

WESTERN AUSTRALIA.

PARLIAMENTARY DEBATES.

Legislative Council

SESSION OF THE YEAR 1871.

COMPRISING THE PERIOD FROM THE

TENTH DAY OF JULY TO THE
SEVENTEENTH DAY OF AUGUST.



PERTH

BY AUTHORITY: GARRY L. DUFFIELD, GOVERNMENT PRINTER.

LEGISLATURE OF WESTERN AUSTRALIA

GOVERNOR:

His Excellency FREDERICK ALOYSIUS WELD

EXECUTIVE COUNCIL:

Colonial Secretary	The Hon. F. P. BARLEE
Attorney General	The Hon. R. J. WALCOTT
Officer Commanding the Troops	The Hon. Major R. H. CRAMPTON
Surveyor General	The Hon. M. FRASER

LEGISLATIVE COUNCIL.

SPEAKER:

Mr. LUKE SAMUEL LEAKE.

CHAIRMAN OF COMMITTEES:

Mr. JULIEN GEORGE CHARLES CARR.

OFFICIAL MEMBERS:

Colonial Secretary	The Hon. F. P. BARLEE
Attorney General	The Hon. R. J. WALCOTT
Surveyor General	The Hon. M. FRASER

NOMINEE MEMBERS:

Brown, Mr. Maitland	Phillips, Mr. Samuel Pole
Marmion, Mr. William Edward	

ELECTED MEMBERS:

Bussell, Mr. John Garrett, Vasse	Logue, Mr. Major, Geraldton
Carr, Mr. Julien George Charles, Perth	Monger, Mr. John Henry, York
Drummond, Mr. James, Toodyay	Moore, Mr. William Dalgetty, Fremantle
Gull, Mr. Thomas Courthope, Swan	Newman, Mr. Edward, Fremantle
Hassell, Mr. Albert Young, Albany	Shenton, Mr. George, Greenough
Leake, Mr. Luke Samuel, Perth	Steere, Mr. James George Lee, Wellington

INDEX

T O

PARLIAMENTARY DEBATES,

SESSION OF 1871.

EXPLANATION OF ABBREVIATIONS.

Int., Introduction of Bill.—1r. 2r. 3r., First, Second, or Third Reading.—*w.*, Withdrawn.—Com., Committee of the whole House, or Committed.—Recom., Recommended or Recommittal.—Cons., Consideration of.—*m.*, Motion.—*obs.*, Observation.—*q.*, Question.

A.

Aboriginal Natives

m. Select Committee (Mr. Shenton), 27; Report 77, 90

Actions at Law in Supreme Court

q. (Mr. Logue), 77

Address in Reply to Governor's Speech

m. (Mr. Marmion), 3; Select Committee 6; Presentation, 7

Adjournment, 93

Appropriation Bill

1r. 81; 2r. 93; Com. 93; 3r. 96

Assent to Bills, 74, 77

ATTORNEY GENERAL (Hon. R. J. Walcott)

Aboriginal Natives, Select Com. Report, 77, 90

Actions at Law in Supreme Court, 77

Appropriation Bill, 2r. 93; Com. 93

Circular Warrants, 7, 10

Confirmation of Expenditure Bill, 2r. 13

Dangerous Goods Bill, Com. 14

Distillation Bill, Com. 30; Recom. 43

Elementary Education Bill, 2r. 25; Com. 66, 67, 68; Recom. 78, 79

Estimates, Com. 53

Import Duty on Flour and Meal, Com. 56, 57

ATTORNEY GENERAL—*continued.*

Juries Amendment Bill, 1r. 42; 2r. 46; Com. 48, 49; 3r. 59

Land Regulations, Com. 83, 87

Library, Select Committee, Report, 27; *Address to His Excellency the Governor* 60; *Appointment of Committee* 103

Licensing of Public Houses Bill, 2r. 22; Com. 28

Official Information, 94

Pensioners' Benevolent Fund Ordinance Repeal Bill, 1r. 73

Pensioners' Benevolent Society Ordinance Repeal Bill, 1r. 103; *Standing Orders Suspension* 103; 2r. 103; Com. 103; 3r. 103

Public Works, Com. 70, 72

Refreshment Room, 9

Scab-in-Sheep Amendment Bill, *Leave to Introduce* 94

Standing Orders Suspension, 8, 9

Superannuation Bill, 2r. 44; Com. 47; Recom. 58, 59

Victoria 23rd, No. 11, *Repeal Bill*, 1r. 81; 2r. 93; Com. 93; 3r. 93

Victoria, 28th, No. 2, 27

B.

