

WESTERN AUSTRALIA.

PARLIAMENTARY DEBATES.

Legislative Council—Session of 1871.

Opened on Monday, 10th July, 1871.

LEGISLATIVE COUNCIL,

Monday, 10th July, 1871.

Opening of the Council—Swearing in of Members—The Governor's Speech—Naturalization of Aliens Bill: first reading—Papers Tabled—Address in Reply to the Governor's Speech.

OPENING OF THE COUNCIL.

The Council was prorogued by His Excellency the Governor on the 18th January 1871; to the 1st March, 1871; thence to the 1st May, 1871; thence to the 10th June, 1871; thence to the 10th July, 1871, on which day it met for the despatch of business.

The Council met at 4 p.m.

SWEARING IN OF MEMBERS.

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

The SPEAKER administered the Oath of Allegiance to Mr Hassell, member for Albany, who thereupon took his seat.

Shortly afterwards, His Excellency the Governor entered the Chamber and took the Chair.

THE GOVERNOR'S SPEECH.

HIS EXCELLENCY was then pleased to deliver the following Speech:—

Mr. Speaker, and Honorable Gentlemen of the Legislative Council,—

In opening this Second Session of the Legislative Council of Western Australia, it is my duty, whilst I note some signs of hope and

progress, to call your attention to the financial position of this Colony, and to ask your assistance in reducing expenditure to meet a falling revenue.

That this crisis is but temporary, I believe: It is the natural result of a succession of bad seasons, for even the moderate anticipations of last year's harvest were hardly realized, commerce has been injuriously affected and the price of Colonial produce materially lowered by the war in Europe, whilst the depreciation of Sandalwood in the China Market has pressed hardly upon a struggling class of our settlers: All these causes have affected the revenue by lessening our means of expenditure.

The great diminution of Convict Expenditure derived from Imperial funds, and of available convict labor, also affects the revenue on the one hand; whilst on the other, this Colony, which has an enormous extent of roads in proportion to its population, must now like other countries rely more and more upon its own resources to keep those roads in repair.

Under these circumstances I rely upon your Honorable Council to co-operate with me in an earnest endeavor to reduce expenditure within the lowest practicable limits, not so much by small savings out of the income of men who already with difficulty can support their families, but by consolidating offices or abolishing them as occasion may offer, and even by temporarily suspending votes of public utility indeed, but for objects which may be supported by the voluntary efforts of the people themselves.

A full financial statement will be made, and reduced estimates be laid on the table of the House.

Further suggestions for prospective reduction, to be put in force as occasion may serve, should the revenue not recover itself, will be submitted for your consideration.

A scheme of Public Works will be laid before you, not necessarily for final adoption, but with a view to your empowering the Government, should you see fit, to obtain, as our means may permit, that preliminary information which can alone enable Her Majesty's Secretary of State, myself, or the Legislature to come to a reasonable decision as to what works may be in themselves reproductive or otherwise desirable, and within the means of the Colony to undertake.

I attach the highest importance to the establishment of steam communication along our coast and with other countries, and I recommend this question to your consideration.

Among the Bills which I have caused to be prepared is a Bill to permit and regulate Distillation within the Colony (by which it is hoped to encourage an important branch of Colonial industry), and a Bill to consolidate and amend the laws regarding the Licensing of Public Houses and the sale of Fermented and Spirituous Liquors.

You will be asked to give your attention to an Education Bill, which is intended to bring our educational system into a more complete conformity with the spirit of representative institutions by committing to an elected board the chief control of educational matters, by confining the direct action of the state to secular instruction, and at the same time by assisting voluntary efforts and affording facilities for religious education.

Proposals for the modification and alteration of the Land Regulations will be submitted for the expression of your opinion.

In this and in all similar matters I shall be actuated by a sincere desire to meet the wishes of the Council, so far as may be consistent with the rules for my guidance laid down by the Imperial Government.

A plan will be brought forward which will, if adopted, effect a considerable reduction in the expenses of the Land Office departmental staff, and which in its nature will admit of contraction or expansion to meet the requirements of the Colony. In this and in any reductions of a like nature the just claims of present holders of office must be carefully considered.

