

*Ayes.*  
 The Hon. R. J. Walcott  
 Mr. Steere  
 Mr. Russell  
 Mr. Drummond  
 Mr. Munger  
 Mr. Shenton  
 Mr. Moore  
 Mr. Phillips  
 Mr. Newman  
 Mr. Logue (*Teller.*)

*Noes.*  
 Mr. Carr  
 Mr. Russell  
 The Hon. M. Fraser  
 Mr. Marmion  
 Mr. Brown (*Teller.*)

Motion thus passed.

### Third Reading.

Mr. BROWN moved that the Bill be now read a third time.

The Bill was read a third time and passed.

The Council adjourned at 10.10 p.m.

## LEGISLATIVE COUNCIL,

*Thursday, 17th August, 1871.*

Public Works Loan Bill: statement: first reading: Standing Orders suspension: second reading: in committee: third reading—Pensioners' Benevolent Society Ordinance Repeal Bill: first reading: Standing Orders suspension: second reading and committee: third reading—Library—Prorogation.

The SPEAKER took the Chair at 12 noon.

PRAYERS.

The Minutes were read and confirmed.

## PUBLIC WORKS LOAN BILL.

### Statement.

The COLONIAL SECRETARY (Hon. F. P. Barlee) intimated to the House that the resolutions of the Council in regard of public works and a public loan for carrying on the same had been assented to generally by the Governor, the only exception to the scheme being the proposed jetty at Fremantle, which His Excellency could not at present approve in the absence of further necessary information. It would be impossible, he contended, by the next out-going mail to England to procure the necessary plans, specifications, and details, indispensable before His Excellency could recommend the projected work for the approval of the Secretary of State. His Excellency thought that, during the recess, the whole scheme might be fully considered in all its bearings, and that all the requisite information could be obtained to enable him to decide upon the advisability of the proposed

undertaking. In regard of the other works projected, His Excellency was quite prepared to carry out the wishes of the House, and to introduce a Bill to raise the money for carrying out the same. If the Council would consent to a short adjournment he would submit for the affirmation of the House, a Bill to empower the Governor to raise a loan of £30,000, such sum to include the amount of £12,000 for the purpose of buying up the shares of the Electro-Magnetic Telegraphic Company, as suggested by the Hon. the Speaker, on the previous evening; and, if the Council would assent to the suspension of the Standing Orders, the Bill, if approved, might be passed through its various stages. His Excellency would be prepared to come down to the House, and prorogue the Council at half-past three o'clock that afternoon.

Mr. BROWN thought it would be well to postpone, at any rate for a short time, the question relating to the jetty at Fremantle, for the reasons given by the Colonial Secretary, as, if inserted in the Bill, and His Excellency could not recommend it without further information, the measure might be vetoed by the Imperial Government, and we would have all the other works indefinitely postponed.

Mr. DRUMMOND considered it would be a very great pity if such an important work as the construction of a jetty at Fremantle could not be carried out without delay. He thought it would be far wiser and preferable to expend the public money in the erection of this reproductive and really needful work than in the proposed purchase of the telegraph department.

Mr. NEWMAN said that it seemed somewhat strange to him that any further information was deemed necessary by His Excellency before he would be satisfied with the proposed jetty at Fremantle. Two plans and two estimates were on the Table of the House, one made, at the actual direction of His Excellency himself, by three Government officials appointed for that purpose, and another made by a public officer at his (Mr. Newman's) own request, and, he might say, his own expense. All the necessary estimates could be obtained within a few days, and he could not conceive that any further information could possibly be procured during the recess than could be obtained before the departure of the next out-going English mail. His Excellency was dissatisfied with the proposed scheme, and it would only be on the express understanding that His Excellency would not, probably, assent to the Bill at all if it included the jetty at Fremantle, that he (Mr. Newman) would assent to the

introduction of such a measure as that proposed to be brought in by the Colonial Secretary.

Mr. SHENTON concurred.

