

only be upset by a majority of the Full Court, including the very judge from whose decision the appellant was appealing. Was it likely that such decision would be upset? No; it was not human nature. The clause did not commend itself to the Government, and he moved that the Council's amendment be not agreed to.

MR. LEAKE supported the Attorney General's argument. It was almost impossible, under the law as laid down by the cases, to obtain a new trial on the ground that the verdict was against the weight of evidence. Before such could be granted the judges had practically to find that the jury had acted with absolute perversity—that they had gone, in fact, almost to the verge of corruption. As to excessive damages, where there was a motion for a new trial on the ground that the damages were excessive, the Full Court had power, under the Supreme Court Act, to forthwith reduce the damages. There was no necessity for the new clause.

Motion put and passed, and the Council's amendment disagreed to.

Resolutions reported, and report adopted.

A Committee, consisting of Mr. Leake, Mr. Morgans, and Mr. Pennefather, drew up the following reasons for disagreeing with certain of the amendments:—

Reasons.—1. Civil servants ought not to be allowed to serve on juries; particularly where the interests of the Crown are involved. 3. In the event of several prisoners being jointly indicted and defended, their right to challenge if unrestricted, might exhaust the jury panel. 5. It would be practically impossible to obtain a new trial on the grounds set forth.

Committee's reasons adopted, and a message transmitted accordingly to the Legislative Council.

ADJOURNMENT.

The House adjourned at twelve minutes past 11 o'clock p.m.

Legislative Council,

Wednesday, 21st September. 1893.

Official Receiver, Committee of Inquiry; change of a Member—Question: Mill Point Jetty, Perth—Motion: Kingsley-Hall Reward Gold-Mining Company, Limited; to Refuse Exemption, Division (negated)—Health Bill, first reading—Reappropriation of Loan Moneys Bill, in Committee, progress reported—Companies Act Amendment Bill, second reading—Crown Suits Bill, Assembly's Amendments, in Committee—Shipping Casualties Inquiry Bill, Select Committee's Report—Adjournment.

THE PRESIDENT took the chair at 4.30 o'clock, p.m.

PRAYERS.

OFFICIAL RECEIVER: COMMITTEE OF INQUIRY.

CHANGE OF A MEMBER.

HON. A. G. JENKINS: At the previous sitting a Select Committee was appointed to inquire into the administration of the official receiver in bankruptcy, and of that Committee he (Mr. Jenkins) was appointed a member. For private reasons, it was not his desire to act as a member of the Committee, and he asked leave to have his name withdrawn.

THE PRESIDENT: A motion to discharge the hon. member from the Committee would have to be submitted.

HON. H. G. PARSONS moved, that Mr. Jenkins be discharged from the Committee appointed to inquire into the administration of the Official Receiver in Bankruptcy.

Put and passed.

A ballot having been taken, the Hon. R. S. Haynes was elected to fill the vacancy.

QUESTION: MILL POINT JETTY, PERTH.

HON. R. S. HAYNES asked—1, whether any, and if so what, provision is made for the landing of passengers at Mill Point jetty. 2, If any supervision is exercised that passenger vessels are not interfered with in landing passengers. 3, If it is the intention of the Government to prevent annoyance to passengers landing, from carters bringing their carts on to the jetty.

THE COLONIAL SECRETARY replied:—1, No provision is made by the Government, but it is stipulated in clause 13 of the Swan River Jetties Regulations that steamers landing passengers shall provide suitable gangways. 2 and 3, The landing of passengers is regulated by the aforesaid Regulations, any breach of which should be reported to the Police Department. The old Regulations provided that a cargo boat should haul off for the landing of passengers; but that Regulation does not appear to have been embodied. I do not know whether the answer quite satisfies the hon. member.

HON. R. S. HAYNES: In order to get near the jetty, persons have to go over stones, and on the jetty are horses and carts, by which passengers are in some danger of being run over.

THE COLONIAL SECRETARY: Horses and carts have as much right on the jetty, for the loading and unloading of cargo, as have passengers.

HON. R. S. HAYNES: There is no convenience for passengers.

THE COLONIAL SECRETARY: The old regulation as to a cargo boat hauling off for the convenience of passengers does not, as I have said, appear to have been embodied.

MOTION: KINGSLEY-HALL REWARD GOLD-MINING COMPANY, LIMITED.

TO REFUSE EXEMPTION.

HON. H. G. PARSONS moved:

That, in the opinion of this House, further exemption should be refused to the new Kingsley-Hall Reward Gold-Mining Company, Ltd., in view of the fact that while 29,000 shares were represented in Adelaide by those in favour of the recent reconstruction, which was opposed by the representatives of 6,000 shares, an additional 44,000 shares, held in Western Australia, were deprived of all voice in the matter. This House is also of opinion that the Minister of Mines has withheld information on this subject from this House.

