnish much information to the committee respecting these matters. There was only one other item on the Estimates to which he would make allusion, and that was the placing on them a sum of £750, to be expended in a more systematic search for gold than had hitherto been adopted. The Government, believing that a general wish had prevailed to this end, had adopted this course, and would be prepared to suggest in Committee on the Estimates how the amount, if voted, should be expended. The total amount of the expenditure proposed was about £1,000 more than that voted for 1870, and £100 less than was expended in 1869. So much for the expenditure. Next came the question of ways and means to meet the expenditure in these trying times; and he could assure the Committee it had been no easy task to decide what steps should be brought forward for this desirable, and, indeed, necessary end. The depression in every interest, the falling off in the direct customs and ad valorem duties, and the decrease in sales of land, had satisfied him that

it would not be safe to rely on the revenue to be derived from those sources. He should be fully able to satisfy the committee on this point hereafter. This being the case, it was necessary to turn his attention to some other means of increasing the revenue; and his first step was to compare the taxation here with that in the neighboring colonies. He would give them the result of his enquiries. Taking the customs duties as the basis, he found that we paid, per head of the population, slightly in excess of South Australia and Tasmania, on a par with Victoria and New South Wales, and very much less than in Queensland and New Zealand. Taking the general revenue from all sources as a basis, we stood lower per head than any colony, nearly £5 per head less than in Queensland and New Zealand, nearly £2 less than in New South Wales, £1 less than in Victoria, and 10s. less than in South Australia. Taking the entire expenditure for all services as the basis, and that was perhaps the best criterion, we paid less per head than any other colony, with two exceptions. Those exceptions were Victoria and Tasmania; we paid nothing for interest on debt; the sums per head in the various colonies averaged from 12s. to two guineas. Such being the case, Western Australia had no cause of complaint, and she would have to understand that if she desired to negotiate loans, she must submit to be taxed;—if she desired to prosecute works on a large scale, or even on a scale commensurate to that done hitherto, and in times of distress and depression, she must submit to be taxed. There was no use in mincing the matter; taxation was a nasty word—a word hateful to Englishmen—but one with which they were tolerably conversant. Now, he was not of opinion that the colony at the present time was in a position to bear heavy additional taxation; and moreover, he believed that to do all that was at present needed, heavy burdens were not required. The attention of the Government was first called to the free list, and then to articles of luxury. Articles of drink, that prevailing vice in the colony, naturally first excited attention, but he found we already paid a higher duty on spirits than in any colonies except Tasmania and New Zealand, where a similar duty was raised. The question, therefore, of raising duty on spirits was reluctantly put aside, for he was not of opinion it would be wise to impose such a duty as would encourage smuggling, or make us singular among the Australian Provinces. He found, however, that beer and wine, cigars, snuff, and coffee, which last he looked on as a luxury (tea being the beverage of the poor man), paid less here than in any one of the

colonies, and that smoking-tobacco was charged a less duty here than in any colony, with the exception of South Australia, where the duty is 3d. less per lb. It was proposed therefore to alter the tariff in the following manner, and this alteration would in his opinion realise from £5,000 to £6,000 per annum, and suffice for present wants. At a rough calculation it would be an additional taxation of from 4s. to 4s. 6d. per head. To be removed from the free list:—Bags and sacks, bales for wool, implements and machinery (agricultural), machinery for mills (including grindstones), pumps and other apparatus for raising water, staves and hoops for casks, goods specially exempted by the Governor with the advice of the Executive Council. Also an addition of 2d. a gallon on beer, do. of half-a-crown per lb. on cigars and snuff, do. of 9d. a pound on manufactured tobacco, do. of 2s. a gallon on wine, and an imposition of 3d. per lb. on coffee in lieu of 4s. per cwt. Hon. members would not fail to take notice that no provision had been made on the Estimates for the Torrens' or Land Registry Act. It would rest with the Council to say if such a measure should be brought forward that session. A Bill was prepared, but it was questionable how far it would be wise to bring it forward now. New offices would be wanted, and that would involve considerable cost; if it should come forward he thought the revenue from the fees should be made equal to the cost of working the Act. It would have to be borne in mind also that this might cause the expenses to be so high as to render the Act inoperative, and thus there would be a large outlay and no return. Such were the salient points in the Estimates it was his duty to place before the House; they would be to-night in the hands of the hon. members, and open to the criticism of the colony. He asked hon. members to give them their close attention,—that when they were discussed item by item in Committee, they would approach them with a certain amount of information, and not come as strangers to the task. In or out of Council he would at all times be ready to afford them any information in his power on those points on which they might be in doubt, or consult with them in regard to any alterations they might think desirable. It was the duty of the Government to place before the Council those proposals which, after consideration, they thought it right should be adopted. He had now fulfilled that duty—he had reserved nothing; the whole expenditure of the colony was now before the Council; it was for them to accept, to reject, or to amend, and he would say on behalf of the Government that he would be glad favorably to meet any