The COLONIAL SECRETARY (Hon. F. P. Barlee) regretted the position affairs had assumed in the House. His Excellency had no personal objection to the proposed plan, but he was directed by the Secretary of State not to assent to any Bill in the provisions of which he did not fully concur, and not to refer to the Imperial Government any measure containing a proposed scheme of public undertakings without a full and detailed explanatory information. With regard to the jetty at Fremantle, true there were two plans on the Table of the House, but there were 20 suggestions as to the manner in which the proposed jetty should be constructed—its starting point, its height, and its direction. All these matters would have to be decided upon, and accurately and minutely described, before the Bill could be assented to. This could not be done without postponing the Council for a considerable time; but if hon. members were prepared to affirm a Bill for raising a sum of £30,000, he was instructed by His Excellency to submit such a measure for the consideration and approval of the House.

After some further conversation the sitting was suspended until 2 p.m. to enable the Colonial Secretary to prepare the Bill.

#### First Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee), with leave, without notice, moved for leave to bring in a Bill to authorize the raising of money for the construction of certain public works.

Mr. CARR said that if the Bill passed it would result in our creating a loan of something like £17,000, and no more, as the £12,000 for the proposed purchase of the telegraph department had not been decided upon by the House; and, further deducting the sum of £2,000 or £3,000 in connection with marine surveys, and £1,000 proposed to be expended in railway surveys, the whole actual amount for expenditure upon public works would not exceed about £14,000. He could not conceive how His Excellency had given his consent to the construction of other jetties in other parts of the colony, and concerning which he was not in possession of fuller information than that relating to the jetty at Fremantle, and yet withhold his approval as to the latter scheme. He thought that if His Excellency the Governor was disposed to co-operate with the Council in inaugurating public works, that he

would find no difficulty in affirming, in its entirety, the resolution adopted by the House on the previous evening. With regard to the £25,000 or £30,000 estimated for the jetty at Fremantle, the Colonial Secretary suggested that sum himself on the previous evening and he (Mr. Carr) believed in his heart that the hon. gentleman had not altered his opinion since last night, and that he was now as much in favor of the scheme as he was then. He was sorry to say that the opposition to this most useful and most necessary undertaking emanated, and emanated alone, from the Governor, who, if disposed to co-operate with the Council in regard of the scheme of public works to be initiated, could do so with the information at present at his command. He was sorry, indeed, that just at the last moment of the session, His Excellency could not accede to the most important and unanimous request of the members of that House. He would therefore move that the Bill be read that day six months.

Mr. DRUMMOND, as an amendment upon the amendment of the Chairman of Committees, moved that the Council adjourn for a period of one month to enable His Excellency to obtain what further information he deemed essential before he could assent to the scheme of a jetty at Fremantle. It would be a very great pity if a work of such importance should be delayed another 12 months. He could not understand, at the present state of the proceedings, how the sum of £12,000 for the purchase of telegraph shares had been included in the Bill; inasmuch as the suggestion of Mr. Speaker to that effect had not yet been adopted, nor even discussed by the House. The amount of the loan now proposed to be raised was so paltry that it was not worth while going to the market to float it at all.

Mr. NEWMAN could scarcely express the regret he felt at the position affairs had assumed just at the very close of a session which throughout had been characterised by so much good feeling between the two branches of the Legislature. True, there had been a considerable amount of discussion and divergence of opinion, but the debates never proceeded beyond the bounds of fair and legitimate discussion. It had been inferred by the Colonial Secretary that, beyond obtaining an expression of opinion from hon. members relative to the proposed plans of a jetty at Fremantle, that he (Mr. Newman) had no desire on his part to press the matter further. In that the Colonial Secretary was quite mistaken. If the Council affirmed the abstract principles of the scheme he had brought forward, it was his intention of bringing forward

