

railways in the same year. The Commissioner of Railways may be able to explain that. It is admitted generally that the principal receipts in regard to railways have been consequent on the mining development, and yet we find that mining, and items related to mining, are estimated to produce nearly a quarter of a million less in revenue for this year. If that is right, the Government are not likely to get the increased amount of traffic which will realise this estimated increase of revenue. I do not know that there is much more I want to refer to. The items will be considered when we are going through the Estimates. As a citizen of Perth, I thank the Premier for what has been done in the Perth Park. There is a good deal of amateur work done there, and I notice it is very much praised in the newspaper press—I suppose by persons who have done the amateur work. The Park is a great boon to many thousands of Perth people, and I believe in time to come it will be more appreciated even than it is at present. Referring to another point, I notice that the member for Geraldton (Mr. Simpson) has disposed of a piece of his estate at Drakesbrook (South-Western railway) by sale to the Government. If the Government wish to part with that land, I will give them a cheque for it to-morrow. The hon. member sold it too cheaply.

MR. CONOLLY: I move that the debate be adjourned to the next sitting.

Put and passed, and the debate adjourned accordingly.

#### ADJOURNMENT.

The House adjourned at 11-8 p.m. until the next day.

## Legislative Council,

Wednesday, 1st December, 1897.

Question: Boring operations in Perth—Question: Inspection of timber for the Orange Free State—Motion: Ministers of the Crown as Directors of Companies; division (negatived)—Underground Surveyors Bill: third reading—Dog Act Amendment Bill: Legislative Assembly's Amendments; in committee; division—Mines Regulation Act Amendment Bill: in committee; division on Clause 6—Immigration Restriction Bill: second reading—Industrial Statistics Bill: second reading—Employment Brokers Bill: second reading—Auctioneers Act Amendment Bill: first reading—Police Act Amendment Bill: first reading—Adjournment.

THE PRESIDENT took the Chair at 4-30 o'clock, p.m.

#### PRAYERS.

#### QUESTION—BORING OPERATIONS IN PERTH.

HON. A. P. MATHESON, in accordance with notice, asked the Minister of Mines, For what reason the Metropolitan Waterworks Board abandoned their first bore in Wellington Street at 600ft., and put down a second bore 850ft. deep in its immediate neighbourhood.

THE MINISTER OF MINES (Hon. E. H. Wittenoom) replied:—The Metropolitan Waterworks Board states that the first bore became jammed to such an extent that, on the recommendation of the boring engineer, it was decided to start a second one rather than waste time and money in continuing the original bore, which would, in all probability, have resulted in failure.

#### QUESTION—INSPECTION OF TIMBER FOR THE ORANGE FREE STATE.

HON. R. S. HAYNES, in accordance with notice, asked the Minister of Mines, (1.) The name of the gentleman appointed by the Government to superintend the shipping of jarrah and karri for the Orange Free State. (2.) What were his qualifications. (3.) What was the rate of payment.

THE MINISTER OF MINES (Hon. E. H. Wittenoom) replied:—(1.) No karri is being shipped to the Orange Free State, so far as I am aware; only jarrah. Mr. Hastie, of Bunbury, and Mr. Fitzgerald. (2.) Mr. Hastie has spent a lifetime connected with timber. Mr. Fitzgerald is acquainted with hardwoods

generally and is Government Conservator of Forests. (3.) 7s. 6d. per day.

**MOTION—MINISTERS OF THE CROWN AS DIRECTORS OF COMPANIES.**

HON. A. P. MATHESON, in accordance with notice, moved :—

That, in the opinion of this House, it is not expedient that any Minister of the Crown should, during his continuance in office, permit his name to be advertised as a director on any prospectus.

He said : In bringing forward this motion, I particularly wish to call attention to the fact that the point raised is simply one of expediency. I wish to elicit from this House an opinion which may in the future form a precedent to guide the action of members of the Cabinet in accepting or refusing offers made to them of seats on the boards of companies in course of promotion. I do not intend the motion to refer to facts which may now be considered matters of history, though, of course, it will be practically impossible to deal with my proposal without, to a certain extent, alluding to what has gone before. The point I wish particularly to raise is, as I have said, the question of expediency—whether, in fact, it is fit and proper that the half-dozen gentlemen who are selected out of the whole of the people to carry on the business of the colony, and who form its official representatives in the eyes of the world, should, while they hold the high position of Minister, accept seats on directorates and allow their names to be printed on prospectuses, with a view of assisting the promotion of any enterprise to obtain money from the public. That is, without doubt, the use to which those gentlemen's names are applied.

HON. C. A. PIESSE : Not more so than other names.

HON. A. P. MATHESON : Certainly not more so than other names ; but, owing to the peculiar advantages given by the position, promoters of companies would far rather have a Minister of the Crown figuring on the prospectus of a company as a director than have any other individual.

HON. F. T. CROWDER : Ministers of the Crown are recognised as smarter people.

HON. A. P. MATHESON : I do not know that that is necessarily the case. I was going to suggest the contrary, and

say that gentlemen who would otherwise not be asked to join boards of public companies are sought simply on account of their official position as Ministers of the Crown. That I shall be able to prove to the satisfaction of hon. members before I sit down. Those gentlemen, in their position as Ministers of the Crown, are the trustees of the honour of the whole colony ; and it is impossible to consider them or deal with them in their individual capacity simply as members of the community. That is fully recognised by company promoters. To secure the name of a Minister of the Crown on the board of a company going to the public for subscriptions is, in other places, almost an unheard-of achievement. I fail to recall to my recollection any instance of such an achievement until I came to this colony. Hon. members will recognise that if a precedent of this sort prevails in countries such as Great Britain and the other colonies, it surely should be recognised in this colony also. The promoter does not "go" for the individual in any sense. What he wants are gentlemen holding Ministerial positions ; and it is a feather in his cap when he succeeds in getting a Minister of the Crown on his board. In the opinion of the general public, he then obtains for his company the hall-mark of Government support. In that way the Ministerial office comes to be used as a bait to obtain public money ; and I maintain that is neither right nor proper. Whether the scheme promoted be good or bad makes no difference whatever to the principle involved. It may be said that in this colony the action of one Minister does not necessarily involve the approval of the Government. Dealing solely with the internal affairs of this colony, I am quite prepared to admit that position may be an accurate one. We heard, for instance, not very long ago, a Minister speaking of expenditure authorised by the rest of his colleagues, and glorying in the fact that he had refused the assistance of one of his staff in carrying out work which had been approved by the Government. Under these circumstances it is excusable to imagine that the action of one Minister does not necessarily commit either the Government or the country. But in the eyes of the rest of the world the Government is bound by the action of one of its members.