suggestion which might be shown to be an amendment. He had reserved for the last part of his address that important question of a loan, which had been spoken of so much of late. He did not propose then to enter at any length into the arguments for and against it—there was much to be said on both sides; he would, however, express the following opinions on behalf of the Government:—They were averse to any loan at the present time requiring the imposition of heavy additional taxation; they were averse to any loan except it was to be expended on works that would open up the resources of the country, that could not be carried out with the current revenue, and that would give reasonable hope of future return; they were averse to any loan except special provision was made to meet the accruing interest, and to lay by something in the shape of a sinking fund. There were two other points he would mention: first, that the Governor had been warned to take no steps about a loan without reference to the Secretary of State. That reference had been made, and a reply would in all probability be received by the next mail. Secondly, that from communications held with the Home Government the question of a guarantee would not for one moment be entertained. Having said thus much, he would add that the Government, so far as it laid in its power, would further the question of a moderate loan, not exceeding £100,000, which sum he thought might be profitably expended in various works throughout the colony. From enquiries he had made elsewhere he had every reason to believe such a loan could be made without difficulty, at a rate of interest not exceeding 6 per cent, and that the cost of floating the loan would be about 1 per cent. Then there was the question of the sinking fund. How was this amount to be met? He thought the best plan would be boldly to face the difficulty by an addition of 5½ per cent. to the ad valorem rate. This would make it half-a-crown in the pound, which would realise from £7,000 to £8,000 per annum, and might possibly be reduced when the contemplated works were in operation. The additional taxation would be about 6s. a head of the population, and that, coupled with the additional taxation proposed for current services, would make a total addition of about 10s. per head of the population, who would then have still far lighter burdens than in many other places. He had adhered to the customs for taxation, though he was aware there were many other legitimate sources from whence to raise revenue, and he had done this because no cost would be involved in the collection of the ad-

ditional amounts, which would not otherwise be the case. He then alluded to the works that in the opinion of the Government were most required and should be undertaken; and he enumerated the following, plans and estimates for the majority of which he laid on the table, and the cost of which would, he conceived, about absorb the amount raised:—Line of light railway from Perth to York Green Mount (say 16 miles), do. Geraldton to Greenough (16 miles), new sea jetty at Fremantle, extension of Bunbury jetty, do. of Vasse jetty, moorings at Geographe Bay, stone wall at Mandurah bar, light-houses and quarters at Champion Bay, extension of Albany jetty, removal of light-house from Breaksea to Bald Head, coast surveys, working of the steam dredge, bonding warehouse (Roebourne), and a subsidy for steamers on the coast. In commenting on these works he said that in regard to railways he had endeavoured to gain as much information as was possible during his short absence from the colony. That he was led to believe that a light railway with a narrow gauge of three feet six inches, to be worked at moderate speed by locomotives, would suffice for the present wants of the colony. That he believed, *including all expenses*, such a line could be constructed here at a cost not exceeding £2,000 per mile. He had made every enquiry when in the Eastern Colonies both as to the Fairlie engines and Thompson's road steamers, and he was bound to tell the Council that he was unable to reconcile the flourishing accounts he continually met with in regard to these machines with what he was told and heard from many practical men whom he had the opportunity to consult. The Council must not suppose he was retailing the opinions of Mr. Doyne, for whose opinions he had a great respect, for during his stay at Melbourne Mr. Doyne was in Tasmania, and he had only the opportunity for one day on his return to Melbourne to consult that gentleman, and that at a time when he was much pressed with other business. From all those whom he had consulted, and they were many, he heard unsatisfactory accounts of the Fairlie engines, save from one gentleman, and he was Mr. Fairlie's agent. One person, well qualified to give an opinion on the subject, did not hesitate to express his opinion to the effect that if the Fairlie engine was what it professed to be it would not require that amount of puffing and advertisement that it had notoriously received, and added, "you have only to make enquiries at Queensland, where you will find three were imported; one was tried, found useless, and the two others have not been even unpacked." This was a