a resolution that the work should be proceeded with at once. He had interviewed the Governor that morning, and His Excellency then stated that he was still favorable to the Jervoise Bay scheme, of which he (Mr. Newman) thought sufficient had been said to convince any reasonable man that it was impolitic to spend any money upon it. His Excellency also stated that he was not in possession of sufficient information relating to the proposed jetty at Fremantle to satisfy him in assenting to its being undertaken. He would ask hon. members of that House, he would ask His Excellency himself, were he present, what information he had relative to the other projected works included in the scheme beyond what he possessed regarding a jetty at Fremantle? He was convinced that he had no more information as to the projected jetties at Bunbury, at the Vasse, and at Albany, no more information relative to any work proposed to be undertaken, and, certainly, no information whatever as to the projected scheme of buying up the shares of the Electro-Magnetic Telegraph Company for £12,000, and yet His Excellency consented to include these works in the Bill. It was incomprehensible to him upon what grounds the Governor, or any one connected with the affair, could object to the amount of information already at hand in reference to the jetty at Fremantle. Had His Excellency said that he required further and more detailed information in connection with all the other works included in the scheme, he (Mr. Newman) would then have bowed to His Excellency's decision; but under the circumstances he would support the amendment that the Bill be read on that day six months.

Motion, by leave, withdrawn.

The Bill was read a first time.

Suspension of Standing Orders.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Standing Orders be suspended with a view to now passing the Bill through all its stages.

Question put and passed.

Second Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Bill be now read a second time.

Mr. CARR moved that the Bill be read a second time on that day six months.

Mr. BROWN pointed out that in the debate on the subject under discussion, on the previous evening, he had deprecated hurried and hasty legislation on a matter of so much importance and magnitude as the proposed

jetty at Fremantle. He could not see that the action taken by the Government in the matter could be looked upon as manifesting no desire to co-operate with the Council. His conviction was that His Excellency had the greatest desire, in all matters, to meet the views of the members of that House; but His Excellency, it had been shewn, was guided by direct instructions from the Imperial Government, to the effect that he was not to give his assent to any work regarding which he was not fully satisfied that it was the best that could be undertaken for the general welfare of the colony.

Mr. NEWMAN, in rising to second the motion of the hon. member for Perth (Mr. Carr), said that hon. members might fairly conclude that if the Council on the previous evening had approved of the Jervoise Bay scheme, there would not have been a solitary objection on the part of the Government, notwithstanding the absence of any detailed information. Very little further information could be added to that already on the table with regard to the proposed jetty at Fremantle: the plans, sections, elevations, and other necessary details were complete—much more complete than any of the other works approved of by His Excellency. As to the £12,000 for the purchase of the telegraph department, he did not believe that even the Speaker himself, who suggested it, intended that it should be adopted without further consideration. And yet, there it was, inserted in the Bill without the slightest information relative to a mere suggestion; and it was proposed to expend £12,000 on a scheme that had not even been discussed in the House; while, on the other hand, the sum of £30,000 had been left out—a sum that it was proposed to expend upon a work of the utmost importance to the colony, and concerning which there was ample information to enable any person to say aye or nay with regard to it. If His Excellency would only say at once that he would not agree to the expenditure of any money upon a jetty at Fremantle, he could understand him. He regretted to say that he believed that to be the real state of the case. The amount now proposed to be expended was so paltry that he would be sorry to see the colony ask for it, as it would tend materially to damage its credit; and, if only for this reason, he would vote that the Bill be read on that day six months.

Mr. DRUMMOND proposed that the Council adjourn until the 11th of September, which would afford ample time for the collection of any further information considered essential by His Excellency.

The COLONIAL SECRETARY (Hon. F. P. Barlee) pointed out that the hon. member for Toodyay was somewhat out of order. His Excellency had intimated his intention of attending the Council at half-past three o'clock, and it would be for him to determine the date and period of prorogation. With regard to the motion of the hon. member for Perth, (Mr. Carr), he was sorry that the discussion had assumed the tone which it had. He would have been glad if the Council had, as hitherto, continued to work in harmony; and in the same amicable spirit which had characterized its proceedings since the commencement of the present session. The Bill before the House had been introduced without delay, with the view of enabling those country members who were desirous of returning to their homes and business, to leave at an early day, and he thought it was understood that no debate should take place on it; but probably the debate on the subject on the previous evening had not been so full as some hon. members desired. With regard to the proposed pier at Fremantle, even supposing for a moment that every hon. member in that House was satisfied with the nature of the information adduced with regard to it, assuredly they would not wish His Excellency, if he did not believe the information to be satisfactory, to deviate from the instructions laid down for his guidance. The House had already been informed that His Excellency was not satisfied with the present information at his disposal, and he had therefore proposed that, during the recess, full, detailed, and ample evidence be obtained, such as would enable him to introduce a Bill at a future session for the inauguration of the proposed undertaking. He could understand that some hon. member might consider His Excellency somewhat particular and exact, but hon. members would bear in mind the responsible position which His Excellency occupied as Governor of the colony. He regarded the assertion of the hon. member for Fremantle that more information was at hand relative to the proposed jetty than in connection with the remaining works, as not at all in accordance with the fact, and he begged to differ from the hon. gentleman. With regard to those works, there were detailed estimates on the table demonstrating clearly what expense would be attendant upon the undertaking and carrying out of each of them. This was not the case in regard to the jetty at Fremantle, as even its starting point had not been decided, and, that very evening, different opinions had been expressed in regard to it. Referring to the item of £12,000 for the proposed purchase of the telegraph department, taking into consideration that, at present, the Government was paying interest at