Nowhere, excepting in Western Australia, would a Minister be heard expressing an opinion such as that to which I have just referred. In England I do not know of any instance of a Minister having joined a public company or any other company—but I limit my remarks to public companies—as a director during his term as a member of the Government.

HON. F. T. CROWDER: This is Greater Britain.

HON. A. P. MATHESON: And therefore, I suppose, the greater license. Going to the other extreme, I can quote the case of an eminent member of the British Cabinet, Lord Hartington, who retired from the board of a ship-building company when he became a Minister of the Crown. I do not want to elaborate this question, because every hon. member has probably already formed his opinion, especially on the broad lines on which I have placed the matter before the House; but I wish to prove my statements as to the influence this sort of thing has on the public and foreign companies, and for that purpose it is absolutely necessary to refer to the recent flotation of the West Australian Smelting Company, because the position there gives very great point to my argument as to the expediency of a Minister accepting a position on the board of a public company and appearing on the prospectus, when that prospectus is soliciting the money of the public. There is no doubt that in this case the promoter has very carefully and assiduously created a false impression as to the position that the Government took up in reference to this company, and the means by which he was able to cause that impression was owing to the fact that one member of the Ministry has accepted a position on the board, and appears on its prospectus. Such comments have been made as that the success of the company is specially guaranteed by the Government, that the Government seal may be said to have been placed on the West Australian Smelting Works in the acceptance by the Minister of Mines of the position of director of the company in the colony, and that it is a great feather in the cap of the new company that the Government has gone so far in its favour as to allow the Minister of Mines to act in its behalf in Perth, thus going to the full extent of giving official patronage and support to

the company. Then a newspaper paragraph was published with a heading as follows—"A new company under Government auspices"—all going to prove that the statement I made was true, namely, that what the promoter aims at is notoriety and the promise of success which has apparently been given to the company in which he is interested by the presence on the board of the Minister of Mines. We know perfectly well that it is not an accurate statement to say that the Western Australian Government have gone so far in favour of the company as to permit the Minister of Mines to act as their director in Perth. Of course these statements, though they are apparently the unprejudiced statements of the press, most probably arise from the promoter himself. He is the author of all these press puffs, as I have no doubt every hon. member is aware. He furnishes the information upon which the particular paragraphs are based. Success cannot be guaranteed to every company, and this business, like every other business, is subject to risk. In case of failure, there is no doubt shareholders will complain very bitterly as to representations that have been made to them about Government support, and they will immediately set to work to refute the statements in the prospectus. It is particularly to be regretted that, in this case, the shareholders will have some just cause for their criticisms. We find in the prospectus, of which I have a copy, that the following statement is made, that "The excellent site which has been granted by the Government for the erection of the works, with its seven hundred links frontage of deep water, will enable large vessels to deliver cargoes of coke." It will be within the recollection of every hon. member who was in the House a few days ago that, in answer to some questions put to the Minister, he was compelled to admit that it was impossible for large vessels to deliver cargoes of coke.

THE MINISTER OF MINES: But large barges could take it up.

HON. A. P. MATHESON: But that was not stated in the prospectus. If that had been stated, I should not have had a word to say on this particular point; but we have the Minister's statement to the effect that large vessels cannot pass under

the bridges, and, as no arrangements have been made to remove the bridges, it will be impossible for large vessels to discharge their cargoes. The result will be that, if anything goes wrong with the company, all the shareholders will, without doubt, attack not the promoter, but the Government of this country. They will say, "You are represented on the board by one of your members, and we are justly entitled to hold you responsible for all the statements made in that prospectus." On these grounds I contend that it is not expedient for any Minister, when holding office, to appear in a prospectus. The principle and general terms have already been affirmed elsewhere in this colony, but I do not propose to go into that question now. Personally, my motion does not go so far as I would like it to do. I should be inclined to make it go still further, if I could rely on the support of the House, so that all salaried officials of the Government should be also debarred from appearing in prospectuses of companies which are trying to get money from the public; but I gather from conversations which I have had with hon. members that such a proposal would not meet with their approval, and that it would be hopeless to attempt to carry it. The principle of my motion has already been affirmed in another place, as can be seen by reference to the *Hansard* report. It has apparently been lost sight of, and this is my reason for bringing the matter forward this evening in the way I have. I now beg formally to move the motion standing in my name.

THE MINISTER OF MINES (Hon. E. H. Wittenoom): Of course, I cannot do otherwise than take this motion as a direct personal attack upon myself. That is what it is intended for, and I give the hon. member the gratification of knowing that I accept it as such. What his motives may be I do not know. Because we happen to have had some political differences, it seems to me that these little matters are raked up as much as possible. I think that accounts for this remarkable motion. The hon. member seems to be like a man with a grievance—there is always something going wrong; or a man with a liver complaint—nothing ever suits him. I cannot accuse him of what he accuses me, as I have never seen

him on any decent board yet; therefore I cannot say anything in regard to that; but I do take this as a most extraordinary motion, and I look upon it as a personal one. The hon. member has brought forward the question that a Minister should not appear in any prospectus. What does the hon. member think the position of a Minister is? Is it a permanent position? Is it a position that he is going to keep for ever?

HON. A. P. MATHESON: My motion only refers to his term of office.

