

any remarks until the question of the revision of the tariff came under the consideration of the House.

The petition was received and ordered to be read.

THIRD READINGS.

The following Bills were read a third time and passed, on motions by the Colonial Secretary (Hon. F. P. Barlee): Dangerous Goods Bill, Exportation of Arms and Munitions of War Bill, Maintenance of Bastard Children Bill, Powers to Grant Commissions given to Chief Justice Bill, and Naturalization of Aliens Bill.

The Council adjourned at 6.30 p.m.

LEGISLATIVE COUNCIL,

Friday, 21st July, 1871.

Library: select committee report—Municipal By-laws—Rockingham Timber Company Petition—Paper Tabled—Aboriginal Natives: select committee—28th Victoria No. 2—Convict Department—Representation of the People Bill—Paid Magistrate for Williams and Adjoining Districts—English and Colonial Mails—Licensing of Public Houses Bill: in committee—Distillation Bill: in committee.

The SPEAKER took the Chair at 6 p.m.

PRAYERS.

The Minutes were read and confirmed.

LIBRARY.

Select Committee Report.

The ATTORNEY GENERAL (Hon. R. J. Walcott) brought up the report of the committee appointed to consider the desirability of forming a Library in connection with the Legislative Council. The committee recommended that an humble address be presented to His Excellency requesting that the sum of £50 be placed on the Estimates for the purpose of forming the nucleus of a Library, and that applications be made for copies of all parliamentary reports and papers published by the Legislatures of all the Australian colonies, to be placed in the proposed Library. He moved that the report be adopted.

Question put and passed.

MUNICIPAL BY-LAWS.

Mr. GULL laid upon the Table of the House the by-laws of the Municipality of Guildford.

ROCKINGHAM TIMBER COMPANY PETITION.

Mr. NEWMAN again presented a petition from the Rockingham Timber Company, represented by William Wanliiss, praying for immunity from import duties on its machinery.

The petition was received and ordered to be read.

PAPER TABLED.

Mr. NEWMAN laid upon the Table of the House a letter from Mr. G. S. Compton, attorney for Charles H. Compton & Co. of Calcutta, relative to a line of steamers between the Port of Calcutta and Western Australia, provided a bonus was granted to that company by the Government, or it was given immunity from all harbor dues and charges for a period of 12 months from the date of the arrival in the colony of the first steamer.

The letter was ordered to be read.

ABORIGINAL NATIVES.

Select Committee.

Mr. SHENTON, in accordance with notice, moved that a select committee be appointed for the purpose of considering the memorandum relative to the natives presented to the council last session; and that such committee have power to call for papers, persons, and reports; such committee to consist of the Hon. the Attorney General and Mr. Drummond, Mr. Brown, Mr. Marmion, Mr. Monger, and the Mover.

Question put and passed.

28th VICTORIA No. 2.

Mr. SHENTON, in accordance with notice, asked the Attorney General whether it was the intention of the Government to make any provision to enable persons leaving the colony to give evidence under the provisions of 28th Victoria No. 2.

The ATTORNEY GENERAL (Hon. R. J. Walcott) replied that he had no instructions to make any provision but that it was competent for any hon. member to bring in a Bill to amend that Ordinance.

CONVICT DEPARTMENT.

Mr. NEWMAN, in accordance with notice, asked the Colonial Secretary whether any despatches or communications had been received from the Home Government relative to the transfer of the Convict Department.

The COLONIAL SECRETARY (Hon. F. P. Barlee) replied that no despatches or communications had been received.

REPRESENTATION OF THE PEOPLE BILL.

Mr. NEWMAN, in accordance with notice, asked the Colonial Secretary whether any reply had been received to the Representation of the People Bill.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said that no reply had been received.

PAID MAGISTRATE FOR WILLIAMS AND ADJOINING DISTRICTS.

Mr. STEERE, in accordance with notice, asked the Colonial Secretary whether the Government had it in contemplation to appoint a paid magistrate for the Williams and adjoining districts.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said that it was not contemplated by the Government to appoint a paid magistrate but that, on the contrary, it was its intention to submit a proposal for reducing the present number of such officials.

ENGLISH AND COLONIAL MAILS.

Mr. DRUMMOND, in accordance with notice, asked the Colonial Secretary if it was the intention of the Government to make any alteration in the present mode of despatching the English and Colonial mails from Perth to Albany.

The COLONIAL SECRETARY (Hon. F. P. Barlee) replied it was not the intention of the Government to make any alteration.

LICENSING OF PUBLIC HOUSES BILL.

In Committee.

Clauses 1 and 2 agreed to.

Clause 3: Interpretation of Bill—

The SPEAKER asked whether this clause affected the existing system of gallon licensing.