point he was enabled to verify. He had written to Queensland, and he was in hopes the incoming mail would bring him information on the subject. At Sydney he saw the only Thompson's road steamer that had been imported to Australia. It was imported by a Queensland squatter for the conveyance of his wool from his station by a good road to Brisbane. It proved a complete failure, and was on sale at Sydney at a greatly reduced price. He examined it with several practical engineers; saw it under steam, and was satisfied that without further improvements it would not be suitable for the roads in Western Australia. In this idea he was confirmed by a gentleman now in the mother country, but well known here, Mr. William Burges, with whom he had been in communication in regard to those road steamers. Mr. Burges had been long impressed with the idea that they would ultimately be invaluable in this colony, but only a month or two ago advised him not yet to import any, as great improvements were being effected, which would make them available for the roads here. He had felt it his duty to make this known to the Committee because he thought the country should not introduce expensive machinery without a certainty that it would repay the cost. He laid on the table a despatch received from the Secretary of State in regard to the construction of cheap railways in Hungary. He then alluded to the proposed new jetty at Fremantle, and said that from returns which had been rendered of the tonnage coming to and leaving Fremantle, he believed that an impost of 1s. a ton would produce a revenue of £2,000 per annum. On the question of coast surveys, he said all must agree in the advisability of this being done, if practicable. Hitherto, the cost had been the bar; when applications had been made to the Admiralty for assistance, no difficulties had been raised; they would send a surveying vessel if the colony would bear half the cost, but of course this was out of the question. When in the colonies he made enquiries as to the cost of the coast surveys there, and he found that in no instance was the cost more than £4,000 per annum, and this cost was borne equally between the Imperial and colonial funds. A naval officer from the Hydrographic Office was sent to the colony; he was furnished with a small cutter and a few hands, and in that way had the whole survey of New South Wales and other colonies been done. In his opinion we should adopt the same course; he possessed, in a private form, full information on the subject, which he should be glad to place at the disposal of hon. members. He now came to the question of steamers on the coast, and he

would tell the Committee that he had done, when in the Eastern Colonies, all in his power to induce some of the flourishing companies there to send some steamers, or even one steamer, if only for a year. He had, however, utterly failed; they were sceptical as to the work to be done, and did not like to undertake new operations at so great a distance without a certainty of success. He had been a good deal in communication with the Australian Steam Navigation Company in Sydney, and they had at last expressed their willingness to send one or two steamers on the following terms:—They were to give a detailed estimate on the entire cost of working each steamer, to do their best to work them profitably for one or two years, on the understanding that the difference between the expenditure and the receipts, if any should be made good to them from public funds. Definite information as to the expense was expected in the course of a few days, and would be submitted to the Council. A good deal had been said about a firm in Melbourne, connected with a house in Fremantle, who were going to send a steamer here without delay. He had been in communication with that firm, who were in negotiation with some persons in England to send out a steamer. If she ever arrived, they were prepared to enter into engagements with this colony to run her on the coast. He had no sanguine hopes of this arrangement ever coming into force. The Colonial Secretary then laid on the table a letter from the British Indian Steam Company, which proposed to send a steamer round Australia once a month, but which involved a guarantee of £5,000 or £6,000 per annum. He then told the Committee that he had thus placed before them fully and unreservedly the statement he had to make—he had concealed nothing, and would not, so long as he had the conduct of the Government business in the House, be a party to any concealment; he thanked them for the patience with which they had listened to him, and in so doing told them the ball was at their feet, and he hoped it would be kicked in a right direction.