THE MINISTER OF MINES: Supposing a Minister wished to make any business arrangement. We all know that the term of his office is short; that the Government may, at any time, go out; and, surely, if he chooses to make arrangements during that time, he ought to be allowed to do so. If you are going to say that a Minister shall not do this or that, you should give him such a salary as would enable him to be independent. The salaries are not such as to put Ministers in a position of independence; and to say that no Minister is to be a director on any board is to debar him from what you have no right to do until you can give him a permanent occupation. In this particular case it was not a source of profit in any way. It is not necessary for me to give the motives or the reasons that induced me to allow my name to appear as a director, but anybody may know that I do not want to be on a board for profit, or I might be on plenty of them. The law says that a Minister cannot go on any directorate that has to do with mining, but it does not prevent him from going on any other board, or from trafficking in shares; but I challenge anybody to say that I have acted on any other board or trafficked in any shares, as I might have done if I had taken advantage of my position. I view this personal attack upon me as disgraceful. Regarding the matter in the abstract, the hon. member says that no Ministers in England are ever on boards.

HON. A. P. MATHESON: I said they never joined boards during their term of office.

THE MINISTER OF MINES: Yes; that is what I mean. Then I reply that no Minister in England requires to do it. Ministers in England are men of wealth

and leisure, and it is not necessary for them to add to their incomes in this way; but you won't always get men in the colonies of wealth and leisure to act as Ministers. What is the cry in the other House? Pay members, so that you can get men of the best ability. If the best ability is among the representatives who are poor, why should not Ministers be poor; and if they want to increase their incomes by appearing on boards, I cannot see that there is any objection to it. If this particular smelting company were a bad company, if it were calculated to do harm, or to mislead people, then I think the hon. member would have been perfectly right in bringing the matter forward. But the hon. member has not proved anything of the kind.

HON. A. P. MATHESON: I never said it was a bad company.

THE MINISTER OF MINES: A paper, with no name attached, has been circulated whereby it is desired to show that the information on the prospectus was incorrect, and not in accordance with information given by the Minister. The least the hon. member could have done was to put my reply in its entirety, and not suppress a portion of it for his own purpose. That at least would have been honest, and shown he had no motive in his action. The hon. member knows that, in the reply given, there was an addition which is carefully suppressed in this circular. The fact need only be stated to show the motive of the hon. member. It is apparent to me that the idea of the hon. member is that a Minister uses his position for the purpose of advancing his own interests. I believe I could retaliate on the hon. member, if I cared to do so. Why are all these questions asked, and criticisms offered, about the lighting of the harbour and river? Is it not for the convenience of the hon. member's own steamers? Why is he constantly agitating for a railway for South Perth? Is it not for the benefit of an estate he is working? Why does he ask questions about boring? Because he is mixed up with a company of engineers who are putting bores down.

HON. A. P. MATHESON: Nothing of the kind.

THE MINISTER OF MINES: I shall not retaliate by making use of those statements.

HON. A. P. MATHESON: You have made use of suggestions.

THE MINISTER OF MINES: It is wrong to say that Ministers use their public position for the promotion of companies. I am grieved to think that a young member, who has his experience to get in this House, should so soon have allowed his feelings to get the better of his discretion. He has led the House to suppose that because my name has been used, the Government are responsible for what is contained in the prospectus. That conclusion cannot be deduced at all. If I happen to be a director of any company, I am a director individually. There is nothing in the prospectus to show that the Government guarantee anything. The hon. member says that because I, a member of the Government, am a director, people have been induced to join the company. If people have joined the company, they have done so on the conditions set out in the prospectus, which says nothing about the Government being responsible. It is absurd to say that people have joined the company under the impression that the Government are responsible for any of the statements in the prospectus. I do not know that the adoption or the rejection of the motion will make much difference. The principle under which the hon. member has tried to cover his attack upon me is whether a Minister of the Crown shall allow his name to appear in a prospectus. That is a question for hon. members to decide. I can only say that, so long as I am a Minister of the Crown, I shall act as I think fit in matters of this kind, where the laws are not against me. When the people think that what I have done is wrong, and choose to say so, I shall know my remedy. I can only say that if the hon. member can point out anything that is wrong with this smelting company, or show that I have misled anybody, or that anybody has been misled by the fact of my name appearing on the prospectus, I shall be ready to admit the fact. But I contend I have done a national good by appearing as a director of this company. If the company works as expected, it will not only mean a large development in the gold and copper mining industry, but also the saving of a large amount of money, which is at present sent away to pay for smelting in South

Australia. Had I wanted to join boards of companies for personal profit, I have had lots of opportunities, and I have no doubt I could thereby have added considerably to my salary; but I have never accepted the position of director on that ground. I am a director of about four companies in the colony, one of which is this far-famed West Australian Smelting Company. I have nothing further to say, except that so far as the abstract principle is concerned, I do not think the hon. member who moved the motion cares twopenny about it. All he wanted was the means of an attack on me, for some reason or other. Under these circumstances, I have only to reiterate the explanation I have already made. If Ministers are to be tied down and prevented from doing what they think fit when their proposed action is right and proper, some little difficulty may be experienced in the future in getting the men desired for positions in the Government.

HON. F. T. CROWDER: I regret very much that the Minister of Mines takes this motion as a personal insult. At the first blush, I was prepared to support the motion; but, after careful consideration, I am sorry that I cannot see any way to do so. If Ministers are to be tied down in the way proposed, the best men in the colony will be driven away from Cabinet offices. The salaries paid to Ministers of the Crown are totally inadequate to keep them in decent circumstances. As to another motion which has been referred to as submitted in the other House years ago, there were surrounding circumstances which Mr. Matheson is probably not acquainted with. The fact that a Minister allows his name to be used as a director of a company in no way gives the Government sanction to the undertaking of that company. A Minister has a perfect right with his own money to become a director of any board. With our knowledge of the stability and honourable position of every Minister of the Crown in this colony, we may be sure that not one of them would so lower himself as to put his name on a bogus prospectus. If it could be proved in any shape or form that the Minister of Mines, for the sake of making money, has allowed his name to be used on a prospectus for the purpose of making money for himself,

there would be some justification for the motion.

HON. A. P. MATHESON: I never suggested that.

HON. F. T. CROWDER: Public opinion is not always governed by the fact that a Minister's name appears on a prospectus.

HON. R. S. HAYNES: Then why not allow the Minister of Mines to invest in mining?

HON. F. T. CROWDER: He has a perfect right to do that.

HON. R. S. HAYNES: He is forbidden to do it.