Hon. members would support this motion, he felt sure, as it was in the interests of the prospector as a permanent resident in the colony, as against a company lamentably wanting in *bona fides*, and domiciled in another colony. The question of reconstruction came home mostly to those who held paper for leases. Most of the persons who sold leases showed their good faith in them by

selling them for paper, and did not take money for them, because they thought too much of their reputation; therefore they did not sell them for money until it could be demonstrated that the mine was a dividend-paying one. Prospectors and others who had grounds for believing in a mine, and leasing it to an English or Adelaide company, found that the result was generally disastrous. The lessee, or the man who pegged out the lease, knew most about it, and if he believed in his lease he sold for paper. He did not sell, like a man who had a "wild cat," for cash. He did not afterwards get a penny from the mine, because there came in mismanagement by foreign boards, who placed a battery on the lease, and before they had done erecting the machinery they had not the capital which they had engaged to supply. He knew the Kingsley-Hall Gold Mining Company intimately, having been connected with it as solicitor three years ago; but when the Coolgardie goldfield was cut up, he had nothing to do with this mine afterwards. But he had taken a prominent part in this House, and in urging it forward in another place, because he was sure it was a typical case, wherein the real owner of a mine was robbed, with the connivance of the Government, of his ground. He did not say this in any way against the Government, because the Government did not understand mining. That was a notorious fact, and how should the Government understand mining? The Government did not understand the elements of mining. He (Mr. Parsons) had represented this case to the Minister of Mines, but he had not been able to make the Minister understand the case. This mine was sold by some persons named Kingswell, or something like that, for paper, that was to say the owners took some 60,000 shares in full payment for the mine, which they really believed in. These persons thought the shares would become valuable, because the company undertook to find £30,000 working capital. But the company only found £3,000. The company was reconstructed, and without notice to the Western Australian shareholders, who held 44,000 shares. A meeting was held in Adelaide, and the authorities there decided that

reconstruction should take place, although there were 29,000 shares in favour of reconstruction, and 6,000 against it in that colony, and there were 44,000 shareholders here who had no opportunity of voting, owing to the notice being too short. He (Mr Parsons) had known the same thing done with regard to London companies, who had deliberately left the shareholders without notice. Thirty days notice had been given when it took three months to exchange powers of attorney. The vendors were reconstructed out of existence, and that was happening now with numbers of companies, and would happen during the next few months with more companies. The company simply said the vendors gave them a worthless mine, and the company further said the vendors should have a right to apply for shares in the reconstructed company, if they paid up 5s. a share. The company was mismanaged, and turned out badly, or it might turn out badly, owing to the exigencies of mining. The company found themselves coming to the end of their capital, which, in the case of a London company, was probably provided, but which, in the case of Adelaide companies, was probably not provided, and the company then said the vendors should have nothing to do with the new company unless they put up so much money. Say that a man sold a lease two years before for 60,000 shares; to ask that man to put up £15,000 was not a fair thing. Supposing he was a working man; if an ordinary working man was asked for £15,000, it meant that his interest in the mine was taken away from him. As a practising lawyer, and the earliest practising lawyer on the fields, he (Mr. Parsons) said that this was becoming a habitual robbery in London and Adelaide, and it ought to be stopped. In the case under notice it was seen that Mr. Lefroy did not understand mining. Mr. Lefroy was a man many had great confidence in on the fields, and we were sure in this particular case he wished to do what was right. The prospectors wanted their mine back, they had absolutely done with the company, and they simply wanted their mine. He (Mr. Parsons) took these prospectors to the Minister, and Mr. Lefroy said, "If you leave this to me I will

see that the men get their mine back." Over came a capitalist from Adelaide—and he (Mr. Parsons) was not against the capitalist, he had all his interests with them—but the capitalist in this case went to the Minister, and said "You will destroy the influx of capital to this country, you will destroy confidence in mining business if you let the prospectors have their mine back."

HON. F. T. CROWDER: Had the Minister granted exemption?

HON. H. G. PARSONS: The Minister or warden would grant it unless we in this House said something. The warden had recommended forfeiture in favour of the original holders of the mine, but the Minister had gone against the recommendation of the warden, because he said it would destroy vested interests. This mine was reconstructed once before, and all the capital that was found was £30. The company's own manager gave evidence against the company in the Warden's Court, and helped the jumpers. He (Mr. Parsons) did not like jumpers, he had never helped them or taken a brief for them, but it was the duty of the country to give these men their mine back. As to the last sentence of the motion "that this House is of opinion that the Minister of Mines has withheld information on this subject from this House," if the House liked, he would withdraw that portion, but he was prepared to substantiate every word he had said. He had asked the question about the Kingsley-Hall Company of the Ministerial leader of this House, who gave the answer that he had not the information. He (Mr. Parsons) had seen the information in the Mines office and he knew it was there in possession: still the Minister gave the answer that the Government had no information. Subsequently, owing to delays in the sittings of this House, this matter came up again and the Minister then said that the information had been laid on the table of the Lower House. That was not the way this House ought to be treated. During the last two sessions this House had been treated with a want of consideration.