You will hear with satisfaction that the Government Geologist has been enabled to report on the existence of geological formations

closely analogous to those of the rich Victorian auriferous districts. It has been with much regret that I have found myself unable to afford Government aid to a prospecting party on a large scale.

In this, and in regard to other requests that have been made to me, for means to work the Steam Dredge, for assistance to an expedition from York to the eastward, for additional paid Magistrates, for public buildings, and for other purposes, I have declined to act without a vote of the Legislature, or to interfere with its legitimate function as appropriator of the public funds.

I have taken steps to promote the introduction of Sericulture, an industry for which this Colony possesses exceptional capabilities, and which may hereafter give employment to many women, children, and paupers.

A report will be laid before you upon the progress of the experimental coffee plantation.

The increasing success of the pearl fishery on the North West Coast is most satisfactory.

The Western Australian Timber Company is now commencing operations, and has laid down its line of rails to the forests.

The Rockingham Timber Company, it is expected, will be in a position to export on a large scale by the end of this year.

The great value of our timber is becoming extensively known and appreciated, and large orders and numerous enquiries promise a great development of this industry, a large increase of shipping to our ports, and commensurate advantages to the Colony at large.

The ample supply of rain with which this season has been blessed has improved the prospects of the agricultural and pastoral interests; and it may be hoped that the restoration and maintenance of peace in Europe may exercise a beneficial influence on commerce and on colonial interests. And I trust that renewed prosperity may rest on a basis but the sounder for this period of trial, and that your Council will unite with my Government in steadily looking to the good of the Colony, and that by the wisdom of your deliberations you may, under Divine Providence, promote the advent to this country of an era of prosperity.

His Excellency, having handed a copy of the Speech to the Speaker, withdrew from the Council Chamber.

The SPEAKER took the Chair.

NATURALIZATION OF ALIENS BILL.

First Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee) with leave, without notice, said it was his duty, in order to assert the rights and privileges of the House, to move that leave be given to bring in a Bill for the Naturalization of Aliens within the colony of Western Australia.

The Bill was read a first time.

PAPERS TABLED.

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

1. Circular despatch from the Secretary of State, as to passage allowance to colonies of persons appointed in England.
2. Despatches and correspondence on the subject of defalcations at Geraldton.
3. Despatches on the new organization of the Executive Council.
4. Despatches on the question of a loan for public purposes.
5. Despatches regarding the appropriation of funds for ecclesiastical services.
6. Circular despatch, with report from Mr. Molesworth on the "Festiniog" railway system.
7. Despatches regarding the expedition under Mr. John Forrest, to Eucla and Adelaide.
8. Despatch and correspondence on the question of a Federal Union of the Australian Colonies.
9. Despatches and correspondence regarding concessions made to Messrs. Wanliss for opening up the jarrah trade.
10. Despatch on the subject of resuming lands in fee simple for railway purposes.
11. Despatches respecting Acts passed during the last session of the Legislative Council.
12. Proposition from Mr. W. A. Zeal, of Melbourne, with plans of new and cheap railway.
13. Various returns from the Surveyor General in regard to work performed, and generally explanatory of the present position of the Land Department.
14. Memorandum from the Surveyor General, with further minute from Colonial Secretary, as to re-organization of Survey Department.

15. Rules for regulating the proceedings of the Bankruptcy Act, 1871, and Debtor's Act, 1871.
16. Notes on sericulture, collated from various sources, by the Surveyor General.
17. Correspondence with Mr. P. A. Guger, on the subject of sericulture.
18. Annual return of the City of Perth Lodge of Odd Fellows, a society registered under the Friendly Societies' Act.
19. Rules and Regulations issued under Act of Council 34th Victoria, No. 15, to be observed on the execution of criminals.
20. Returns of savings' bank proceedings for the year 1870.
21. Report of the proceedings at the experimental coffee plantation at Waggarakyn.
22. Correspondence that has passed between the Government and Messrs. Mason, Bird, & Co., respecting various proposals made by them.