HON. F. T. CROWDER: The Minister of Mines, as a director of this smelting company, is doing a great good to Western Australia. If that company be carried on as proposed, it will fill a long-felt want in Western Australia. Dozens of thousands of pounds, which now go to South Australia for smelting, will be saved to the colony. I know the Minister of Mines well enough to believe him when he says that his sole intention in joining the board was to get the company floated for the benefit of this colony. Ministers of the Crown in other colonies, who have devoted the whole of their time and attention to their offices, are bankrupt, or very near it, and have nothing to fall back upon in their old age. The Minister of Mines was quite right, as would any other Minister be, in taking up his present position in connection with the smelting company; and, therefore, I shall oppose the motion.

HON. R. S. HAYNES: I can only express regret that the Minister of Mines has treated this motion as a personal matter.

THE MINISTER OF MINES: I had no alternative.

HON. R. S. HAYNES: Had I thought the Minister of Mines would treat the motion as a personal matter, I should have withdrawn my name as seconder. I think he has made a mistake in regarding it as a personal affront, and I shall be able to show him the motion was so carefully worded as to avoid giving any offence. I have the highest respect for, and confidence in, the Minister of Mines, and would not lend my name to anything that sounded to him like an insult, either direct or indirect. I, myself, amended the motion as originally drafted so as to

make it impossible of giving offence; and I hope that, after the remarks I shall make, the Minister will see his way to admit he was wrong in some of the remarks he has made. I gave Mr. Matheson credit for being actuated by good motives in bringing forward this motion; otherwise, I should not have seconded it. I seconded the motion, not so much on account of what has occurred in the past, as in view of what may occur in the future. Mr. Wittenoom will not always be the Minister of Mines or the leader of this House.

HON. F. T. CROWDER: He would be a "broker" if he were.

HON. R. S. HAYNES: I ask the Minister to call to mind some gentlemen whom he has met in this colony and who have been Ministers of the Crown elsewhere, and to say whether he would like me to be silent when a motion of this kind is submitted. The motion deals with the inadvisability and inexpediency of Ministers of the Crown being advertised in prospectuses as directors. The terms of the motion, it will be observed, are carefully guarded. A Minister of the Crown may accept a seat on the board of any company he likes, provided that company has been formed before he takes office. If a Minister be a member of a board before he takes office, he can continue a member throughout his term of Ministerial office. The object of the motion is to prevent the name of a Minister of the Crown being advertised as a director for purposes of assisting in forming a company.

THE MINISTER OF MINES: Why not, if it be a good company?

HON. R. S. HAYNES: It cannot be known whether it is a good company or a bad company until it is formed. If the hon. member challenges me, I will say that this smelting company is a bad company, and that thousands of pounds will be lost over it. So sure as this company is formed, so sure, before twelve months are over, will it be wound up. The works will be a common nuisance; and any person owning a quarter of an acre within one, two, or three miles will be able to apply to the Supreme Court and stop the whole of the operations. I have seen people ruined by persons who obtained restraining orders preventing the carrying on of business, because it interfered

with fowls, goats, or poultry. I have no doubt the Minister of Mines believes this to be a good company. But the question is not whether he believes it to be a good company or a bad one, but whether he should join any company in course of formation. The Minister in joining a company already formed can make inquiries as to its position; but in the case of a company about to be formed, he cannot do that, because at the time his name is advertised there may not have been one share sold or applied for. A company may be promoted by stock-jobbers and scoundrels, with whom the name of a Minister of the Crown may become associated. Provisional directors are responsible for any statements in a prospectus which may not be true in substance and in fact, and which may induce people to join a company. A provisional director is one of the persons who guarantees that what appears in the prospectus is correct.

THE MINISTER OF MINES: That makes him all the more careful.

HON. R. S. HAYNES: Since the Minister has made that interruption, I will show how I could answer him if I had a mind to be hypercritical. The hon. member says that the responsibility would make a provisional director all the more careful to see that the prospectus was a good one. The Minister of Mines was in this colony when the prospectus of the smelting company was published in England, and I do not suppose he saw it before publication.

THE MINISTER OF MINES: If you ask any questions, I am in a position to answer you.

HON. R. S. HAYNES: It looks as if the hon. gentleman did not see the prospectus before it was published, because it contains a copy of a cablegram which the hon. gentleman sent to England from this colony. It would seem, therefore, that the prospectus was prepared after the hon. gentleman had signified his intention of becoming a director. The prospectus reads:—

As showing the importance attached by the Western Australian Government to this scheme for the erection of smelting works at Fremantle, the following extract from a letter from their Minister of Mines may be instanced: "That the Government recognise the

merits and importance of the scheme, and are fully in accord with it."

Later on we read :—

It will be noticed that the Hon. E. H. Wittenoom, Minister of Mines in Western Australia, has consented to act as a local director, and the following telegram received from him on the 6th inst. shows his view of the undertaking :—"I accept appointment director."

Consequently, the prospectus was not published when the Minister of Mines accepted the position of director. The telegram quoted in the prospectus goes on :—

Push the work forward as much as you can. Government, public, anxious commencement.

The words, "As showing the importance attached by the Western Australian Government to this scheme for the erection of smelting works," clearly identify the Government with the company. The Government were not anxious for the erection of public works at Fremantle, but for the erection of works by this company which was being floated; and any one reading the prospectus would infer that the Government attached importance to the flotation of the company. Then the letter quoted reads: "The Government recognise the merits and importance of the scheme."

THE MINISTER OF MINES: I think I have the right to make an explanation. The words just quoted are a portion of a letter sent in reply, when the promoters of the company applied for a site and for a bonus.

HON. R. S. HAYNES: I am much obliged to the hon. gentleman for his explanation.

THE MINISTER OF MINES: It was not a letter from me, but from the Government.

HON. R. S. HAYNES: I only wish to show how the hon. gentleman was misrepresented in England. Any person reading this prospectus in England would put the same construction on the letter I did, and they would be wrong. That is all I have to say in reference to the prospectus, with which I am not identified in any way. In the absence of any resolution of this House, the Minister of Mines had undoubted power to join this board. I have not the slightest doubt he was actuated by the best motives possible,

and only had in view the promotion of the interests of the colony. He has joined the board, and I for one would be sorry to interfere with the choice he has made. It was his right to decide, and I would be no party to asking him to withdraw from the position he has taken up. Indeed, I will go so far as to say I indorse what the hon. gentleman has done.