HON. C. A. PRESSE: All young members said that.

HON. H. G. PARSONS: Perhaps young members had reason to say it. He (Mr.

Parsons) knew that this information was in the possession of the Government when he had asked for it, and this House had been tricked out of that information. Still, members got the information all the same. He would like the House to express the opinion that the Minister had unconstitutionally and unwarrantably withheld information from this House. But this was not the essential part of the motion, and if it was the wish of the House he would withdraw the last sentence.

HON. F. T. CROWDER: The hon. member said further exemption should be refused. Had the company exemption now?

HON. H. G. PARSONS: The company was under exemption. The company had failed to provide money to work the lease, and was reconstructing itself. The company was now in the hands of the Official Receiver in Adelaide, still the company was applying for exemption. The lease should be granted to the original holders, because of the nonfulfilment of the labour conditions.

The last portion of the motion—"This House is also of opinion," etc.—withdrawn, by leave.

THE COLONIAL SECRETARY (Hon. G. Randell): It was always with regret he opposed motions submitted by hon. members: but certainly this was a motion he ought not to sanction, because it went outside the province of the House. Applications for exemption were heard in open court, and the warden made recommendations to the Minister on the evidence. This was purely an administrative question, and the House ought not to interfere in the administration of the department. If the Minister was found guilty of some gross breach of duty, it was open to hon. members to impeach him, but for the House to attempt to direct a Minister how he was to administer his department was certainly going beyond the powers of the Chamber. A very interesting speech had been delivered by Mr. Parsons on the dark and devious ways of mining, and, if to be acquainted with mining involved such conduct, he (the Colonial Secretary) would remain ignorant of mining. Mr. Parsons seemed to have had a most unhappy experience, but the House would not be justified in adopting the motion

on the *ex parte* statement of the hon. member. He would have asked Mr. Parsons to withdraw the motion, but he thought such a request might be useless. It was satisfactory to know, however, that Mr. Parsons had withdrawn the latter part of his motion, because, had that been passed, it would have amounted to a vote of censure on the Minister without hearing that hon. gentleman in his own defence. It was surprising to find a learned legal gentleman like Mr. Parsons tabling a motion of this description, especially with such a clause as that which had fortunately been withdrawn. The hon. member stated he had every confidence in the integrity and uprightness of the Minister of Mines, but when he said that members of the Government knew nothing about mining, it was not his (the Colonial Secretary's) duty to contradict it. He (the Colonial Secretary) had, however, his own opinion on the point, and thought that some members of the Ministry were equally acquainted with mining law as was the hon. member himself, and were, moreover, practically acquainted with the industry. In any case, the Minister of Mines was assisted by professional men, who understood mining in all its branches. It was to be hoped that, after these remarks, Mr. Parsons would see his way to withdraw the motion. If the motion were not withdrawn, then hon. members might be relied upon to reject it as one which it would be improper for the House to pass.

HON. H. G. PARSONS (in reply): Nothing was further from his mind than withdrawing the motion, and he was now only sorry he had not pressed the last clause, which stated that the Minister had withheld information from the House. It was an absolute fact, which could be established, that the Minister had withheld information, and that was a thing no Minister had any right to do. The Minister had treated hon. members very badly, seeing that while he had the information he denied having it.

THE COLONIAL SECRETARY: It ought to be mentioned that the whole of the papers relating to this matter were lying on the table of the Legislative Assembly.

HON. H. G. PARSONS said he was well aware of the fact; but at the time they were first asked for, and when the Minis-

ter said he had no information, these papers were in the possession of the Under Secretary. Indeed, he (Mr. Parsons) saw the papers himself the day after the wrong answer, the false answer, was given by the Minister.

THE COLONIAL SECRETARY: That was not, he thought, a fact.

HON. H. G. PARSONS said he saw the papers there. It was, no doubt, owing to a mistake that the information was withheld; but, at the same time, it was in the possession of the Minister. He (Mr. Parsons) saw the papers in the possession of the department. There could be no harm in asking the Government to consider this matter. His only complaint was that the Minister did not understand the difference between depriving a *bona fide* company which had capital and worked the ground of their property in the interests of a jumper who could not work it, or treating with a miner belonging to this colony who sold his ground to a foreign company which did not find capital or work the ground, but robbed him twice over—first by not finding the capital, and afterwards by legislating him out of existence. This was a case in which one of our citizens had proved, in the warden's court, that the people to whom he sold the ground were not working it, and the warden had informed him that the ground was forfeitable to him: and then the Minister stepped in as the defender of capital, as it were, and said that in the interests of the colony, or for some other reason, he did not choose to forfeit the ground, because he had met a man from the other side who had a lot of influence or names behind him. Was that not a case in which the House could fairly protest, not because hon. members believed the Minister was corrupt or anything worse than mistaken, but simply because they thought the Minister was most thoroughly mistaken? All mining men knew the rights of the affair, and he was aware what members in another place thought of the case. Everybody on the fields knew that the prospectors of the lease would have to get it back, because the alleged purchasers never provided any capital. He did not want to inflame feeling about this affair, but simply to appeal to the House, in a general way, to say it was reasonable

to refuse further exemptions for the present.