the rate of 6 per cent. on the shares, and that it might have to pay even 8 per cent., the Government thought it advisable to adopt the suggestion offered by the Hon. the Speaker, and so wipe off the interest at once and for ever. When the suggestion was made, he assumed, and he had some grounds for assuming, that it was generally concurred in by the Council. No hon. member had offered to oppose it, and on the principle that silence gives consent, the Government thought that no objection would be raised to the scheme. If, however, the House was not inclined to adopt the proposal at once, a resolution might be passed that no further steps should be taken in the matter before it had received the consideration of the Council. It seemed to him a very unwise step that, because hon. members could not get £60,000, they would prefer having none at all. Surely the House would admit the truth of the old aphorism which stated that half a loaf was better than no bread. With regard to an observation that had fallen from the lips of the Chairman of Committees to the effect that he (the Colonial Secretary) was in favor of the proposed jetty at Fremantle, and that he was not working in accord with His Excellency in this matter, he might state that during the debate on the subject on the previous evening, he uttered no opinion at all as to the merits or demerits of the scheme. What he did was,—merely with the view of putting the amendment of the hon. member for Fremantle into a practical form,—to suggest the addition of a few words to the effect that the Government be authorized to spend a sum of money not exceeding £30,000 in the construction of the proposed jetty. But, having now been induced to offer an opinion, he would state that, in his belief it was preferable to spend £15,000 at Mangles Bay than £30,000 upon the projected jetty at Fremantle. But he was by no means prepared to state, that if the first was not to be done, the second should not be undertaken. As to the refusal of His Excellency to approve of the scheme until he was satisfied, by convincing evidence, of its adaptability to the requirements of the colony, and of its reproductiveness, he thought that His Excellency in withholding his sanction was only conscientiously performing his duties in carrying out the instructions given him by the Imperial Government. It was a mistake to assume that His Excellency was actuated by any other motive than a desire to fulfil his duty honestly and conscientiously. It was somewhat unfair that one who, ever since his arrival in this colony, had shown himself always so anxious to promote its welfare and prosperity, should, when he could not conscientiously work quite in accord with the members of that Council,

be accused of motives of an improper nature. He would be extremely sorry to see the Bill thrown out at the very last moment, as such a course would materially retard the progress of the colony. To reject it merely because hon. members could not obtain the greater loan of £60,000 seemed to him an absurdity analogous to cutting off one's nose to spite one's face. He earnestly hoped that hon. members would pause before taking such a step.

Mr. LOGUE said that it was understood by the majority of hon. members on the previous evening that the Bill was to be introduced in accordance with the resolution then adopted by the House.

The COLONIAL SECRETARY (Hon. F. P. Barlee) pointed out that he had made no such promise; what he did say was, that having first consulted with His Excellency, he would be prepared on Friday to introduce a Bill for the purpose of raising a loan.

Mr. LOGUE said that the resolution adopted by the House, on the night before, authorized the Government to bring in a Bill for raising a loan of £60,000.