Breadstuffs and Cereals Petition (Mr. Drummond), 26

BROWN, MR. MAITLAND

Confirmation of Expenditure Bill, 2r. 13

BROWN, MR. M.—continued.

- Elementary Education Bill, Com. 61, 66, 68; Recom. 78
- Estimates, Com. 52
- Hampton Plains, Exploration Eastward of, Com. 17
- Import Duty on Flour and Meal, Com. 56, 57
- Land Regulations, Select Committee 20; Com. 82, 83, 84, 85, 86, 87
- Juries Amendment Bill, Com. 49, 50
- Public Works, Com. 72
- Public Works Loan Bill, Statement, 97; 2r. 99; Com. 102
- Registration of Brands Bill, 1r. 93; 2r. 96; Com. 96; 3r. 97
- Superannuation Bill, 2r. 44; Recom. 58, 59
- Supplies, Com. 41
- Survey Department Re-organization, Com. 16, 18

BUSSELL, MR. JOHN GARRETT

- Elementary Education Bill, Com. 61, 65
- Marine Surveys, m. 43
- Public Works, Com. 59

C.**CARR, MR. JULIEN GEORGE CHARLES**

- Address in Reply to Governor's Speech, m. 6
- Educational Grant: Petitions, 18
- Flour and Wheat, Petition, 87
- Public Works Loan Bill, 1r. 98; 2r. 99, 101; 3r. 103

Circular Warrants

- qs. (Mr. Steere), 7, 10

COLONIAL SECRETARY (Hon. F. P. Barlee)

- Address in Reply to Governor's Speech, m. Select Committee, 6
- Appropriation Bill, 1r. 81; 3r. 96
- Circular Warrants, 7
- Confirmation of Expenditure Bill, 1r. 7; 2r. 11; 3r. 18
- Convict Department, 27
- Dangerous Goods Bill 1r. 7; 2r. 11; Com. 14; 3r. 27
- Distillation Bill, 1r. 7; 2r. 22; Com. 30; 3r. 43
- Electro-Magnetic Telegraph Company Limited, Com. 69
- Elementary Education Bill, 1r. 7; 2r. 22, 26; m. Select Committee 26; Report 42; Com. 60, 61, 62, 66, 67, 68; Recom. 78, 79; 3r. 79
- English and Colonial Mails, 28
- Estimates, m. 51; Com. 51, 52, 53, 54, 60, 75, 76
- Estimates, Overdrafts on, Com. 87, 89

COLONIAL SECRETARY—continued.