THE COLONIAL SECRETARY: The motion was a direction.

HON. F. WHITCOMBE: It simply expressed the opinion of the Council.

HON. H. G. PARSONS: The motion simply expressed the opinion of the Council. He (Mr. Parsons) was only sorry he did not move a direct vote of censure on the Minister, because that hon. gentleman had undoubtedly treated the House badly. However, he would not press that, but would simply say that the colony, as a whole, would be treating one of our citizens very badly by extending an unwarrantable indulgence to a company which had never found the money to work the lease which it had bought simply on paper.

Question put, and division taken with the following result:—

Ayes	3
Noes	10

Majority against 7

Ayes. Noes.

Hon. H. G. Parsons	Hon. A. G. Jenkins
Hon. F. Whitcombe	Hon. W. T. Loton
Hon. F. T. Crowder	Hon. A. P. Matheson
(Teller)	Hon. D. McKay
	Hon. E. McLarty
	Hon. C. A. Piesse
	Hon. G. Randall
	Hon. J. E. Richardson
	Hon. W. Spencer
	Hon. S. J. Haynes
	(Teller)

Motion thus negatived.

HEALTH BILL.

Received from the Legislative Assembly, and, on the motion of the COLONIAL SECRETARY, read a first time.

REAPPROPRIATION OF LOAN MONEYS BILL.

On the motion of the COLONIAL SECRETARY, the House resolved into Committee to consider the Bill.

IN COMMITTEE.

Clauses 1 and 2—agreed to.

Clause 3—And may appropriate and expend £470,000:

HON. F. T. CROWDER asked whether hon. members, if they passed this clause, would be entitled to amend the schedules.

THE PRESIDENT: The Council could not amend this Bill, but could only suggest to the Legislative Assembly that certain amendments be made. Supposing an alteration were suggested in the schedule, the Bill would then have to be recommitted to deal with the clause.

HON. R. S. HAYNES: Would it not be better to postpone the consideration of the clause?

THE PRESIDENT: Yes, if a motion were submitted to that effect.

HON. R. S. HAYNES moved that the consideration of the clause be postponed until the schedules had been dealt with.

Put and passed, and the consideration of the clause postponed.

First Schedule:

HON. F. WHITCOMBE moved that a suggestion be forwarded to the Legislative Assembly, that the item of £15,000, reappropriated from the Geraldton-Murchison Goldfields Railway, be struck out. There was no information before the Council to show how much of the £231,000 originally voted for this work had been expended, or how much was available at present for expenditure.

THE COLONIAL SECRETARY: There was £15,000 available at present.

HON. F. WHITCOMBE: If that were so, hon. members had it on the authority of the Commissioner of Railways that there was a claim by the contractors for the construction of this line for a sum considerably over £100,000. If, as frequently happened in contractors' claims, this was successful to the extent of two-thirds of the amount, there would not be enough money to pay the claim under any circumstances. He did not see why the amount should be reduced by £15,000, and the position made worse than at present.

THE COLONIAL SECRETARY expressed the hope that the Committee would not consent to the suggestion of Mr. Whitcombe. In another place, members for northern districts were told that if they did not want this money, the item could be struck out, but no attempt was made to strike out the item. This £15,000 was intended to be appropriated to the development of the goldfields districts, and, though not a large amount, it was available for that purpose. It would be a pity if the Council

deprived that part of the country of the benefits of the expenditure of this money on useful and reproductive works. Probably Mr. Whitcombe was right as to a claim being made by the contractors. At any rate, a claim had been made in relation to the Bunbury-Bridgetown Railway.

HON. F. WHITCOMBE: Yes; all hon. members knew that.

THE COLONIAL SECRETARY: But that there was a claim in connection with this northern railway he was not aware. In any case, to put forward a claim did not mean that it could be enforced.

HON. F. WHITCOMBE: The contractors would no doubt get something.

THE COLONIAL SECRETARY: Unfortunately, there was a disposition to give verdicts against the Government and against banks and companies, and he was afraid these verdicts were given sometimes unrighteously. Sufficient reason had not been shown for suggesting that this item of £15,000 should be struck out.

HON. W. T. LTON: Was the £15,000 a balance available?

