

## ADJOURNMENT.

Mr. NEWMAN rose and said he would propose an adjournment of the House until to-morrow, for the purpose of affording members an opportunity of considering the Governor's Speech and the Address. He did not make that proposal in a hostile spirit, but as that was the first speech, and was a long one, and touched upon many important matters, it was only fair to give every member of the House an opportunity of carefully considering it; he therefore proposed the adjournment of the House until 4 p.m. to-morrow.

Question put and passed.

The Council adjourned.

## LEGISLATIVE COUNCIL,

Tuesday, 6th December, 1870.

Opening of Council by Prayer—Standing Rules and Orders—First Readings—Address in Reply to Governor's Speech—Adjournment.

The SPEAKER took the Chair at 4 p.m.

## PRAYERS.

## OPENING OF COUNCIL BY PRAYER.

The COLONIAL SECRETARY (Hon. F. P. Barlee), in accordance with notice, moved for a select committee to consider and report on the question of opening each sitting of the Council by Prayer. Such committee to consist of the Speaker, Mr. Steere, Mr. Drummond, Mr. Marmion, Mr. Shenton, Mr. Moore, and the Mover.

Question put and passed.

## STANDING RULES AND ORDERS.

The COLONIAL SECRETARY (Hon. F. P. Barlee), in accordance with notice, moved for a select committee to frame Standing Rules and Orders for regulating the business of the Council. Such committee to consist of the Speaker, Mr. Walcott, Mr. Steere, Mr. Carr, Mr. Newman, Mr. Drummond, and the Mover.

Question put and passed.

## FIRST READINGS.

The following Bills were read a first time, in accordance with notice, on motions by the Colonial Secretary (Hon. F. P. Barlee): Local Boards Bill, Municipalities Bill, Bankruptcy and Insolvency Bill, and Fraudulent Debtors Bill.

## ADDRESS IN REPLY TO THE GOVERNOR'S SPEECH.

Resumed debate.

Mr. NEWMAN resumed the debate on the Address in Reply and said that the subject of the Governor's Speech had already been so well commented upon that there was little left to be said. He was, however, both surprised and disappointed at finding matters touched upon in so general and cursory a manner, so general that it was impossible from that document to learn what was the policy or intention of the Government on many subjects of public importance. He was surprised and disappointed in not finding any reference to public works or to the subject of a loan; matters which His Excellency must have been aware engaged a large share of public attention. These important topics were not touched upon in the Address to the House. As to the working road boards, living as he did in the town, he did not feel himself called upon to offer an opinion, but would leave the subject to those gentlemen who lived in the country. A good deal had been said regarding the very large concessions of land that had been made to the timber companies, especially to the timber company in the south. He admitted that the concession was considerable, yet he approved of it and viewed it simply as a bonus, and the fact that the second company had not nearly such large concessions as the first, was evidence that the Government viewed the concession in a similar manner. As regards Mr. Forrest's expedition, a great many widely-different opinions had been expressed, but he was afraid that it was all mere talk after the event. The expedition has not led to much, but before starting, who could have told what would have resulted? The country had to pay for expeditions, and as Mr. Forrest's expedition was effected as economically as any previous expedition, he could see no reason to find fault with it. The pearl fishery was a success, and a law should be introduced for the protection of the fishery, or else it would soon be destroyed. As regards a better system of agriculture and an improved breed of stock, he was afraid that all His Excellency could say, or that they might add to what His Excellency had said on the subject, would be of any effect. It was too true that bad farming was too general, and many of the agriculturists were now suffering therefrom. As to the Government Geologist and the Surveyor General he would offer no opinion. He would only remark on one other paragraph, and that was the promise of assistance which the country had given His Excellency on obtaining Representative Institutions. He trusted and believed that

support would be cordially given, and he sincerely hoped that when His Excellency leaves this colony he will have the satisfaction of seeing that his good intentions have been realized.

Mr. SHENTON said he observed in reading the Governor's Speech that two or three important matters had not been mentioned at all. They were, securing a loan, railway and harbor improvements, and Torrens' Act. The subjects were mooted at the last session of the Council, and he fully expected to have found them in the Address. He approved of the road boards. In the district he had the honor to represent they had worked well. He considered the concessions made to the timber companies rather large. He was opposed to giving large grants of lands to companies, as nothing so retarded the colony in its early days as these large grants, but considering the amount of capital invested by Simpson's company, the land granted was not too much. The telegraph company was deserving of encouragement, and he trusted that when the Bill respecting it was before them it would meet with the support of the House. As to the Aborigines, he intended proposing a grant of public money to every institution, irrespective of creed, in which they were trained, and also free grants of land for the special use of the natives in such institutions. Though not desirous of being in opposition to the Government, still however when the Estimates came on for discussion, it would be their duty to look at them carefully, and see that the welfare of the colony was not jeopardized.

Mr. McKAIL considered that the expedition of Mr. Forrest and his party reflected the highest honor of the colony, and in his opinion was calculated at no very distant date to prove highly beneficial to the colony at large.