- Exportation of Arms and Munitions of War Bill, 1r. 7; 2r. 13; 3r. 27
- Government Printing Department, 76
- Hampton Plains, Exploration Eastward of, Com. 18, 19
- Import Duty on Flour and Meal, Com. 55
- Juries Amendment Bill, Com. 48, 49, 50
- Kenneth McLean and Others, Trial of, Papers, 9
- Land Regulations, Select Committee, 19; Com. 82, 83, 84, 85
- Legislative Council, Minutes of the Proceedings of, 7
- Library, 68
- Licensing of Public Houses Bill, 1r. 7; 2r. 20, 22; Com. 29, 30
- Maintenance of Bastard Children Bill, 1r. 7; 2r. 14; 3r. 27
- Marine Surveys, 43
- Mason, Bird, and Company, 41, 46
- Municipal By-laws, 10
- Naturalization of Aliens Bill, 1r. 3; 2r. 14; Com. 15; 3r. 27
- Official Information, 94
- Powers to Grant Commissions Given to Chief Justice Bill, 1r. 7; 2r. 14; 3r. 27
- Privilege, Question of, 54
- Publican's License at Point Walcott, 11
- Public Officers, Passages of, 42
- Public Works, Com. 69, 70, 72, 75, 95, 96
- Public Works Loan Bill, Statement 97, 98; 1r. 98; Standing Orders Suspension, 99; 2r. 99, 100, 101; Com. 101, 102, 103; 3r. 103
- Representation of the People Bill, 28, 81
- Road Boards, 89
- Scab-in-Sheep Amendment Bill, Leave to Introduce, 94
- Sericulture, 42, 76, 77
- Standing Orders, 8
- Superannuation Bill, 1r. 31; 2r. 43, 44; Com. 46, 47, 48; Recom. 57, 58; 3r. 59
- Supplies, 31; Com. 31, 41
- Survey Department Re-organization, 15; Com. 16, 18
- Tariff Act Amendment Bill, 2r. 74
- Thompson's Road Steamer, 20
- Trespass by Live Stock, 10
- Victoria 33rd, No. 9, Amendment Bill, Leave to Introduce 51
- Warder Graham, Children of, 42
- Williams and Adjoining Districts: Paid Magistrate, 28

Confirmation of Expenditure Bill

- 1r. 7; 2r. 11; Com. 14; 3r. 18

Convict Department

q. (Mr. Newman), 27

Governor's Message, 52

Council Opened, 1**Customs Tariff**

m. Select Committee (Mr. Logue), 9

D.**Dangerous Goods Bill**

1r. 7; 2r. 11; Com. 14; 3r. 27

Distillation Bill

1r. 7; 2r. 22; Com. 30; Recom. 43; 3r. 43

DRUMMOND, MR. JAMES

Breadstuffs and Cereals, Petition, 26

Dangerous Goods Bill, Com. 14

Distillation Bill, Com. 30

Elementary Education Bill, Com. 61, 66, 67, 68

English and Colonial Mails, q. 28

Hampton Plains, Exploration Eastward of, Com. 17

Import Duty on Flour and Meal, Com. 55, 57

Land Regulations, Com. 83, 84, 87, 91

Licensing of Public Houses Bill, 2r. 22; Com. 28

Public Works, Com. 74, 96

Public Works Loan Bill, Statement 97; 1r. 98; 2r. 99, 101; Com. 102

Road Boards, 89

Scab-in-Sheep Bill, 2r. 90

Scab-in-Sheep Amendment Bill, Leave to Introduce 94

Supplies, Com. 41

Survey Department Re-organization, Com. 16, 17, 18

E.**Educational Grant, Petitions, 18, 19****Electro-Magnetic Telegraph Company Limited, 54, 68; Com. 69****Elementary Education Bill**

1r. 7; 2r. 22, 26; m. Select Committee (Colonial Secretary) 26; Report 42; Com. 60; Recom. 78; 3r. 79

English and Colonial Mails

q. (Mr. Drummond), 28

Estimates

Address to His Excellency the Governor, 55;

Com. 51, 52, 60, 75, 77

Estimates, Overdrafts on, Com. 87**Exportation of Arms and Munitions of War Bill**

1r. 7; 2r. 13; Com. 14; 3r. 27; Governor's Message 52, 60

F.**Flour and Wheat**

Importation of, 10

Petition, 87

G.**Governor's Messages, 52****Government Printing Department, 76****Governor's Speech, Opening of Council, 1****GULI., MR. THOMAS COURTHOPE**

Address in Reply to Governor's Speech, 5

Dangerous Goods Bill, Com. 14

Distillation Bill, Com. 30

Elementary Education Bill, 2r. 25

Estimates, Com. 52, 75

Import Duty on Flour and Meal, Com. 57

Juries Amendment Bill, Com. 48, 50

Licensing of Public Houses Bill, Com. 29

Municipal By-laws, 27

Public Works Loan Bill, 2r. 101

Public Works, Com. 70, 75

Road Boards, 89

Supplies, Com. 41

Survey Department Re-organization, Com. 16, 17

Warder Graham, Children of, 42

H.**Hampton Plains, Exploration Eastward of, 17, 19**

I.