The SURVEYOR GENERAL (Hon. M. Fraser) laid on the Table of the House a sketch plan of part of the colony of Western Australia, and a sketch map of a geological exploration north-east from Champion Bay.

ADDRESS IN REPLY TO
THE GOVERNOR'S SPEECH.

Mr. MARMION rose to move the Address in Reply to the Governor's Speech. In doing so, and referring to the first paragraph, wherein His Excellency calls the attention of hon. gentlemen to the financial position of the colony, and asks their assistance in reducing expenditure to meet a falling revenue, he (the speaker) concurred with His Excellency in the belief that the existing critical state of affairs was but temporary. Several causes had tended to bring about the present crisis. The total failure of our crops during two successive seasons, followed by the bare realization of the anticipations of last year's harvest, had materially lessened the means of expenditure within the colony; while serious complications in Europe, consequent upon the disastrous war which had outraged the public opinion of the civilized world, had materially reduced the price of colonial produce. The sandalwood trade, also, which at one time was one of our staple industries, and a considerable source of income to a numerous and struggling class of our settlers, had lately depreciated in value in the China market, so that our merchants and storekeepers were unable to purchase at such prices as would yield a profitable result to

themselves or to those who prepared the wood. In addition to these causes of reduction in the revenue, there was also the gradual diminution of convict expenditure, derived from Imperial sources, which affected us doubly, inasmuch as it reduced the revenue on the one hand, while on the other it necessarily increased our expenditure, as, in the construction and in the keeping in repair of our roads, in the withdrawal of convict labor we would have to rely to a greater extent upon our own resources. These, then, were subjects that called for public attention, necessitating, as they did, the diminution of expenditure to the utmost limits practicable. In doing this, however, he heartily concurred with the observations of His Excellency that we should not seek to accomplish it so much by small savings out of the incomes of men who already with difficulty can support their families, but by consolidating offices or abolishing them as occasion may offer, and even by temporarily suspending votes of public utility, indeed, but for objects which might be supported by the voluntary efforts of the people themselves. He was glad that a scheme of public works was to be laid before the Council, not necessarily for final adoption, but with the view of enabling the Government to obtain such information and data as would enable them to determine what works were most necessary and were most probable of becoming in themselves re-productive, and a source of revenue to the colony. He thought that taking into consideration the aspect of affairs, the depression that had been and still existed in the colony, together with the prospect of increased taxation, or of a great reduction in the expenditure, the nature and extent of these works should be very carefully and impartially discussed. No doubt the Council would have due regard to the requirements and the resources of the colony, and only advocate such works as were absolutely necessary and must prove remunerative. There was, however, no reason why other prospective works should not be discussed, with the view of obtaining such information as would enable them to be undertaken when the resources of the colony so permitted. On the question of steam communication along our coasts and with other countries he entirely concurred with His Excellency. As a resident for many years at the principal port of the colony he had had this want forcibly brought under his cognizance. Though, personally, he knew but very little of steamers or of railways, the cost of working them and other incidental expenses connected therewith, still he had seen data, apparently reliable, and which, if correct, showed a good balance of profit arising from the introduction