The ATTORNEY GENERAL (Hon. R. J. Walcott) replied that this and the preceding section were the only two clauses in the Bill which affected gallon licenses. He apprehended that it would be a matter of no consideration to merchants and importers whether they sold two gallons or one gallon of liquor at a time; their interest would not in the slightest degree suffer if, as the provisions of the Bill contemplated, they were restricted from disposing of spirits in less quantities than two gallons. There was no desire on the part of the framers of the Bill to interfere with legitimate trade, and he did not conceive that the storekeepers would lose a single customer if the measure were adopted by the

House. Indeed, under the provisions of the Bill they would be gainers, for it was proposed to abolish the license fee. Moreover, if the measure were agreed to in its entirety, he anticipated that in a short time a better class of public-houses than at present existed in the colony would be introduced, namely, hotels whose proprietors would be able to dispense, by retail, liquors purchased from merchants in bulk, to the mutual benefit of the importer, the hotel-keeper, and the consumer. The establishment of such houses of superior accommodation, where country families sojourning in town could be entertained without the annoyance of the unseemly scenes and the obscene language that characterize the taprooms and bars of our public-houses, was a desideratum. He trusted hon. members would carefully and deliberately consider the scope and object of the clause under consideration before mutilating or rejecting it.

Mr. LOGUE, amid much laughter, contended that the hon. and learned gentleman had entirely misconceived the meaning and intention of the clause, which, he, (the hon. member for Geraldton) maintained, was merely intended to enable persons to sell liquors without a license.

The SPEAKER said he would be sorry to see any merchant permitted to sell spirits free, even in such a small quantity as two gallons. He would not permit the importer to sell less than 15 gallons of wine, beer, or spirits, but the storekeeper should be allowed to sell a gallon, on payment of a license fee of £10.

Mr. NEWMAN was strongly opposed to any dealer or importer being permitted to sell spirits without payment of a license or registration fee. It had been urged in favor of the Bill before the House that the main object in abolishing the existing gallon license was to encourage the introduction of what was called superior hotels, where no bar or taproom would be sanctioned. He had visited many excellent and highly respectable hotels in England, and no such restriction was placed upon their proprietors. He had no hesitation in affirming that any person who contemplated establishing a first rate hotel, say in Perth, would, if the measure under consideration were passed, discard the idea in favor of a public-house. He was altogether opposed to the abolition of gallon licenses, and, with the leave of the House, would move that the words, "nor to any importer or proprietor of any liquor who shall sell such liquor in less than two gallons," be struck out of the clause under consideration.

Mr. DRUMMOND condemned the contemplated abolition of gallon licenses, and the

proposal to remit the payment of a license fee for the sale of liquor in larger quantities. He was also opposed to that part of the clause which provided that all liquor, even when sold in quantities of two gallons, should be sold in the cask or case in which such liquor was imported. Such a provision would lead to endless trouble and inconvenience, especially in country districts.

Mr. SHENTON expressed his opinion that it was the duty of the House to legislate for the poor as well as the rich; but the whole scope of the measure under consideration was in favour of the latter class. Few of our poorer classes could afford to purchase spirits in quantities of two gallons, and the result would be, that they would be compelled to have recourse to a public-house, where they would, in all probability, obtain liquor of an inferior quality to that supplied by the storekeeper. He disapproved of the clause.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said that, coinciding in the wish of a considerable section of the community, a clause proposing the abolition of gallon licenses had been introduced into the Bill. There were several complaints against the existing system, under which gallon licenses were restricted to persons residing within a townsite, and were confined in the hands of the few to the dissatisfaction of the majority. They were originally granted at a period in the history of the colony when public-houses were not so well conducted as at present, nor so prepared to sell good liquors. The issuing of these licenses was the source of fertile discontent and complaint to the respectable class of public-house keepers, who justly contended that they interfered with their legitimate trade. One of the great wants of the colony was the establishment of a superior class of hotels, and one of the main objects of the Bill was to encourage the introduction of such houses of accommodation by offering certain inducements, which at present were not held out for persons who might be prepared to open hotels. The provisions of the Bill before the House were calculated to remove the grievances of publicans, and the complaints of country inhabitants who were debarred from partaking in the benefits derived by towns people, under the existing regulations, for issuing gallon licenses.

Mr. GULL expressed his satisfaction with the principle of the Bill, but was opposed to that part of the clause under consideration which enacted that all liquor should be sold in the original packages. Most people preferred spirits drawn from bulk, and if the clause was agreed to in its present form, the result would

materially interfere with the freedom of trade, and entail serious inconvenience. He, moreover, failed to see how the abolition of gallon licenses would tend to the establishment of good hotels; and in the existing state of the revenue, to propose to abolish the payment of any license fees was objectionable.