Import Duty on Flour: Petition, 54

Import Duty on Flour and Meal, Com. 55

J.**Juries Amendment Bill**

1r. 42; 2r. 46; Com. 48; 3r. 59

K.

*Kenneth McLean and Others, Trial of
m. Papers (Mr. Logue), 9*

L.**Land Regulations**

*m. Select Committee (Mr. Steere), 19; Report
80, 82; Com. 82, 90, 93*

Personal Explanation (Mr. Steere), 26

*Legislative Council, Minutes of Proceedings of
m. (Colonial Secretary), 7*

Library

*m. Select Committee (Mr. Shenton), 11; Re-
port 27; Address to His Excellency the
Governor 60, 68; Appointment of Com-
mittee 103*

Licensing of Public Houses Bill

1r. 7; 2r. 20; Com. 28; w. 30

LOGUE, MR. MAJOR

Actions at Law in Supreme Court, 77

Confirmation of Expenditure Bill, 2r. 13

Customs Tariff, m. Select Committee, 9

*Elementary Education Bill, 2r. 26; Com. 61,
67; Recom. 78, 79*

Estimates, Com. 54, 76

Import Duty on Flour: Petition, 54

Import Duty on Flour and Meal, Com. 55

Juries Amendment Bill, Com. 48, 49, 50

*Kenneth McLean and Others, Trial of, m.
Papers, 9*

*Land Regulations, Select Committee, 20;
Com. 83, 84, 87, 91*

Licensing of Public Houses Bill, Com. 28

Lucifer Matches Bill, Leave to Introduce, 9

Naturalization of Aliens Bill, Com. 15

Publican's License at Point Walcott, q. 10

LOGUE, MR. M.—continued.

Public Works, Com. 72

Public Works Loan Bill, 2r. 101; 3r. 103

*Registration of Brands Bill, Com. 96; Stand-
ing Orders Suspension 96*

Road Boards, 89

Scab-in-Sheep Bill, 1r. 9; 2r. 90

*Small Debts Ordinance Amendment Bill, 2r.
77*

Standing Orders, 8

Superannuation Bill, Recom. 58

Supplies, Com. 41

*Survey Department Re-organization, 7;
Com. 16, 17, 18*

*Tariff Act Amendment Bill, 1r. 60; 2r. 74; 3r.
90*

Lucifer Matches Bill

Leave to Introduce 9; w. 9

M.**Maintenance of Bastard Children Bill**

1r. 7; 2r. 14; Com. 14; 3r. 27

Marine Surveys, 43**MARMION, MR. WILLIAM EDWARD**

Address in Reply to Governor's Speech, m. 3

Customs Tariff, Select Committee, 9

Dangerous Goods Bill, Com. 14

*Elementary Education Bill, 2r. 26; Com. 61,
65, 66, 67, 68; Recom. 79*

Import Duty on Flour and Meal, Com. 57

Juries Amendment Bill, Com. 50

Land Regulations, Com. 83, 84, 86, 87

Licensing of Public Houses Bill, 2r. 22

Public Works, Com. 73

Road Boards, 89

Supplies, Com. 41

*Survey Department Re-organization, Com.
16, 18*

Mason, Bird, and Company, 41, 46

Messages from the Governor, 52**MONGER, MR. JOHN HENRY**

*Hampton Plains, Exploration Eastward of,
Com. 17*

Land Regulations, Com. 83

Municipal By-laws

q. (Mr. Steere), 10

Tabling 27

N.

Naturalization of Aliens Bill

1r. 3; 2r. 14; Com. 15; 3r. 27

NEWMAN, MR. EDWARD

Confirmation of Expenditure Bill, 2r. 13

Convict Department, q. 27

Dangerous Goods Bill, Com. 14

Elementary Education Bill, 2r. 25; Com. 60, 61, 65, 66, 67; Recom. 79; 3r. 79

Estimates, 51, 52, 53, 76

Estimates, Overdrafts on, Com. 89

Hampton Plains, Exploration Eastward of, Com. 18

Import Duty on Flour and Meal, Com. 55, 57

Juries Amendment Bill, Com. 48, 49

Land Regulations, Com. 82, 83, 84, 85, 86, 87

Licensing of Public Houses Bill, 2r. 22; Com. 28, 29

Public Works, Com. 59, 70, 73, 74, 75, 95, 96

Public Works Loan Bill, Statement 97; 1r. 98; 2r. 99, 101; Com. 102, 103; 3r. 103