HON. F. T. CROWDER: And yet you say the company will be "hung" in twelve months.

HON. R. S. HAYNES: I say the Minister of Mines had a right to exercise his discretion, and it is not for me or any other member to interfere. There should be no question of personalities.

THE MINISTER OF MINES: I never accused you of personalities.

HON. R. S. HAYNES: I do not think the Minister had any intention of so accusing me. A provisional director acts as a guarantee and inducement to the public. In other words, he says, "Do you think for a moment I would allow my name to be used in a prospectus that was not positively a good one?" That is the reason persons of standing are asked to go on boards, and at once the danger which may arise can be seen. As I have said, the present Minister of Mines will not always hold office, and now is the time for hon. members to speak out on this subject with no uncertain voice. Each hon. member should express his views without ambiguity, and say at once that he is either in favour of Ministers of the Crown allowing their names to be used in prospectuses, or that he is in favour of the motion.

A MEMBER: In prospectuses that are legitimate and good.

HON. R. S. HAYNES: A proviso to that effect may be put in the motion, and I will second it. I say that, to show how foolish it would be to leave it in the power of a Minister to decide what company is good and what is bad. We must decide the question for ourselves, and say that a Minister, so long as he is in office, is disqualified from acting as a provisional director.

HON. F. T. CROWDER: And then, when a Minister loses his billet he loses his income.

HON. A. P. MATHESON: That is the very point.



HON. R. S. HAYNES: That is the very point of the whole argument. The point is that he is selected because he is a Minister; and that is trafficking with his office. It is said that, when a Minister retires, he will have no money unless he be allowed to embark in speculations. By all means let Ministers embark in any possible enterprise except company mongering.

HON. F. T. CROWDER: But you stop his taking appointments while he is a Minister.

HON. R. S. HAYNES: That is not what is objected to. Do persons get money for allowing their names to be advertised as provisional directors?

HON. F. T. CROWDER: You know that.

HON. R. S. HAYNES: I know that an honourable man ought not to make money in such a way, and that no grosser charge can be made against a man than that he does so. Mr. Crowder says that Ministers ought to be allowed to act as provisional directors, or otherwise they are poor men when they go out of office.

HON. F. T. CROWDER: You are twisting my remarks.

HON. R. S. HAYNES: I am only putting the true and legitimate meaning on the hon. member's words. I want this question decided on the fairest possible grounds. There is no party feeling in this matter. Mr. Crowder has said Ministers are not rich men, and should not be prevented from earning money in any legitimate way. I agree with him so far as it is not right that we should interfere with any Minister trying to make money in a legitimate manner; but I do not consider it is legitimate for a Minister to allow his name to be advertised on a company. Therefore, the argument that it would interfere with a Minister's profit to prevent him from doing so, falls to the ground.

THE MINISTER OF MINES (Hon. E. H. Wittenoom): Many people are on the prospectuses of companies who might possibly become Ministers, and I can see no reason why they should not retain their positions on joining a Ministry. Mr. Matheson proposes that directly one of these directors becomes a Minister, he is to be immediately stopped from earning money in that way. I say it is not fair, because there is no guarantee how long a Minister may remain in the Ministry.

HON. R. S. HAYNES: The Minister is not right in putting that construction on Mr. Matheson's words. Before a Minister accepts office, he can occupy the position of director on any company; but once he becomes a Minister of the Crown, he is a trustee of the public. He can hold on to any office that he had before he was Minister, but while he is a Minister of the Crown he must not make any fresh arrangements. I was very careful to see that that was the effect of the motion. The Minister admitted the force of the statement made by Mr. Matheson, that no English Minister ever appeared on a board of directors; but he endeavoured to avoid the effect of it by saying that English Ministers were men of wealth, that here they were not men of wealth, and that it would not be fair to take from them the means of earning money in this way. If this motion is carried, it will not affect the income of a Minister at all. The whole point of the reply made by the Minister has been swept away.

THE MINISTER OF MINES: I do not admit that.

HON. R. S. HAYNES: I have endeavoured to approach the matter in as fair a spirit as possible. My confidence in the integrity of the Minister is shaken in no way. It is as strong as ever it was. I will go further and say that no one will ever enjoy the same amount of my confidence; and I will add that no one will enjoy a greater degree of confidence in this House than he. I ask hon. members, before they vote, to reflect carefully, and to remember that this is a momentous question, which touches really the honour of the colony at large. Are hon. members going to allow Ministers—not the Minister of Mines personally, but Ministers generally—to accept positions during their term of office in connection with these companies? I say clearly that it is not expedient, and I shall vote for the motion. I regret the warmth with which the Minister replied to the motion, and that he thought he was subjected to an affront, which I am sure was never intended.

HON. A. B. KIDSON: This House is somewhat indebted to Mr. Matheson for having brought this motion forward, because it is not often that we, in this House, have any little excitement im-

ported into any of the debates that take place here. That sort of excitement seems to be generally confined to another place. At the same time, I cannot believe that the hon. member is anxious to see his motion carried, nor do I think that Mr. Haynes is serious in the remarks which he made. How the hon. member can support the motion I am at a loss to understand, since he says he has no desire whatever to affect the Minister. If this motion is carried, the Minister must resign his directorship. [HON. R. S. HAYNES: No.] That will practically be the effect of it. I agree with Mr. Crowder in believing that the motives which prompted the Minister of Mines in acting on this board were of the highest, and I cannot help saying that I admire the Minister for refraining from giving his motive for having joined the company, when making his explanation, because I believe that his motive was more than personal, and that it was for the purpose of conferring a benefit upon the colony. Mr. Haynes read certain extracts from the prospectus. I do not see anything in them at all. They only went to show that the Government were in favour of the company. Why should not the Government be in favour of it? [HON. R. S. HAYNES: No.] The hon. member would say "no" to anything. I do not think that anyone could say a word against the Minister, either for the way in which he has conducted the business of this House or the Department of Mines; and I believe that the respect and esteem in which I hold him are shared by every hon. member in this House. I have every confidence in the Minister, and I cannot see how this motion can be construed in any way than as a vote of censure. The Minister has taken upon himself a certain position, and if the House passes this resolution it will be tantamount to saying that he must not keep it. Mr. Haynes expressed regret that the Minister had taken the motion seriously; but he could not have done otherwise. Mr. Haynes drew a distinction between the members of the Ministry acting on boards already formed and on companies that were in course of formation. I fail to see any difference between the two. It all depends on whether the undertaking is a good

one or a bad one. If the Minister takes a position on the board of any company in course of flotation which turns out a bad or a bogus one, he will be the one to suffer most. If he did such a thing as that, he would have to resign his billet, whether he liked or not. The salaries paid to Ministers are totally inadequate to the work they perform; and I do not see why they should not be allowed to increase their incomes, if they can do it in an honourable way.