After some further discussion,

The COLONIAL SECRETARY (Hon. F. P. Barlee) said he assumed that no hon. member in that House would wish that His Excellency would give his assent to a Bill, with the entire provisions of which he was not thoroughly and conscientiously satisfied. With the view, however, of in some measure meeting the wishes of hon. members who were opposed to the Bill in its present form, he had no objection, on the part of the Government, to increase the amount to £60,000, on the distinct understanding that the extra £30,000 was not to be expended on the proposed jetty until His Excellency was satisfied with the desirability and reproductiveness of the scheme.

Mr. CARR said he could only consent to that proposition on condition that the jetty should be included in the list of works upon which it was proposed to expend the money raised by a loan, and he would warn hon. members to pause ere they accepted the proposition.

Mr. NEWMAN concurred.

Mr. GULL was sorry that the Colonial Secretary had not submitted his proposition at an earlier stage in the debate. He assumed that there was no desire on the part of any hon. member that His Excellency should give his assent to the initiation of any public work unless he was thoroughly satisfied as to their usefulness and reproductive nature.

Mr. DRUMMOND proposed that the sum be reduced to £48,000. He could not see what the colony would gain by the expenditure of £12,000 in the purchase of the telegraph company's shares.

After some further discussion of a conversational nature, the amendment was, by leave, withdrawn.

The Bill was read a second time.

In Committee.

Clause 1—

The SPEAKER said that, on the evening before, a resolution had been affirmed by which the Government was authorized to introduce a Bill to raise a loan not exceeding £60,000, out of which £30,000 was to be devoted for the construction of a jetty at Fremantle, respecting which he considered that the Government was in possession of ample information. On the previous night the Government, finding that they had been defeated on their proposed scheme in connection with Jervoise Bay, behaved, as he thought, most handsomely in agreeing to the plan favored by the majority of the House; but to-day he was most bitterly disappointed to find that plan was now rejected by His Excellency. If there was no prospect of the jetty at Fremantle—a work which he considered most essential to the prosperity of the colony at large—being commenced at once, he thought they had better have no loan at all. True, the Bill, in its amended form, was for £60,000, but hon. members might, at some future day, be informed that the Government could not conscientiously sanction the construction of the proposed jetty. He objected to the clause under consideration unless it was distinctly understood that £30,000 was to be expended upon a jetty at Fremantle.

Mr. SHENTON moved, as an amendment, that the sum proposed to be raised be £59,825, and that it be expended on the following works:—Subsidizing a steamer, £2,000; Jetty at Fremantle, £30,000; Marine surveys, £3,500; Moorings, £1,000; Improvement of River Swan and working the steam dredge, £2,300; Jetties at Albany, Bunbury, and Busselton, £3,340; Gaol at Albany, £885; Light-houses at Champion Bay and the Irwin, £2,500; Telegraph stations, £1,900; Sea-wall at Mandurah, £400; Purchase of electric telegraph plant, £12,000; total, £59,825.

The COLONIAL SECRETARY (Hon. F. P. Barlee) expressed his belief that if the resolution was adopted, and inserted in the Bill, it would, possibly, result in the measure being thrown out altogether. It was not probable that the Imperial Government would sanction

the raising of a loan to be expended on works, the cost of which should, under usual circumstances, be paid out of the current revenue of the colony. The Governor would probably in a despatch be able to explain fully the reasons for the omission and induce the confirmation the Bill.

Mr. NEWMAN contended that if the Council was unanimous in recommending certain public works to be undertaken, and went as far as to express, on behalf of the inhabitants of the colony that, with the view of carrying out such work, they were prepared to submit to increased taxation, he thought that the Government should offer no obstruction to the initiation of such a work without some very strong negative reasons.

Mr. BROWN concurred in the remarks of the Colonial Secretary, and thought that the Council ought to be satisfied if the Government succeeded in obtaining for the colony a loan of £60,000 to be expended on public works, without endangering the confirmation of the Bill by inserting in it works that the Home Government would not assent to.

Amendment put, upon which a division was called for, the result being as follows:—

Ayes ..... 7

Noes ..... 8

Majority against ..... 1

Ayes.	Noes.
Mr. Drummond	The Hon. F. P. Barlee
Mr. Shenton	The Hon. R. J. Walcott
The Speaker	The Hon. M. Fraser
Mr. Legge	Mr. Marmion
Mr. Gull	Mr. Hassell
Mr. Monger	Mr. Phillips
Mr. Newman (Teller.)	Mr. Russell
	Mr. Brown (Teller.)