Representation of the People Bill, q. 28

Rockingham Timber Company, Petition, 17, 27, 57

Sericulture, 42

Small Debts Ordinance Amendment Bill, 1r. 69

Superannuation Bill, 2r. 44; Com. 47

Supplies, Com. 39

Survey Department Re-organization, Com. 16

Tariff Act Amendment Bill, Com. 74

Warder Graham, Children of, 42

O.

Official Information

qs. (Mr. Steere), 93, 94

Opening of the Council, 1

P.

Papers Tabled, 3, 8, 26, 27, 31, 50**Pensioners' Benevolent Fund Ordinance Repeal Bill**

1r. 73

Pensioners' Benevolent Society Ordinance Repeal Bill

1r. 103; Standing Orders Suspension 103, 2r. 103; Com. 103; 3r. 103

PHILLIPS, MR. SAMUEL POLE

Land Regulations, Com. 87

Powers to Grant Commissions Given to Chief Justice Bill

1r. 7; 2r. 14; Com. 15; 3r. 27

Privilege, Question of, 54**Prorogation of Council, 103****Publicans' License at Point Walcott**

q. (Mr. Logue), 10

Public Officers, Passages of, 42**Publicans' Petition, (Mr. Steere), 17****Public Works, Com. 59, 69, 74; Select Committee Report 92; Com. 94****Public Works Loan Bill**

Statement (Colonial Secretary), 97; 1r. 98; Standing Orders Suspension 99; 2r. 99; Com. 101; 3r. 103

R.

Refreshment Room

m. (Mr. Shenton), 9

Select Committee Report, 17

Registration of Brands Bill

1r. 93; 2r. 96; Com. 96; Standing Orders Suspension 96; 3r. 97

Representation of the People Bill

qs. (Mr. Newman), 28, (Mr. Steere), 81

Road Boards

m. (Mr. Shenton), 89

Rockingham Timber Company, Petitions (Mr. Newman), 17, 27, 57

S.

Scab-in-Sheep Amendment Bill

Leave to Introduce, 94; Speaker's Ruling, 94

Scab-in-Sheep Bill

1r. 9; 2r. 90

Sericulture, 42, 76, 77

SHENTON, MR. GEORGE

Aboriginal Natives, *m.* Select Committee, 27
 Dangerous Goods Bill, Com. 14
 Electro-Magnetic Telegraph Company Limited, 54, 68; Com. 69
 Elementary Education Bill, Com. 67
 Estimates, Com. 53
 Juries Amendment Bill, Com. 49, 50
 Land Regulations, Com. 83, 84, 86
 Library, *m.* Select Committee, 11
 Licensing of Public Houses Bill, 2r. 22; Com. 29
 Public Works, Com. 60, 69, 71, 73, 96
 Public Works Loan Bill, Statement 98; Com. 101
 Refreshment Room, *m.* 9; Select Committee Report, 17
 Road Boards, *m.* 89
 Superannuation Bill, Com. 46; Recom. 58
 Supplies, Com. 41
 Survey Department Re-organization, 15; Com. 16, 17
 Victoria 28th, No. 2, *q.* 27
 Victoria 28th, No. 2, Amendment Bill, 1r. 54; 2r. 73; 3r. 77
 Victoria 33rd, No. 9, Amendment Bill, Leave to Introduce 51
 Warder Graham, Children of, 42

Small Debts Ordinance Amendment Bill

1r. 69; 2r. 77; Com. 80

SPEAKER, MR.