HON. R. S. HAYNES: They must not join a provisional directorate.

HON. A. B. KIDSON: I do not see any harm in acting on a provisional directorate. You will see persons of the very highest standing doing it. It is a matter of opinion whether Ministers should do it or not. If a Minister were offered a seat on a provisional board and a thousand shares, I do not see why he should not accept.

THE MINISTER OF MINES: I have refused many offers of that kind.

HON. A. B. KIDSON: I have seen prospectuses with the names of members of Parliament as provisional directors. Does not the same argument apply to Ministers as to members of Parliament? The latter are asked to go on these companies by virtue of their position, with a view to inducing the public to take shares in the concern. I fail to see why they should not do it. If I got the chance of becoming a director of a good company, I do not think I should hesitate. It must be a matter to be decided by the person who has to go on the board. If it is a bad company, he will suffer. If it is one calculated to benefit the colony, it will not do him any harm.

HON. R. S. HAYNES: Your sentiments are worthy of Fremantle.

HON. A. B. KIDSON: They are held by all of us—by the hon. member himself. In conclusion, I regret exceedingly that this motion has been brought forward, because I fail to see any necessity for it. There is not one shadow of reason given why the Minister should not be on this company. It is not alleged that it is not a good company, or that it is a bogus company. So far as has been ascertained from the strictest inquiry, the company is a good one.

HON. D. McKAY. [Not distinctly heard, in speaking to the motion.]

HON. A. H. HENNING: If I thought the measure was actuated by the slightest possible motive, I would strongly protest against the privileges of the House being used for such a purpose, and I am quite certain that every other hon. member would protest likewise. It is to be regretted that the Minister has looked upon the motion of the hon. member as a personal insult. I cannot really think that there was any intention of the sort, or any personal motive in any way attaching to the mover of the motion. I thought, after Mr. Haynes had concluded his speech, that hon. members would have thoroughly grasped what was intended to be expressed by the motion; but Mr. Kidson clearly shows that he has not grasped the intention. He has said distinctly that he can see no difference between a provisional director and the director of a company already formed. Now in the first place, a provisional director is appointed by the promoter for one particular purpose, namely, to assist in the flotation of the company. He only continues as a provisional director until the company is either formed or abandoned. If the company is formed, other individuals step into office who are appointed, not by the promoter, but by the company in general meeting of the shareholders, who were not in existence at the time of the publication of the prospectus. That is a great distinction. A provisional director's office is simply temporary, and only continues until the flotation is accomplished. The duration of an ordinary director's office is for twelve months, and may be continued from time to time by the wish of the shareholders. This motion is not constructed in any way to prevent a Minister from accepting a position on a formed company, but to prevent his lending his office to assist, it may be, a scheming promoter in foisting a company on the public; to prevent a Minister from giving any Government hall-mark or official support to a scheme which the promoter wishes to be rid of. Now I can see no reason in the argument that if this motion be passed it will interfere with the private business and financial arrangements of Ministers of the Crown, because they get nothing for the use of their name. If they get nothing, what is their loss, and how does it interfere with their income in any way? The Minister

would be able to say to the promoter, "When you have got the public to take up your scheme, then I shall be happy to come and help you to manage the board, if the shareholders wish it;" but even then it will lie entirely with the shareholders, and not with the promoter, whether they will elect him on the board. I view the matter solely as an abstract principle. I sincerely hope that it is from that aspect alone that Mr. Matheson has presented it to the House, and for that reason I will support it.

HON. C. E. DEMPSTER: I very much regret the motion has taken the course it has. I am sure the mover only brought it forward from a sense of duty. I am equally sure that the confidence we all feel in the gentlemen who compose our Ministry is so great that none of us for one moment will doubt their integrity and honesty. If they are debarred from joining companies of this kind, they may often be prevented from promoting companies that may be of great benefit to the colony. In this case the formation of a smelting works company would be of great benefit. It has been long necessary to send our tellurides out of the colony in order to be tested and smelted in South Australia. A very great amount of money has been lost in consequence of no smelting works being established here. That being the case, it was considered good by the Government to encourage the establishment of smelting works in our midst. I am not going to express an opinion with reference to the site, but, so far as the establishment of smelting works is concerned, I am certain that it would be of great benefit to the colony. I feel sure that the Minister would not have allowed his name to appear on this prospectus unless he thought the speculation was one which would produce desirable results. For my own part I cannot see that, so long as this Ministry is in power, there could be the slightest reason to object to its members joining directorates of this description, and therefore I shall not support the motion. I trust we shall leave this House without one grain of ill feeling, but resting assured that the matter has been brought before the House simply with a view to ascertaining whether it is desirable that Ministers should take part in directorates of this character or no.

HON. A. P. MATHESON: I am exceedingly sorry that the Minister should have considered that I intended to make either a personal attack on himself or to convey a personal insult. Nothing was further from my intention, and I should have thought that the way in which I introduced the subject showed that the motion referred to nothing that had gone before, but that my object was only to prevent any such occurrence in the future.

THE MINISTER OF MINES: Why did you circulate that paper, and suppress part of it?

HON. A. P. MATHESON: It was unfortunately necessary to give my reasons for bringing forward this motion; but I did not intend to do anything further than to elicit the opinions of the House on similar action in the future. It is perfectly true that I circulated that document to which the Minister refers.

THE MINISTER OF MINES: I never saw such a thing done before.