Mr. DRUMMOND said there was one clause in His Excellency's Speech which the gentleman who moved the adoption of the Address omitted to touch upon altogether, and that was with reference to the Aborigines, whom the Member for the South called irreclaimable savages. Now, he considered a good deal could be done for the natives. He would point to what was being done on the Roman Catholic mission, for the natives. At that place, married persons lived together in houses in a civilized state, and their children were well clothed, and he considered it a disgrace to the Protestant community not to do something in the same manner for the natives. The colonists have taken their land, and neither their physical nor moral condition has been improved since their advent. It was an imperative duty

on the colonists to do something for the special benefit of the natives, and if the Council appropriated a certain sum for the purpose of instructing them, in a few years they would see good results follow from such efforts.

Mr. MARMION agreed with Mr. Drummond. Something ought to be done to ameliorate the condition of the Aborigines of this colony. He would however deprecate any system of training which simply had in view to teach the natives to read and write, because however desirable that was, it was much better to improve their moral tone, so to speak, by inuring them to habits of industry, than attempting to over-educate them. It was useless teaching native girls to play the piano, and other such accomplishments, because after all who would employ them as tutors or as governess' in their family? He would like to see them so trained that they would become working and useful members of society. He lately had the pleasure of visiting the New Norcia mission, and had an opportunity of seeing what was there being done for the natives. He saw that everything was done to impart to them elementary knowledge, as well as religious instruction, and he there saw that he never saw in this colony before, 50 or 60 natives kneeling before God's altar in united prayer. It was a sight which pleased him exceedingly—yet in addition to all that, he saw that all were taught to be industrious—he saw children—boys and girls—playing at work—children with reaping hooks in their hands and smiles on their faces, as he said, playing at work in the fields—and what they were taught when young they would not forget when they were old, and these children who some day will be themselves fathers and mothers, will be a credit to New Norcia. (Hear, hear.) As most of the preceding speakers had so fully gone into His Excellency's Address he would not detain the House by any long remarks thereon. There was however one subject which had not been touched upon, and that was the education question. That question had been one of vexation and trouble and much difference of opinion. It was a subject that had engendered bitter feelings, but he trusted in discussing it in the House, they would cast such feelings aside, and that they would deal with it fairly and impartially, and without any admixture of ill-feeling.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said that he could not allow the debate on His Excellency's Speech to close without making some observations, possibly at some length. The gentleman who proposed the Address did so in a neat and well-considered speech, and considering that it was his

maiden speech it augured well as to his future usefulness as a member of the House. The gentleman—the Member for the South—in seconding the Address, in so doing, displayed a very considerable amount of ingenuity, for which he deserved credit. Some members complained that the Governor had not said more than he had in his Speech, and particularly more about public works and a public loan, but he conceived that His Excellency in not so doing exercised a wise discretion. It was customary for Governors in their speeches to leave all matters of finance in his hand, because any statement made by the Governor might not accord with his explanation of the Estimates, and such a result would neither be satisfactory to himself nor pleasing to the Governor, nor beneficial to the public interests. Hence it was clear that the Governor exercised a wise discretion in not referring to them in his Address. As to a loan His Excellency might have mentioned it in his discretion and put it forward for discussion, whether the colony was to have a loan or not, but as to a loan he would say it was not quite clear the colony was going to have one, or could get one if it wanted. Again, as to the large concessions which had been made to the timber companies, and of which so much had been said, what was the result? By these concessions capital was introduced into the colony when it was in its most depressed state—it induced people in the other colonies to see that some thing was to be done in Western Australia—it tended to dispel the ignorance regarding this colony which he must say was scarcely known before, or at least not known as a place in which money could be well and profitably invested. He admitted the concessions were large to the first company, but the advantages to the colony were proportionate, but as would be seen, the second company did not receive such concessions as the first. Allusion had been made by the Member for the South to the delay in introducing a Bankruptcy Bill. It took he said “three years to talk about it” before it was obtained. This would imply that the Government was dilatory on the matter, but such was not the fact. The English Bill only reached this colony late in 1869, and one month after its receipt a Bill was drafted! That did not shew much delay on the part of the Government. The Member for the South was not at all pleased with Mr. Forrest’s expedition to Eucla and South Australia. He thought himself there could be but one opinion on the subject, and that was the usefulness of the expedition to the Colony. The hon. gentleman for the South had also said that the York Agricultural Society had