Confirmation of Expenditure Bill, 2r. 12, 13
 Customs Tariff, Select Committee, 9
 Dangerous Goods Bill, Com. 14
 Estimates, Com. 51, 52, 76
 Estimates, Overdrafts on, Com. 89
 Elementary Education Bill, Com. 61, 65, 68
 Juries Amendment Bill, Com. 50
 Land Regulations, Com. 83
 Licensing of Public Houses Bill, Com. 28
 Privilege, Question of, 54
 Public Works, Com. 69, 72, 96
 Public Works Loan Bill, Com. 101, 102, 103
 Scab-in-Sheep Amendment Bill, Leave to Introduce, 94; Speaker's Ruling, 94
 Standing Orders, 8, 10
 Superannuation Bill, Recom. 57
 Supplies, Com. 40
 Tariff Act Amendment Bill, Com. 74

Standing Orders, 8, 10, 96, 99, 103

STEERE, MR. JAMES GEORGE LEE

Circular Warrants, *qs.* 7, 10
 Confirmation of Expenditure Bill, 2r. 12, 13
 Distillation Bill, Com. 30
 Education Grant: Petitions, 19
 Elementary Education Bill, 2r. 25; Com. 61, 65, 66, 68; Recom. 78; 3r. 81
 Estimates
 Com. 52, 53, 76
 Address to His Excellency the Governor, *m.* 55
 Flour and Wheat, Importation of, 10
 Hampton Plains, Exploration Eastward of, Com. 18
 Import Duty on Flour and Meal, Com. 56
 Juries Amendment Bill, 2r. 46; Com. 48; 49, 50
 Land Regulations
 m. Select Committee, 19; Report 80, 82; Com. 82, 84
 Personal Explanation, 26
 Licensing of Public Houses Bill, 2r. 22; Com. 29, 30
 Municipal By-laws, *q.* 10
 Official Information, *qs.* 93, 94
 Publicans' Petition, 17
 Public Works, Com. 70, 75, 95
 Refreshment Room, Select Committee Report, 17
 Representation of the People Bill, *q.* 81, 82
 Road Boards, 89
 Sericulture, 42
 Standing Orders, 8, 9
 Superannuation Bill, 2r. 43; Com. 46, 47, 48; Recom. 57, 58
 Survey Department Re-organization, *m.* Com. 16, 17
 Thompson's Road Steamer, *q.* 20; *m.* 60
 Trespass by Live Stock, *q.* 10
 Victoria 33rd, No. 9, Amendment Bill, Leave to Introduce, 51
 Williams and Adjoining Districts: Paid Magistrate, *q.* 28

Superannuation Bill

1r. 31; 2r. 43; Com. 46; Recom. 57; 3r. 59

Supplies, 31; Com. 31

Survey Department Re-organization, 7, 15; Com. 16, 18

SURVEYOR GENERAL (Hon. M. Fraser)

Adjournment, 93
 Estimates, Com. 53
 Hampton Plains, Exploration Eastward of, Com. 17

SURVEYOR GENERAL—continued.

Import Duty on Flour and Meal, Com. 57

Land Regulations

Select Committee 19; Com. 84, 85, 86, 90, 91

Personal Explanation, 26

Public Works, Com. 59, 69, 71, 75; Select Committee Report, 92; Com. 94, 95

Refreshment Room, 9

Road Boards, 89

Sericulture, 42

Standing Orders Suspension, m. 8

Supplies, Com. 40

Survey Department Re-organization, 16; Com. 16, 18

*Swearing in of Members, 1***T.****Tariff Act Amendment Bill**

1r. 60; 2r. 74; Com. 74; 3r. 90

Thompson's Road Steamer

q. (Mr. Steere), 20

m. (Mr. Steere), 60

Trespass by Live Stock

q. (Mr. Steere), 10

V.**Victoria 23rd, No. 11, Repeal Bill**

1r. 81; 2r. 93; Com. 93; 3r. 93

Victoria 28th, No. 2

q. (Mr. Shenton), 27

Victoria 28th, No. 2, Amendment Bill

1r. 54; 2r. 73; Com. 74; 3r. 77

Victoria 33rd, No. 9, Amendment Bill

Leave to Introduce, 51

W.**Warder Graham, Children of, 42****Williams and Adjoining Districts: Paid Magistrate**

q. (Mr. Steere), 28