The SPEAKER rose and said that as that would be one of the very few occasions he would have the pleasure of addressing hon. members from the body of the House, he availed himself of the opportunity of making a few remarks. As Speaker of the House, he of course was precluded from taking part in the discussions or debates that might be carried on in the House, but viewing the position he held, and the constitution of the House, he purposed to exercise the privilege of speaking and voting oftener than under other circumstances he would feel disposed

to do. The City of Perth returned two members—himself and Mr. Carr. He was named by the House Speaker, and Mr. Carr, Chairman of Committees, so in reality Perth could scarcely be considered to be represented at all; hence he would exercise his privilege as often as he deemed necessary. Having said thus much, he would say a few words on the very able speech they had heard that evening from the Hon. the Colonial Secretary. It was an able speech, and one he had expected to hear from the hon. gentleman, and he was very glad indeed to find that there was no intention on his part, or the part of the Government, to hurry the Estimates through the House. He thought that before the House voted any supplementary Estimates they should learn precisely the total amount of expenditure to the end of December, 1870. He would be the last person in the House to embarrass the Government, and if they required a sum for current expenditure, the House was quite in a position to vote it. Under the old form of Government, what annoyed people was that they had no voice in their own affairs, or in spending their own money. Now they had that right; the House was not going to pass the Estimates sheet by sheet, but item by item. (Hear, hear.) He had not the Estimates before him, but when they did come before him he would go into them fully. He thought the Hon. the Colonial Secretary should have read the expenditure for every five years, as well as the increase in revenue every five years. If our revenue has increased, our expenditure has kept pace with it. The latter was in 1859, £54,918; in 1864, £70,715; in 1869, £103,124. Now he was under the impression that a considerable reduction might be made in the above, and help to pay the interest on the proposed loan. The estimated expenditure which appeared on the Estimates for 1870 was £101,000. He found that the expenditure for the first quarter of 1870 was £30,856; second quarter, £30,163; third quarter, £25,740; making a total altogether of £86,759. The sum voted to the Government to expend in 1870, it would be remembered, was £101,000, thus leaving them a balance at the disposal of the Government of about £14,000; the expenditure for the last quarter of 1870, would, he had no doubt, be fully £25,000, thus exceeding the Estimates by £14,000 over and above the amount they were authorized to expend; and yet, in the face of all that, they were asked to vote the Appropriation Act before the end of the current financial year. He contended that such expenditure should never have been allowed, and money so lavishly spent would never have his sanction; and though he had

no doubt the Appropriation Act would be passed, still on that occasion, the House should mark its disapproval of unauthorized expenditure. If the House allowed that Bill to pass without the fullest scrutiny and enquiry as to this unauthorized expenditure on the part of the Executive Council, the House would be as great a farce as the Council of old days. In his opinion, some officer should be appointed who should be responsible to the House, and who should see that not one farthing was paid out of the colonial chest by the Colonial Treasurer, unless he could vouch that the sum was on the Estimates, and if it were done, to be his duty to bring it under the notice of the House. He would merely name a few items of which this unauthorized expenditure of £14,000 is composed. Mr. Forrest's Expedition, £200; Auditor General £50 for his work on the census—a work no doubt well performed; but what he would insist upon was that if members of the Government would be liberal to public servants they would be good enough not to be liberal with the public money, but use their own cheques. He would not detain the House further, but when the House came to consider the Estimates, he trusted they would do so clause by clause.

Progress reported.

The Council adjourned at 11 p.m.

## LEGISLATIVE COUNCIL,

Friday, 9th December, 1870.

Estimates: in committee—Local Boards Bill: select committee—Divorce and Matrimonial Causes Bill: second reading: in committee—Fremantle Carriage Ordinance, 1869: second reading: in committee—Law of Evidence and Practice on Criminal Trials Bill: second reading: in committee—Law of Evidence Bill: second reading: in committee—Larceny and Embezzlement Bill: second reading: in committee—Administration of Estates of Deceased Persons Bill: second reading: in committee—Specialty and Simple Contracts Debts Bill: second reading: in committee—Distressed Colonial Seamen Bill: second reading: in committee—Naturalization Bill: second reading: in committee—Guildford Appropriation Lands Bill: second reading: in committee.

The SPEAKER took the Chair at 4 p.m.

## PRAYERS.

## ESTIMATES.

Mr. STEERE said that last night in seconding the motion that the Chairman do report progress, he was under the impression that the House would sit again to continue the debate. His friend the Hon. the Colonial Secretary did not hear him when he mentioned that the House would sit again to renew the debate. Under the circumstances,