of a single steamer on our coast. If one would prove re-productive, and a source of profitable income, doubtless, we should very soon have a second. Next to steam communication along our coasts, and a question of equal interest and importance was increased facilities for communication with other colonies, where our products would find a profitable market. This also would give an impetus to the immigration to our colony of numbers of invalids seeking to recruit their enfeebled frames through the sanitary influence of a healthy and invigorating climate. To such, the climatic advantages of this colony would be an especial boon and a blessing. They were also promised a measure dealing with the licensing of public-houses and the sale of fermented and spirituous liquors. The working of the present Act was a source of much dissatisfaction, and he hoped that the measure which would result from their labours would be such as would make certain radical changes in the existing licensing system, and place it on a more satisfactory footing. The question of education, to which also their attention would be called was one of the most vital importance, as upon it depended in a measure the future of our rising generation. His Excellency informed him that it was intended to bring our education system into a more complete conformity with representative institutions, by committing to an elected board the chief control of educational matters, by confining the direct action of the state to secular education, and at the same time by assisting voluntary efforts and affording facilities for religious education. The question was one that requires the most careful and the most impartial legislation, and when it arrived for discussion in that Chamber, he hoped it would receive the consideration which such a subject demanded; that hon. members would enter on this work in a spirit which would show that they were all anxious to cultivate that kindly and liberal feeling which characterized the discussion on Forster's Bill during its passage through its various stages in the British Parliament. That measure was based upon the principle of equal justice to all men, and it carefully provided for the religious scruples of all, even the poorest denominations. In fact it seemed to him to have been framed with the view of securing education to all classes as effectually and as economically as possible, by entrusting it in the hands of the people themselves. It recognised the benefit to be derived from religious and moral training, and amply provided against interference with the religious views of any denomination. He trusted that the leading features of the Bill promised to be brought forward for the consideration of the

House would be based on the same enlightened principles, and that the debate upon the measure in that Chamber would be characterized by the same liberal and forbearing spirit as pervaded the discussion in the mother country. He was further gratified to learn that proposals for the modification and alteration of the existing Land Regulations would be submitted for the expression of their opinion, and that in this and in all similar matters His Excellency would be actuated by a sincere desire to meet the wishes of the Council. He trusted that the proposed measure would have a tendency to remove the leading technicalities and objections that now existed, and to give in every possible way increased facilities for the settlement of the people upon the lands of the colony. The House was also informed that a plan would be brought forward which would, if adopted, effect a considerable reduction in the expenses of the Land Office departmental staff, and he had no doubt that, if considered practicable, such a plan would meet with the support of hon. members. He was, however, glad to find that in this and in any reductions of a like nature the just claims of present holders of office would be carefully considered. It was a matter for gratulation that the Government Geologist had been enabled to report on the existence in this colony of geological formations closely analogous to those of the rich Victorian auriferous districts; but it was much to be regretted that His Excellency had not been able to afford Government aid to a prospecting party on a large scale. In this matter, however, as in other requests that had been made to him, His Excellency had, with great respect for the privileges of that honorable House, declined to act without the consent of the Legislature, or to interfere with its legitimate functions as appropriator of the public funds. The steps taken by His Excellency to promote the introduction of sericulture, and the growth of coffee deserved their thanks, and it was a matter for congratulation that the pearl fishery on the north-west coast, and the timber companies which were commencing, and had already commenced operations, promised to become the sources of great advantage to the colony. There were, thanks to the mercies of an Almighty Providence, improved prospects of the prosperity of the agricultural and pastoral interests, and it was to be hoped that the same all-merciful Providence which had vouchsafed to grant us so favourable a season hitherto would allow our sanguine anticipations to be in due time realized. In conclusion, he trusted that all their deliberations would tend to improve the condition and advance the best interests of

the people of the colony, that their discussions would be conducted in a spirit superior to party considerations, that a large amount of forbearance and consideration for conflicting opinions would be exhibited, and that the only opposition that would be permitted to be manifested would be that of fair and legitimate debate so essential to secure efficient legislation. (Hear, hear.) If this would be the case, he had no doubt, with His Excellency, that their deliberations might, under Divine Providence, promote the advent to this country of an era of prosperity.

Mr. GULL, in seconding the adoption of the resolution, characterized the Speech on the whole as satisfactory, but in some respects, defective, and there were paragraphs in it in which he could not fully concur. He would reserve to himself the right of taking part in any debate that might on a future occasion arise upon it, and would content himself for the present to allude briefly to such portions of the Speech upon which he did not altogether agree. He certainly believed and all must admit that the present position of the colony was one of deep depression, but he maintained that with the prospects which we had had of a diminution in the revenue we had made no corresponding decrease in the expenditure, which had been more lavish than it might have been. He was sorry that a question of paramount importance—the marine survey of our harbors—had not been alluded to in His Excellency's Address. It was a question that demanded the early attention of the Legislature. He also regretted to observe that no allusion was made to another important staple industry—our mineral resources. There could be no doubt whatever of the necessity of giving an impetus to the development and progress of the mining interests of the colony. He did not share in the sanguine results anticipated from the report of the Government Geologist. The Government, however, might possibly be in possession of information of which the public were not aware, and they might be justified in entertaining the hopeful views which they appeared to on this matter. He very much deplored and deprecated the rancorous feeling which had recently been manifested in the conduct of our public journals—a petty party feeling which tended more than anything to retard practical legislation. He earnestly hoped that all personal feeling and factious party spirit had been left outside the Chamber door, and that a nobler and more patriotic feeling would guide them in their conduct in that House.