Amendment thus negatived.

Clause agreed to.

Clauses 2 and 3 agreed to.

Clause 4—

The SPEAKER, as an amendment, moved that the money be raised in sums of £10,000 at a time, and that the several works projected be undertaken in the order in which they were enumerated in the report of the select committee. He would not sanction the expenditure of a single penny upon any scheme of public works that did not include the only work of magnitude, and of real importance to the colony.

Mr. BROWN opposed the amendment.

Mr. NEWMAN failed to see, if the Council approved of the expenditure of public funds upon certain specific public works, why those works should not be enumerated and mentioned in the Bill before the House.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said that if the amendment was adopted he would take no further action in the matter, but would, if a motion was made, consent to withdraw the Bill altogether.

Mr. DRUMMOND failed to see why His Excellency the Governor should throw any obstacles in the way of the proposal to construct a jetty at Fremantle.

The COLONIAL SECRETARY (Hon. F. P. Barlee) again contended that His Excellency had thrown no obstacle in the way; but, that not being satisfied with the information before him as to the desirability of the work in question, he declined to assent to it for the present. He repeated once more that the Governor had no desire whatever to thwart the members of that Council in their desire to inaugurate a scheme of public works that would tend to the welfare of the colony; but he was tied down with instructions from which he could not depart. It was, therefore, unreasonable for hon. members to accuse His Excellency of manifesting any opposition to the wishes of the House.

The SPEAKER pressed his amendment.

Mr. NEWMAN said that from the tone of the discussion in select committee, and the debate in the House, he believed that if the Council had adopted the Governmental scheme relative to Jervoise Bay, it would have been forwarded Home for the signification of Her Majesty's pleasure thereon, with a recommendation that it be adopted. He absolutely affirmed that His Excellency was not in possession of any evidence in regard of that project as compared with the information at his command relative to the proposed jetty at Fremantle.

Amendment put, upon which a division was called for, the result being as follows:—

Ayes ..... 7

Noes ..... 8

Majority against ..... 1

Ayes.	Noes.
Mr. Drummond	The Hon. F. P. Barlee
The Speaker	The Hon. R. J. Walcott
Mr. Shenton	The Hon. M. Fraser
Mr. Legge	Mr. Phillips
Mr. Gull	Mr. Marmion
Mr. Monger	Mr. Hassell
Mr. Newman (Teller.)	Mr. Russell
	Mr. Brown (Teller.)

Amendment thus negatived.

Clause agreed to.

Clause 5, imposing a duty of three per cent., additional on *ad valorem* goods, was agreed to *nem. con.*

## Clause 6—

Mr. NEWMAN pointed out that the additional duty of 1d. per lb. upon tea would not meet the interest upon the increased sum proposed to be borrowed—£60,000.

The SPEAKER moved that the duty on tea be increased to 2d. a pound.

The COLONIAL SECRETARY (Hon. F. P. Barlee) stated that the additional duty of 1d. per lb. would provide all that was required. In his anxiety to avoid taxing the people of this colony more than was absolutely necessary, he had based his calculations on the very lowest possible data. He had, however, no objection to the motion, if the House desired to impose additional taxation, bear in mind that the expenditure voted on the Estimates exceeded the revenue shown.

Amendment put, upon which a division was called for, the result being as follows:—

Ayes .....	8
Noes .....	7

Majority for	1
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Ayes.	Noes.
The Hon. F. P. Barlee	Mr. Newman
The Hon. M. Fraser	Mr. Logue
Mr. Gull	Mr. Monger
Mr. Brown	Mr. Russell
Mr. Drummond	Mr. Russell
Mr. Phillips	Mr. Marmion
The Speaker	Mr. Shenton (Teller.)
The Hon. R. J. Walcott	
(Teller.)	

Amendment thus passed.

Clause, as amended, agreed to.

The remaining clauses were agreed to.

Bill reported, with an amendment.

## Third Reading.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Bill be now read a third time.

Mr. LOGUE moved that the Bill be read a third time on that day six months.