THE COLONIAL SECRETARY: The Premier distinctly stated in the other House that this was a balance available, after the payment of all expenses in connection with the railway.

HON. F. WHITCOMBE: Information should be afforded to the Legislative Council as well as to the Legislative Assembly, in order that members might be enabled to arrive at proper conclusions.

THE COLONIAL SECRETARY: The hon. member had the information in *Hansard*.

HON. F. WHITCOMBE: The information ought to be laid before members in the proper way.

THE COLONIAL SECRETARY: The information was laid before members in *Hansard*.

HON. R. S. HAYNES expressed the hope that hon. members would not reduce the item, because the £15,000 would be expended in the development of the Murchison and Peak Hill goldfields. Representatives of the district need not care where the money came from, and need ask no questions.

Amendment put and negatived, and the item passed.

HON. R. S. HAYNES asked whether it would not be more in order if the second schedule were taken before the first schedule. The Committee ought to go through the expenditure schedule before they went through the reappropriations, because the latter only became necessary when the first schedule was passed. In the third schedule were certain items which might be objected to.

THE PRESIDENT: The first and second schedules referred to clause 2 of the Bill, which had already been passed. The first schedule provided the money, and the second schedule stated the way in which the money should be spent.

HON. R. S. HAYNES: There might be an anomaly, for the Committee might assent to the reappropriation of the money, and not provide for its expenditure.

THE PRESIDENT: The Bill would have to be recommitted on the final stage. It would not be necessary to recommit the Bill until it came back from the Assembly, and until it was known whether the other House had agreed to the suggestions or not.

THE COLONIAL SECRETARY suggested that the first and second schedules might be taken together.

THE PRESIDENT: Yes; and the items of the second schedule would now be put.

Second schedule—Item, Public Batteries, £40,000:

HON. F. WHITCOMBE asked how it was proposed to expend this £40,000. The Committee ought to have some information on the subject.

THE COLONIAL SECRETARY: Detailed information, he was afraid, could not be given; but he believed public batteries were already promised at five or six different places on the goldfields, and there were still some outstanding claims for batteries to be considered. He believed that in the Murchison district application had been made for two batteries.

HON. W. T. LOTON asked how much of the £40,000 had already been expended.

THE COLONIAL SECRETARY: £5,380.

HON. W. T. LOTON: No more?

THE COLONIAL SECRETARY: No more. That was up to the end of August; but the expenditure was still going on in September.

HON. F. WHITCOMBE: In the absence of information, progress ought to be reported and leave given to sit again; and he moved to that effect. Information was wanted on this and other items in the schedule. It was not fair the Committee should be asked to pass a sum of £100,000 without knowing where it was going to be expended.

HON. H. G. PARSONS said he had not expected this crisis would arise, but he had much pleasure in supporting the motion of Mr. Whitcombe. The Government asked for power to expend a large sum without hon. members knowing anything about the matter; in fact, the Government were treating the Council like an annual debating society. There was too much of that kind of thing, and hon. members ought to know all about these public batteries. Most of the money would be wasted, and hon. members ought to know where it was going to be wasted.

Motion to report progress put and negatived.

HON. F. T. CROWDER: Where was the £18,000 to be spent on the eastern goldfields, and on what was it to be spent?

THE COLONIAL SECRETARY: The money was, he believed, to be expended on various parts of the eastern goldfields for the purpose of prospecting, and developing the fields in other ways. He had not the exact particulars, but £4,948 had already been expended from this amount in different parts of the eastern fields for the purpose of assisting the gold-mining industry.

HON. F. WHITCOMBE: Was this expenditure to be limited by schedule, or was it to be left to the discretion of the Government?

THE COLONIAL SECRETARY: It was to be left to the discretion of the Government. The Government could be safely trusted to do their best in the interests of the country.

HON. J. E. RICHARDSON: What was the meaning of the item. "Other goldfields, including boring for coal and miscellaneous, £7,000?"

HON. F. T. CROWDER: There was an item on the schedule, "Norseman Tank, £15,000." He wanted to know whether the tank was to cost that amount, and what it was to be used for? Was the tank to be erected with the idea that members would vote for the construction of a railway to Norseman? Because, if so, the railway would not be voted, and therefore there would be no necessity to construct the tank. If a tank was required then, the Government had been carting water for 70 miles in the past. The whole of the water for the Kalgoorlie and Coolgardie line had to be carted, and the Government should build the tank where they were likely to save money. The production of gold at Norseman would not warrant the expenditure of this £15,000.

THE COLONIAL SECRETARY: There was a considerable production of gold at Norseman, and the production was increasing; 40,000 ozs. had been raised from Norseman.

HON. F. WHITCOMBE: Ever since it was found?

THE COLONIAL SECRETARY: The tank had nothing whatever to do with the construction of the railway, he thought. It was purely for the use of the residents of Norseman and travellers. It was absolutely necessary that water should be secured when opportunity offered. The tank at Dundas was a very good one, and all the tanks, with the exception of one which had now been repaired, were holding water.