HON. A. P. MATHESON: The hon. gentleman can live and learn.

THE MINISTER OF MINES: Some people never learn.

HON. A. P. MATHESON: I can give my reasons for it, and those reasons have been amply justified by what has taken place this evening. However clearly I may put views before a large number of members, it is extremely difficult to get them to take my views. I do not know why it is. I put facts before hon. members, who apparently did not absorb them; and I came to the conclusion that if I wished them to understand the exact bearing of this motion, it was necessary to put the question before them in "black and white." The reason why the allusion to barges was left out was because it was not necessary for exemplifying the inaccuracy which had taken place. There was no mention in the prospectus about barges. I put no question to the Minister about barges, and there was no reason for that part of the reply which dealt with it. The inaccuracy arose simply through the use of the words "large vessels," and that is the reason the extraneous matter was entirely omitted.

THE MINISTER OF MINES: Including the latter part as to the barges.

HON. A. P. MATHESON: The latter part was unnecessary in pointing out the

inaccuracy of the prospectus. I am extremely sorry that, owing to the unwarrantable heat of the Minister of Mines, the question of whether this company be a good or a bad one has cropped up at all. I purposely refrained from expressing an opinion on that point. It is not necessary for myself or any other member to express an opinion of the sort.

THE MINISTER OF MINES: There was the circular you put out.

HON. A. P. MATHESON: I had to get up my argument, and show the inaccuracies which the Minister of Mines practically vouched for by allowing his name to appear on the prospectus. To do that, it was necessary to place the matter plainly before the House. If the course I adopted in placing the matter before hon. members is improper, I can only say I am sorry. To my mind it was the most explicit way to leave no possible cause for misunderstanding. It was a very invidious position I had to take up in submitting this motion. I never anticipated in the least that the motion would give rise to all the personal feeling which has been displayed by the Minister of Mines. He will find that, when I want to make an attack on him, I will make it in no uncertain words. My words, if I should make an attack, will be sufficiently explicit; and I dare say before this session is ended, if the hon. gentleman persists in misunderstanding me in the way he has done since the day I came into the House, it will be my duty to defend myself, and retaliate to some extent. The Minister of Mines has said that he has never seen my name on any company's board. I do not think I need the commiseration of this House on that fact. I know something about public companies. I dare say I may know more from my experience in London of public companies than the Minister of Mines. The position of a director of a company is, in my opinion, very far from an enviable one. The Minister of Mines also went on to say that I had taken advantage of my public position to promote a railway alongside the river Swan. As a matter of fact, I have not taken advantage of my public position in any matter of the kind, and I defy the Minister to prove that I have done so. I frankly admit I am largely interested in land near the river Swan, but only as a private individual has a right to

be interested. I defy the Minister to produce evidence of any specific occasion when I, as a public man, have acted in the way he has insinuated. The Minister of Mines further said I had used my position as a public man to obtain the lighting of the river, because I wished facilities for, I think he said, my steamers. As a matter of fact, the question of lighting the river has only been mentioned to two parties, and in my perfectly personal capacity as a merchant. I wrote to the Premier pointing out that it was impossible for boats to go up and down the river unless the river was lighted. I alluded to the question in the debate on the Address-in-Reply, pointing out what I maintained to be a public want, and, further, I mentioned the matter to the Harbour Master. I venture to ask in what way I have used my public position to promote my own interests? Because I am a public man, am I to refrain from calling attention to a public want? Is this the class of argument the Minister of Mines is going to use? If it is, all I can say is that his capacity is less than I had previously given him credit for. Speaking of the boring question, the Minister has thrown out an insinuation that I have asked my questions about the action of the Metropolitan Board of Works in this city, because I had an interest with a firm of borers. I challenge the Minister to show the least ground for that statement, which contained an unwarrantable insinuation, and should not have been made unless he was prepared to prove it. I may tell the members of this House that I have no connection with any firm of borers. I have employed borers to put down an artesian bore—the first that was put down in the neighbourhood of Perth, and I paid them for doing the work. If anything is to be said about that matter, I and my company who defrayed the cost deserve the greatest credit for going on with the work when it seemed a hopeless task, and when the Minister of Mines—then Acting Premier—declined to give us the least assistance, though we were on the point of reaching that stage at which we would be compelled to cease operations.

HON. C. A. PIESSE: It is all coming out.

HON. A. P. MATHESON: It is all coming out. I will go further, and state

that during the whole time I have been a member of this House I have never made application of any sort or kind for exemptions or other facilities connected with mining. I have not been like other gentlemen who have gone to the Minister in his private room, and succeeded, on occasions, in getting him to reverse—I will not say reverse, but getting him to grant exemptions which the warden has not recommended. What is the gist, after all, of the Minister of Mines' arguments on this question? The backbone of his whole argument is that unfortunate Ministers are very poor men, and must be allowed to make a little money. I appeal to this House as to whether a more contemptible argument was ever used in public debate.

HON. C. A. PIESSE: That was not the argument.

HON. A. P. MATHESON: The argument was that those gentlemen were not in sufficiently good circumstances to be able to refuse the position of director when it was offered to them, because their refusal meant the loss of a few fees which would otherwise help to swell their incomes after they had retired from their Ministerial positions.

HON. C. A. PIESSE: Nothing of the kind.

HON. A. P. MATHESON: If that was not the argument, I do not know what was.

HON. C. A. PIESSE: That is how you read the argument.