Mr. NEWMAN seconded the motion of the hon. member for Geraldton.

Mr. CARR, for consistency's sake, supported the amendment.

After some discussion, the amendment was put, upon which a division was called for, the result being as follows:—

Ayes .....	7
Noes .....	8

Majority against	1
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Ayes.	Noes.
Mr. Carr	The Hon. F. P. Barlee
Mr. Newman	The Hon. R. J. Walcott
Mr. Shenton	The Hon. M. Fraser
Mr. Monger	Mr. Russell
Mr. Drummond	Mr. Russell
Mr. Gull	Mr. Marmion
Mr. Logue (Teller.)	Mr. Phillips
	Mr. Brown (Teller.)

Amendment thus negatived.

The Bill was read a third time and passed.

PENSIONERS' BENEVOLENT SOCIETY  
ORDINANCE REPEAL BILL.

## First Reading.

The ATTORNEY GENERAL (Hon. R. J. Walcott), with leave, without notice, moved that a Bill to repeal the 27th Victoria, No. 18, intituled "An Ordinance to regulate the Pensioners' Benevolent Society" be now read a first time.

The Bill was read a first time.

## Suspension of Standing Orders.

The ATTORNEY GENERAL (Hon. R. J. Walcott) moved that the Standing Orders be suspended with a view to now passing the Bill through all its stages.

Question put and passed.

## Second Reading and Committee.

The ATTORNEY GENERAL (Hon. R. J. Walcott) moved that the Bill be now read a second time.

The Bill was read a second time, and passed through Committee, without discussion.

## Third Reading.

The ATTORNEY GENERAL (Hon. R. J. Walcott) moved that the Bill be now read a third time.

The Bill was read a third time and passed.

## LIBRARY.

The ATTORNEY GENERAL (Hon. R. J. Walcott) moved that a standing committee be appointed to manage the Library, such committee to consist of the members of the select committee already appointed by the Council.

Question put and passed.

## PROROGATION.

His EXCELLENCY arrived at the Council Chamber at five minutes to five, accompanied by his staff, consisting of the Hon. the Commandant (Captain Finnerty), Lieutenant

DeLisle, A.D.C., and Mr. Weld Blundell, private secretary, and having desired the members, who had arisen on his entrance, to be seated, said—

Mr. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE COUNCIL,—

In closing this Second Session of the Legislative Council, I gladly recognize the earnest attention you have given to many important subjects and measures that have been brought before you, and the general support you have given to my Government.

You have strengthened my trust that the introduction of free institutions is increasingly developing that capacity for self-government which, ever since my arrival in this Colony, it has been my steady aim to foster.

Your action with regard to a Loan for Public Works has justified the caution I impressed upon you last Session, and I doubt not but that the full and open discussion and careful consideration you have now given to the propositions that have been laid before you will lead to results beneficial to the Colony at large. In accordance with instructions from Her Majesty's Secretary of State for the Colonies, I reserve the Loan Bill for the signification of the Queen's pleasure.

I have already, by message, notified to you that I have, in the name and on behalf of Her Majesty the Queen, assented to the following Acts:—

*"An Act for the Naturalization of Aliens;"*

*"An Act for the Maintenance of Bastard Children by their Putative Fathers;"*

*"An Act to empower the Chief Justice to grant Commissions for taking affidavits to be made use of in the Supreme Court, and for taking the acknowledgements of Deeds executed by Married Women;"*

*"An Act for the carriage and safekeeping of Explosive and Dangerous Goods;"*

*"An Act to confirm the Expenditure for the services of the year 1870, beyond the grant for that year;"*

*"An Act to regulate Superannuations in the Civil Service;"*

*"An Act to enable the Governor to prohibit the Export of Arms and Munitions of War."*

I have assented to *"An Act to provide for the Registration of Brands for Sheep;"*

*"An Act to amend 'The Inquiries into Wrecks Ordinance, 1864'."*

*"An Act repealing 'An Ordinance to amend the laws prohibiting the Distillation of Ardent Spirits, and repealing a certain Ordinance relating thereto';"*

And *"An Act to repeal the Ordinance 27 Victoria No. 18, intituled 'An Ordinance to regulate the Pensioners' Benevolent Society'."*

I have also assented to the Distillation Act, which has passed your Honorable Council, and which, it is hoped, may encourage one of our most promising industries, by enabling Wine-growers to utilize substances now wasted, and may possibly also to some extent benefit growers of grain.