HON. F. WHITCOMBE: This tank was not in connection with the railway, but for the water supply of Norseman, then?

THE COLONIAL SECRETARY: That was so, he believed.

HON. F. WHITCOMBE said he would like to know definitely.

HON. W. T. LOTON: Following up the remarks of Mr. Whitcombe, this House had a right to have definite information as to the items, or we might just as well let the Bill go through without discussion. It was only reasonable that we should know how the money was being expended. We might be told that the information had been given in another place, but it was not to be expected that members would read through

the whole discussion which took place in another place.

HON. F. T. CROWDER: It was all very well for the Minister to say that the Government could be trusted to expend this money in the best interests of the country, but at the same time the Government were treating hon. members as a lot of children. It was not right to bring down a Bill to expend half a million of money and give no information with it. He moved that progress be reported.

THE CHAIRMAN suggested that he might leave the chair until 7.30, and in the meantime the Minister might obtain the information.

HON. R. S. HAYNES moved that the Chairman leave the chair and resume at 7.30 p.m.

THE COLONIAL SECRETARY: That might be desirable, as he had not the information at his fingers' ends. He did not anticipate this information being required. He had not the information in writing, and he did not like to trust to his memory.

THE CHAIRMAN: If the Colonial Secretary had the information in regard to the third schedule, the Committee might postpone the second schedule and go on discussing the third.

HON. R. S. HAYNES, by leave, withdrew his motion, and moved that the consideration of the second schedule be postponed until after the third schedule.

Motion (Mr. Haynes's) put and passed, and the second schedule postponed.

First schedule (previously postponed) put and passed.

Third schedule:

HON. W. T. LOTON: As to the Donnybrook - Bridgetown railway, he would like to know what amount of money had already been spent, and whether this £70,000 which it was proposed to reappropriate would be sufficient to complete this line?

THE COLONIAL SECRETARY: The Director of Public Works had given the information that this amount would complete the railway; £32,447 had been spent out of revenue for this work, and on the 30th June last there was a debt of £35,628. The expenditure during July and August had been £5,325, so that the total expenditure to 31st

August, irrespective of that spent out of revenue, was £40,953. The balance unspent, and which would have to be paid on completion of the line, was £29,047, making up the £70,000.

HON. W. T. LOTON: It was not worth while discussing the question, because the works had been undertaken, and a certain sum of money had been appropriated to pay for the work in the first instance. The estimate to complete the railway was, he believed, something under £100,000.

THE COLONIAL SECRETARY: Something like that.

HON. W. T. LOTON: It was about time, with the experience the railway department had in the constructing of railways in this colony, that the department should arrive at the amount required nearer than about three-quarters of the sum. It was a continuation of the system that had been pursued during the whole time railways had been under construction in this colony. Parliament had been asked to consent to the construction of a railway, and was assured that the cost would be about £2,000 per mile, but when the work was completed it was found that the cost was about £4,000 per mile.

HON. D. K. CONGDON: That included rolling stock.

HON. W. T. LOTON: What was the use of a railway without rolling stock? What was the use of the Commissioner of Railways telling the House that the work would be completed and opened for traffic unless he provided the rolling stock? The Commissioner of Railways was the responsible person, and if he did not take more care in the future Parliament would have to do so. The eyes of Parliament had been opened to some tune.

HON. F. T. CROWDER: Before he was prepared to vote for the £70,000 he wished to know in what way it would be expended.

THE COLONIAL SECRETARY: A great deal had been expended.

HON. F. T. CROWDER: How had it been expended, and how much more was there to pay? When we were asked to vote £100,000 for a railway, we did not suppose that the cost would be £130,000. If we had been aware that the expenditure on this railway would be £130,000, probably we should not have voted for it.

We knew that it was to be an agricultural railway, and we considered that it would be worth £100,000 to open up the district, but now £35,000 more was to be spent through the incompetence of the department. We had highly paid officials who were supposed to be competent to estimate the cost of a work, and surely those officers should be able to arrive at the cost nearer than had been done. The cuttings for this railway line had been made nearly perpendicular, had all fallen in, and the work had to be gone over again and altered. The same thing happened in regard to the deviations, and money had to be paid to cover up the faults which had been made. The district to be opened by the Bridgetown railway was a good one, but the Committee should know how the extra £35,000 was to be spent, and unless that information was forthcoming he would move that progress be reported.

THE COLONIAL SECRETARY: Hon. members were becoming confused. The original contract was for £85,996, but that did not include rolling stock or the rails. The total sum expended was £133,000, which included the cost of the rails and other things. There was some extra costs in various works necessary to be carried out, and it was necessary to make additional connections with the Brunswick station. This entailed £5,000, so that the amount which the railway had cost over and above the sum was very small indeed. That was all the information he could give. Hon. members were not justified in saying that our railways cost more than the estimate of the engineers. Until recently railways had been built at considerably less than the estimate, and the railways were then enabled to be extended. This line to the Greenhills had cost more than was anticipated; but alterations had been made which would have a tendency to reduce the annual expenditure on the working of the railway subsequently.