The motion for the adoption of the Address in Reply to His Excellency's Speech was agreed to.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that a select committee be appointed to draw up an Address to His Excellency, in reply to His Excellency's Speech, and that such committee consist of Mr. Marmion, Mr. Newman, Mr. Gull, Mr. Drummond, and the Mover.

Question put and passed.

The committee then retired to prepare the Address. On returning to the House the Colonial Secretary (Hon. F. P. Barlee) brought up the Address prepared by the committee and moved that the same be read. The Address, read at the table by the Clerk, was as follows:—

**MAY IT PLEASE YOUR EXCEL-
LENCY:**

We, the Members of the Legislative Council of Western Australia, in Council assembled, thanking Your Excellency for the address with which you have been pleased to open this our Second Session, concur in the belief that the present financial depression is of a temporary nature, but nevertheless we assure Your Excellency that you may rely on our assistance and co-operation in the endeavor to reduce expenditure so far as may be practicable, and to such extent as the circumstances of the Colony may seem to require.

We will carefully weigh and consider any further suggestions for prospective and contingent reductions that may be submitted to us.

Our best attention will be devoted to any proposed scheme of public works that it may be within the probable means of the Colony to project.

We concur with Your Excellency in attaching a high importance to the establishment of steam communication along our coast, and with other countries.

We hear with satisfaction that a Bill to permit and regulate distillation within the Colony, and a Bill to consolidate and amend the laws regarding the Licensing of Public Houses and the Sale of Fermented and Spirituous Liquors, will be introduced during the present Session.

Our attention will be given to the proposed measure by which Your Excellency desires to bring our educational system into a more complete uniformity with the spirit of our present political institutions.

It will be our duty to respond to the invitation given us by Your Excellency to express our opinion upon a modification

and alteration of the Land Regulations, and we thank Your Excellency for the assurance that you will be actuated by a sincere desire to meet the wishes of the Council so far as may be consistent with the rules laid down by the Imperial Government for your guidance.

The proposed plan to effect reductions in the departmental Staff of the Land Office will be carefully considered.

We learn with satisfaction that The Government Geologist has been enabled to report on the existence of geological formations closely analogous to those of the rich Victorian auriferous districts.

In declining to expend money upon various purposes of public utility without an appropriation for those purposes, Your Excellency has recognized the legitimate function of this Council as appropriator of the public revenue.

We see with gratification the progress of industries calculated to advance the prosperity of this country, and we concur with Your Excellency in hoping that the restoration and maintenance of peace in Europe may exercise a beneficial influence on commerce and on Colonial interests, and we trust that renewed prosperity may rest on a basis but the sounder for this period of trial, and we shall gladly unite with Your Excellency's Government in steadily looking to the good of the Colony, and join in Your Excellency's prayer that our deliberations may, under Divine Providence, tend to promote the advent of an era of prosperity.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Address be now adopted.

Question put and passed.

Mr. CARR moved that the Address be presented by the Speaker and such members of the House as may desire to accompany him.

Question put and passed.

The Council adjourned at 5.10 p.m.

LEGISLATIVE COUNCIL,

Tuesday, 11th July, 1871.

Address in Reply to the Governor's Speech—Minutes of the Proceedings of the Legislative Council—First Readings—Survey Department Re-organization.

The SPEAKER took the Chair at 4 p.m.

PRAYERS.