I thank you for the patient and earnest consideration you have given to the Education Bill, which passed the second reading without a Division, which was then carefully considered in Select Committee, and which finally, with some amendments, was carried on the third reading by a very great majority. I have, on behalf of Her Majesty, assented to this Act, and Western Australia possesses, for the first time, by law, an Educational System, with the assent of the Representatives of her People.

I have assented to the Appropriation Act, though there are grave objections to the principle of closely balancing the Expenditure and Revenue. A considerable margin ought always to be allowed for contingencies. At the commencement of the Session I recommended increased economy and a prudent foresight, in case of continued depression. You have, however, requested me to add some items to the Estimates I had caused to be laid before you. Concurring in the desirability of the items themselves, I have not refused to do so, knowing that there are increasing grounds for hope that the Revenue will recover itself, and may next year give a surplus; but I have at the same time caused you distinctly to be informed, that should your anticipation in this respect fail to be realized, it will be my duty to refrain from giving effect to Votes in the face of insufficient Revenue, without again recurring to the Legislature.

I thank you for the Supplies you have voted for Her Majesty's Service.

You have wisely decided on offering encouragement to the establishment of a Steam Service on your Coasts—than which nothing can be more essential to the progress of the Colony—and on carrying out Marine Surveys, which are greatly needed.

You have given effect to the proposed Reorganization of the Survey Office, and I trust



that the new System may meet the requirements of the Country.

The alterations in the Land Regulations, which you have requested me to propose for the approval of Her Majesty's Secretary of State, have not yet come before me in the form in which they finally passed your Council; but I have long since indicated the direction of my policy with regard to Waste Lands, and am able to express a general concurrence in the views of the Council, and believe that the tendency of the proposed Regulations will be to promote settlement and improvement, and to develop our great mineral resources.

I have had under my consideration "An Act to amend the Tariff Act, 1871," the object of which is to impose a tax upon Flour—a tax which presses unduly on the poorest class, which produces revenue utterly incommensurate with the tax laid upon the consumer, which benefits the speculator rather than the farmer, and which inaugurates a system of protection as opposed to free trade. An Act so pregnant in results affecting the future of the colony (by which your own decision of last year has been reversed by a narrow majority in a Council in which, out of eighteen members, both the Representatives of the largest Free Trade Constituency hold high offices, which preclude them from both voting at any one time) cannot pass into law without a previous appeal to the country, which has a right to have time and opportunity afforded to express its matured opinion unmistakeably upon so important a question I therefore withhold Her Majesty's assent from this Act, and, in doing so, I bear also in view the alteration in

the Qualification of Electors and of Representatives under the Act of last Session, reserved by me for the signification of Her Majesty's pleasure, and as provided by Section 33 of the Imperial Act, 5 and 6 Victoria, chapter 76, and under instructions conveyed to me by the Secretary of State for the Colonies, I now signify to you that "*An Act to amend the Representation of the People, and to alter the Property Qualification of Members of the Legislative Council,*" has been laid before the Queen in Council, and that Her Majesty has been pleased to assent to the same, and it will be in force from this date. I propose, therefore, although no great change in the Representation is anticipated, to follow the ordinary constitutional course, in order that a Council may be elected to represent the people under the now existing franchise and qualification. Under the law, fresh electoral rolls cannot be made up before April, and revised before June, 1872. It may be necessary for me to have recourse to your assistance before that date, but only for some special object that may arise. I therefore now, thanking you for your services, prorogue this Council, with a view to a dissolution; and I hereby declare it to stand prorogued till the first day of November next.

Which being concluded, a copy of the Speech was delivered to Mr. Speaker; also a schedule of the Bills assented to, and of the Bill reserved.

His Excellency the Governor left the Council Chamber.

The Council adjourned at 5.10 p.m. and the session closed.

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