HON. F. T. CROWDER: When the Premier introduced this line, he said the price for which this railway would be constructed was £100,000. As to the remark that we were wrong in saying that the railway had cost more than the estimate, the Colonial Secretary looked at the matter in a different light from that in

which he looked at it. A contract was estimated to cost a certain amount, but it was never carried out for that amount. Fully one-third more had to be paid. It was true that the contractor built lines cheaper than the engineers' estimate, but after the contract was signed and the railway constructed the country had to pay one-third more than the estimate. If the country employed competent men, these officials should come something nearer the mark than they did.

HON. F. WHITCOMBE: Was it not a fact that the additional expenditure on Brunswick station was charged to the Collie line? If that were so it was curious that it should be put to the credit of the Donnybrook-Bridgetown line.

THE COLONIAL SECRETARY said he made a mistake in what he had said just now. The last part of his remarks referred to the Collie line. The amount of the contract for the Donnybrook-Bridgetown line was £86,000, and the total amount expended was 133,000. The contract at first did not include the rolling-stock.

HON. F. WHITCOMBE: Was the £133,000 the estimate of the Engineer-in-Chief?

THE COLONIAL SECRETARY: It was, he thought.

HON. F. WHITCOMBE: Would the Colonial Secretary definitely inform the House what was the estimate?

THE COLONIAL SECRETARY said he could not.

HON. F. T. CROWDER moved that progress be reported, as he was not satisfied with the explanation. It was only right that these matters should be thoroughly threshed out. He did not say there was anything wrong, but he was not going to take anybody's word. He wished to have the figures before him. He move that progress be reported, so that the Minister could give the Committee the information.

THE COLONIAL SECRETARY: All the information that was necessary had been placed before the Committee. He had given the amounts that had been expended, he had also stated the amount of the contract, and the expenditure to date, and the balance to be paid for the construction of the line.

HON. F. T. CROWDER: What was the item for?

HON. F. WHITCOMBE supported the motion that progress be reported. If the Colonial Secretary chose to come down with a Bill of such importance without having learned his lessons or without mastering facts so that he could repeat them to hon. members, then we should postpone the consideration of the Bill so as to have this information. The House had affirmed the reappropriation out of sheer necessity, and now we wanted the information to show us whether the reappropriations were absolutely necessary. For the public welfare we ought to insist on having the particulars.

THE COLONIAL SECRETARY said he was desirous of affording every information.

HON. F. WHITCOMBE: We wanted more information than the Colonial Secretary had at his disposal.

THE COLONIAL SECRETARY said he had given all the information he could on the subject.

Motion to report progress put and passed.

Progress reported, and leave given to sit again.

COMPANIES ACT AMENDMENT BILL.

SECOND READING.

HON. H. G. PARSONS, in rising to move the second reading, said: I am not clear at present as to the procedure the Government intend to adopt in regard to this Bill. I had some understanding with the Colonial Secretary, but I do not quite comprehend what he intends to do. Does the Colonial Secretary wish me to proceed with this Bill now, and that amendments will be moved in Committee?

THE COLONIAL SECRETARY: I think it is intended to add a couple of clauses to the Bill, which the hon. member has already introduced. I think it would be desirable for the hon. member to move the second reading and explain the provisions of the Bill now. The Committee stage can be taken on another day.

HON. H. G. PARSONS: I move the second reading of this Bill. The position amounts to this: Last year we passed a Bill which made it permissive to establish a colonial register here, but the law has not become operative. It is

unanimously desired in all business circles—especially in mining circles—to make this law peremptory. Last year we were rather feeling our way and we said : “Let us make it possible for all companies having 5 per cent. of their shares held in the colony, to make application to the Supreme Court for a share register to be established in this colony.” But what was everybody’s business was nobody’s business, and none of the companies applied to have a colonial share register opened except a few obscure companies. I have been approached by the agents of the Great Boulder and several of the leading mines here, who, as practical mining men, see the advantage to the colony and advantage to the companies themselves of making the law operative in all cases, to bring forward a Bill of this nature. Under the present law we cannot expect any one to take action, because the people primarily concerned—those who hold powers of attorney—dare not ask a company to open a colonial register, because they might lose their “billets,” consequently the law has not become operative. But the Stock Exchange here and Mr. Matheson and other persons interested in stocks and shares, have taken steps to approach the Government in this matter, and I believe we have the Government with us, and I also believe the Government understand the need for having a colonial register. I believe it would have been the making of this colony had there been colonial registers here two years ago. The ownership of the mines would not have passed out of the colony then. At the present time the dividends and the wages go out of the colony. The country would be a great deal more prosperous if the mines were locally owned, and it would be better for the colony all round. Shift bosses and the more prosperous miners on the fields would have a chance of investing in mines, and that would mean that the mines would belong to this colony. My proposal would give a chance for shares being dealt in locally. Members may occasionally pass scornful remarks against persons connected with the gold-mining industry ; but that is the industry on to which we all hang. Persons connected with that industry were easier to deal with and straighter people, in the earlier days of the fields, than most