nothing to do with the expedition. Now he would say that the society had something to do with it. The society had made application at one time to Governor Hampton, to fit out an expedition to Eucla, and the Governor, for some good reason, no doubt, declined. Shortly after the arrival of His Excellency Governor Weld, and when in York, in 1869, allusion was made to the matter in the society’s report, when His Excellency promised to bear it in mind; and this year when at the society’s meeting His Excellency remarked that great blame had been cast upon him by many of the colonists for sending the expedition, but the York society did not endorse that opinion, nor did the people of York; they were in fact delighted at what had been done. He considered the advantages to the colony from the expedition were very apparent, and the good effects of it would soon be manifest to every one. He knew from his own experience that Mr. Forrest’s expedition had created a great sensation in South Australia, and he believed that the country passed over by Mr. Forrest would at no distant period be occupied by flocks and herds, and had the expedition been undertaken two years ago, the electric telegraph would have passed through the country traversed, and telegraphic communication with England be now an accomplished fact. He did not however consider it of much importance that the Governor was blamed for sending the expedition, but it was somewhat annoying to be blamed for saying what one did say or do, and at another time blamed for what one did not say or do; and now that he saw such an able staff of reporters in the House he trusted they would at least not make them say what they never did say. He mentioned this because, at the York Agricultural Society, His Excellency was reported to have said that “he would please everybody and save the colony,” which of course was not said at all. This colony, it must be admitted, is at least 50 years behind the other colonies—it is locked upon by them as a sort of “sleepy hollow,” where the people will not enrich themselves nor allow others to do so, and from the action of many colonists would really lead to the inference that a Chinese or Japanese policy of exclusiveness was consonant with the feelings of Western Australians. The native institution at Albany did not meet with the favor of the Member of the South, but the hon. member formed his opinion of that institution on hearsay evidence and what he saw in public prints, which were not always reliable. He could however assure the Member for the South that that institution had done some good for the natives, and in proof of that assertion he

would read him extracts from letters he held in his hand from a clergyman in Gippsland, testifying to the ability of the natives educated at the Albany institution; and in Gippsland a school had been placed under the entire charge of a native girl who had been educated at the Albany institution. The institution could not therefore be called a failure. That the Aborigines were capable of improvement, he would only refer to what had been effected for them in Melbourne and in South Australia, and Sir James Fergusson speaks highly of the moral and religious training which was evident in the natives trained in the native institution in the colony. He also had letters written by native girls from that institution, which as far as writing and diction went, were most creditable. The Hon. Member for the South was also surprised because the Government was not prepared with a comprehensive Bill on the subject of education. The Government had given the subject every attention, and had watched public opinion on the matter, and when the time came he was prepared to assert the policy of the Government regarding the question of education. At present the verdict of the colony was in favor of the present system of Government education as being the best, but public opinion might change on that subject, as it often did on many other subjects. If hon. members, however, wanted Bills brought forward, and the Government would not do so, let members do so themselves; he would like to see the Member for the South introduce one.

Mr. BROWN, as the mover of the Address, claimed permission to say a few words in reply respecting the Aborigines, whose interest and welfare he had deeply at heart. He cordially endorsed the desire of members to do something to improve their condition.

The CHAIRMAN announced to the Speaker that the debate on the Address to the Governor was concluded.

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

Question put and passed.

The COLONIAL SECRETARY (Hon. F. P. Barlee) moved that the Address be presented to His Excellency the Governor by the Speaker, and such members of the House as may desire to accompany him, at half-past four o'clock on Wednesday.

Mr. DRUMMOND moved that "half-past four o'clock" be left out, and "half-past three o'clock" inserted.

Amendment put and passed.

Question, as amended, put and passed.

The Council adjourned at 6 p.m.

## LEGISLATIVE COUNCIL,

Wednesday, 7th December, 1870.

First Readings—Trespass by Herds of Wild Horses and Cattle—Sale of Fermented and Spirituous Liquors Bill: first reading—Local Boards Bill: select committee—Standing Rules and Orders: select committee report—Opening of Council by Prayer: select committee report.

The SPEAKER took the Chair at 4 p.m.

PRAYERS.

### FIRST READINGS.

The following Bills were read a first time, in accordance with notice, on motions by the Colonial Secretary (Hon. F. P. Barlee): Aboriginal Natives Pearl Shell Fishery Bill, Superannuation Bill, Lunacy Bill, Public Pound Bill, 1861, Capital Punishment Bill, and Electro-Magnetic Telegraph Company Bill.

### TRESPASS BY HERDS OF WILD HORSES AND CATTLE.

Mr. PHILLIPS, in accordance with notice, moved that a select committee be appointed to take into consideration and suggest what measures should be adopted to abate the nuisance caused by herds of wild horses and cattle trespassing on lands rented for pastoral purposes, such committee to consist of Mr. Steere, Mr. Bussell, Mr. Brown, Mr. Monger, and the Mover.

Question put and passed.

### SALE OF FERMENTED AND SPIRITUOUS LIQUORS BILL.

First Reading.

Mr. STEERE, in accordance with notice, moved for leave to bring in a Bill to prevent the sale, by unlicensed persons, of spirituous and fermented liquors.

The Bill was read a first time.

### LOCAL BOARDS BILL.

Select Committee.

Mr. STEERE, in accordance with notice, moved for a select committee to report on the Bill for the formation of road boards, to consist of Mr. Phillips, Mr. Drummond, Mr. Monger, Mr. Moore, Mr. Gull, Mr. Shenton, and the Mover; such committee to report as soon as possible.

Question put and passed.

### STANDING RULES AND ORDERS.

Select Committee Report.

The SPEAKER brought up the report.

The Clerk read the rules.

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

Question put and passed.

**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 Reading—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