Amendment put, "That the words 'nor to any importer or proprietor of any liquor who shall sell such liquor in less than two gallons' be struck out," upon which a division was called for, the result being as follows:—

Ayes 9
Noes 8

Majority for 1

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

Amendment thus passed.

Clause, as amended, agreed to.

Clause 4: Licenses—

Mr. STEERE moved that a roadside public-house license be added, for the consumption of liquor on the premises.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said that such a license was included in a publican's general license, and one or two verbal alterations in the schedule empowering justices to limit the sale of liquors at roadside public-houses to quantities consumed on the premises would meet the hon. member's proposition.

Mr. NEWMAN moved, as an amendment the addition of an importer's license to sell spirits in the original package, and that the fee payable thereon be £5; also, that the fee payable for a gallon license be £20, which would, to some extent, protect the publicans.

The COLONIAL SECRETARY (Hon. F. P. Barlee) having explained that this would necessitate the introduction of another Bill to amend the existing Ordinances relating to the granting of licenses, the matter lapsed.

Clause agreed to.

Clauses 5 to 7 agreed to.

Clause 8: Effect of hotel-keeper's license—

Mr. NEWMAN thought that a bar or tap should be attached to hotels, but so situated as not to cause any annoyance to private families residing at the hotel.

Mr. STEERE concurred, and moved that the clause be struck out entirely.

Amendment agreed to, and the clause was expunged.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said that as the House had rejected the clauses relating to gallon licenses and hotel licenses, which were the main features of the Bill, and its object having thus been defeated, he proposed, with the consent of the House, to withdraw it.

Bill, by leave, withdrawn.

DISTILLATION BILL.

In Committee.

Clause 1: Appointment of officers—

Mr. STEERE asked out of what funds it was intended to pay the officers necessary for the due execution of the Act.

The COLONIAL SECRETARY (Hon. F. P. Barlee) said that at present no paid officers would be required. The principal object of the measure was to enable vineyard proprietors to distil, but the Bill was prospective in its provisions, and for that reason the Government had deemed it desirable, in framing it, to embody all the necessary clauses for the purpose of general distillation. He hoped that the period was not far distant when extensive distilleries would be established in our large towns, when the fees payable under the provisions of the Act would be devoted to the payment of the offices necessary for its due execution. The present requirements of the colony will necessitate no expenditure in the payment of salaries, as the office of inspector would be merely nominal, and the duties appertaining to it, would be discharged by the collectors of revenue. Ere long, however, he trusted more corn and barley would be grown in this colony than required for consumption, and the residue used for distillation, thereby preventing a large sum of money from being sent out of the colony. When in Victoria, last year, he had visited two or three distilleries and was in communication with a medical gentleman there, conversant with the working of such establishments and acquainted with capitalists who were prepared to embark in such an undertaking here, providing they were satisfied that the supply of grain would meet their demand.

Hence it was deemed prudent to render the measure as complete and comprehensive as possible, with the view of obviating the necessity for any further legislation on the subject. At present, however, he would under-

take to say that no paid officers would be required for the purpose of carrying out the provisions of the Act.

Mr. GULL expressed his intention of supporting the Bill, and acquiesced in the observations of the Hon. the Colonial Secretary. The measure was doubtlessly a very cumbrous one, but the object of its framers was deserving of all encouragement. Repudiating the slightest intention of cavilling at its detail, he intimated his intention of frequently interpellating the reading of the various clauses, not, however, for the purpose of captious discussion, but with the view of obtaining further information.

After some further remarks from Mr. STEERE and Mr. DRUMMOND, the clause was agreed to.

Clauses 2 to 8 agreed to.

Clause 9—

Mr. GULL proposed that 25 instead of 20 per centum of alcohol be the proportion to be contained in fortified wines. He had been in communication with several vineyard proprietors on the subject, and they were in favor of the larger proportion.

The COLONIAL SECRETARY (Hon. F. P. Barlee) had also been in communication with perhaps the most practical and scientific wine producer in the colony, and he entirely agreed with him that 20 per centum was amply sufficient. Experience had proved, not only in this country, but in other vine growing colonies, that the grand mistake in the manufacture of colonial wines was the practice of fortifying them too much.

After some remarks from the ATTORNEY GENERAL, and Mr. GULL, the clause was agreed to, as were all the other clauses, with a few slight alterations.

Short Title and Preamble agreed to.

Bill reported, with amendments.

The Council adjourned at 9.15 p.m.

LEGISLATIVE COUNCIL,

Monday, 24th July, 1871.

Papers tabled—Superannuation Bill: first reading—Supplies: in committee—Mason, Bird, and Company—Passages of Public Officers—Sericulture—Children of Warter Graham—Jurica Amendment Bill: first reading.

The SPEAKER took the Chair at 6 p.m.

PRAYERS.

The Minutes were read and confirmed.