of the people connected with commerce generally in the colony, and any prejudice against the industry ought not to find any support in this House. There is also the question of reconstruction. Earlier this evening, in connection with the New Kingsley-Hall Company, we have seen how the vendor of a mine can be reconstructed out of existence ; and though that is a matter which may not affect every member here, yet it affects the colony generally.

HON. R. S. HAYNES : It is an everyday occurrence?

HON. H. G. PARSONS : It is an everyday occurrence, as Mr. Haynes says. The soil of the colony, and the gold of the colony, are sold on paper, and there is reconstruction on paper, sanctioned by the Supreme Courts of this country and England. The establishment of these local share registers would obviate this, and prevent those robberies under reconstruction.

HON. W. T. LORON : It would be a good thing to stop them.

HON. H. G. PARSONS : It would be a good thing to keep the shares in the colony. I have 15 or 20 letters from persons asking as to dividends in a particular mine which I sold two years ago. They offered me £80,000, and I suppose there were about 52,000 shares in it. I parted with all these, and I do not now hold any, but persons from all parts are asking me to protect them as to a six-penny dividend, which is a matter of £1,500. The dividend is payable to them, or payable to me, on the London banks, and what I am going to do is to have the whole amount sent out to the Bank of Australasia, which will distribute it on a commission of 10 per cent., and in that percentage I will go halves. That will be a tax on the people to collect the dividends, but I am not going to do it for nothing. If they do not get the money in that way, it will mean they will not get the dividends, although they are colonial buyers on the London market. The case of the Great Boulder mine is another where the colonial holders lose the dividend. The North Boulder mine was that brought up before the House when we passed the Bill last session. In that company I was a director, and assisted in the sale, and know

the circumstances from the start. The North Boulder mine was sold to a subsidiary company, and absolutely the Western Australian shareholders were swindled out of their advantage. It meant a difference of 12s. 6d. per share to the colonial holders, through their not having notice. It was deliberately mentioned at the meeting in London that it was not the intention to give the colonial holders notice, and that meant a matter of £50,000. There was another case, in connection with the North Boulder, of a dividend which the colonial holders did not get; but it is not possible to enumerate all the cases. The Lake View South Company was also reconstructed. It is known to all mining men that the ordinary investors in the colony have been robbed of dividends and emoluments of every kind. But the most important thing is, what is going to happen in the future? A great number of mines will have to be reconstructed, and in every case the Western Australian holders will be absolutely robbed: and where they do get the dividends they will be subject to a reduction of 10 per cent. Nothing would have made the colony more prosperous than to have had this Act in operation two years ago, and the object should be to make it operative now. Every Chamber of Mines, Stock Exchange, and business man are asking for this Bill, which will make imperative that which we, last Christmas, in fear and trembling, made permissive. I have had letters and telegrams from Mr. Hamilton of the Chamber of Mines at Kalgoorlie, from the Workmen's Association at Coolgardie, and all classes, on this matter, and even from municipal bodies who are not directly interested except that they, with the rest of the colony, hang on to the mining industry. The unanimity is striking and remarkable on this subject, and I ask the House to pass this Bill and allow it to go into Committee, and then to debate the reasonable amendments which I understand the Government are going to bring forward.

Question put and passed.

Bill read a second time.

CROWN SUITS BILL.

LEGISLATIVE ASSEMBLY'S AMENDMENTS.

The Legislative Assembly having considered the Council's amendments previously made in the Bill, the following schedule showing assent and dissent by the Assembly was now considered.

Council's amendment No. 3, amended by the Assembly inserting the word "not" before "protected," in line 2. Council's amendment No. 7 not agreed to by Assembly, for reasons stated in message.

IN COMMITTEE.

HON. R. S. HAYNES said he had gone through the Assembly's amendments, and found they were, generally speaking, merely verbal amendments, and he moved that the Council's amendments, to which the Assembly had disagreed, be not insisted on.

Question put and passed.

Resolution reported, and report adopted.

SHIPPING CASUALTIES INQUIRY BILL.

SELECT COMMITTEE'S REPORT.

HON. R. S. HAYNES brought up the report of the Select Committee appointed to inquire into the Bill.

Ordered, that the report be printed.

ADJOURNMENT.

The House adjourned at 6.15 p.m. until the next day.