HON. A. P. MATHESON: I think it was the argument. If it was not, the Minister can say so. He cannot deny it, in spite of himself. I have no objection whatever to increasing the salaries of Ministers, if by that means we do away with what I consider a public scandal. Now that the debate has reached its present stage, I say it is nothing less than a public scandal that the names of Ministers of the Crown should appear in prospectuses of companies and be used by promoters for the purpose of procuring money from the public. I had originally drafted a motion of a wider nature, a motion which would have been subject to the criticism of those gentlemen who have opposed my present motion, apparently without understanding the exact drift of what I proposed. But it was pointed out to me that there were certain members of

another place—some of them with relatives in this Chamber—who had, during their term as Ministers, accepted seats on the boards of banks and insurance companies in this colony; and that their acceptance of those seats should not be objected to. After discussion with my friends, I came to the conclusion that the argument raised had something in it. The main point I wish to avoid is the possibility of the company promoter taking advantage of the official position of Ministers of the Crown to secure money from the public. I have not, in my motion, attempted in the least to interfere with the rights of those Ministers who were already directors of public companies before they became Ministers. I have not attempted to interfere with the rights of Ministers to join boards of existing companies in such a way that their names will not be placarded before the public in order to obtain subscriptions. The motion deals solely with companies of which a Minister is asked to become a provisional director, and to allow his name to be advertised during his term of Government office. Whatever the Minister of Mines may say, the public have been misled by the press in England in regard to the prospectus referred to by Mr. Haynes. The public were misled by the fact that the Minister of Mines of this colony had consented to become a member of the board, and had sent that remarkable cablegram to which attention has been drawn. I hope I have made it absolutely clear to hon. members that what I want is simply an expression of opinion as to whether it is expedient for gentlemen who are Ministers of the Crown in the future to accept seats on boards, and to have their names used for the purpose of procuring subscriptions from the public. That is the sole drift of my motion.

HON. E. McLARTY: I look on the question before the House as a very important one indeed. One member has regretted that the time of the House has been taken up with what he regards as frivolous discussion; but I cannot take that view of the matter myself. I regret that particular reference has been made to the smelting company, or any other company, because, in my opinion, the motion should be dealt with in the abstract. As has been pointed out, the motion will not interfere with gentlemen

who are already on directorates when they take office as Ministers of the Crown; but I agree with the mover of the motion that when a gentleman has accepted Ministerial office, he should not allow his name to be used as a provisional director. I can understand how people in England, or even in this colony, might be led to invest in a company by the fact that the name of a Minister of the Crown appeared on the prospectus. I should much prefer, if Ministers are not sufficiently paid now, to augment their salaries to the extent of another £500 a year—an increase to which I think they are entitled. I see no great harm in the Government sending word to England, that they were anxious this smelting company should be pushed on. It is the duty of the Government to encourage enterprise of that sort in the best interests of the colony. There is no reason why this smelting company should not succeed, and I can quite understand the great benefit which would accrue to Western Australia if such works were established here. I shall give my support to the motion.

HON. C. A. PIESSE: I did not intend to speak on this question, but I take advantage of this opportunity to thank Mr. Matheson for having confirmed a suspicion I have held all through the discussion, that his motion was a personal attack on the Minister of Mines.

HON. R. S. HAYNES: Rubbish!

HON. C. A. PIESSE: If it were not a personal attack on the Minister of Mines, why did Mr. Matheson refrain from submitting that portion of the motion which referred to relatives of members in the other House?

HON. R. S. HAYNES: Who are they?

HON. C. A. PIESSE: Never mind who they are.

HON. R. S. HAYNES: There is only one hon. member here.

HON. C. A. PIESSE: If Mr. Matheson was discussing this question from a broad point of view, why did he not leave his motion as originally drafted?

HON. A. P. MATHESON: Because I was told it would be hopeless to expect to carry it.

HON. C. A. PIESSE: I am satisfied the motion was meant as a personal attack on the Minister of Mines. I would also like to thank Mr. Haynes for his

speech, which is the most consistent one I ever heard him make in this House.

HON. D. K. CONGDON: I had no idea of addressing myself to this question, but I must say that, in my opinion, the action of the Minister of Mines in the matter of the smelting company has been altogether working for the good of the colony. In the abstract, I do not think it desirable that Ministers should join provisional directorates. I quite believe the explanation of the Minister, that his object in giving his name as a director of this company was to do a good turn for Western Australia. We are all anxious to do that. I therefore believe the Minister did what he thought was right.

Question put, and division taken with the following result:

Ayes	...	...	5
Noes	...	...	9
Majority against			
	...	...	4

AYES.	NOES.
The Hon. D. K. Congdon	The Hon. R. G. Burgess
The Hon. R. S. Haynes	The Hon. F. T. Crowder
The Hon. A. P. Matheson	The Hon. C. E. Dempster
The Hon. E. McLarty	The Hon. A. B. Kidson
The Hon. A. H. Henning	The Hon. D. McKay
(Teller).	The Hon. C. A. Piesse
	The Hon. J. E. Richardson
	The Hon. E. H. Wittenoom
	The Hon. W. Spencer
	(Teller).

Motion thus negatived.

#### UNDERGROUND SURVEYORS BILL.

Read a third time, and transmitted to the Legislative Assembly.

At 6:30 p.m. the PRESIDENT left the Chair.

At 7:30 p.m. the PRESIDENT resumed the Chair.

#### DOG ACT AMENDMENT BILL.

##### LEGISLATIVE ASSEMBLY'S AMENDMENTS.

The following Message from the Legislative Assembly was read:—

MR. PRESIDENT,

With reference to Message No. 2 of the Legislative Council, the Legislative Assembly acquaints the Legislative Council that it has agreed to Nos. 2, 4, and 5 of the amendments made by the Legislative Council in the "Dog Act Amendment Bill," without amendment, has amended No. 1, in which amendment the Legislative Assembly desires the concurrence of the Legislative Council, and has disagreed

to Nos. 3 and 6 for the reasons indicated in the annexed schedule.

JAS. G. LEE STEERE,  
Speaker.

Legislative Assembly Chamber, Perth, 25th November, 1897.

##### *Schedule of Amendments made by the Legislative Council in "The Dog Act Amendment Bill."*

No. 1.—On page 2, Clause 6.—Add to the clause the following words: "and the Road Board, out of the money so received, shall add to the reward offered by the Government for the destruction of wild dogs."

No. 2.—On page 3, Clause 9, line 1. Between "place" and "it" insert "within a Municipality."

No. 3.—Add the following New Clause, to stand as No. 11:—"Section 23 of the Act 47 Victoria, No. 13, shall be and the same is hereby repealed."

No. 4.—Add the following New Clause, to stand as No. 12:—"Section five of the 'Dog Act Amendment Act, 1885' (49 Vict., No. 10), is repealed, and the following provisions are hereby substituted in lieu thereof:—It shall be lawful for any adult aboriginal native to keep one dog (which shall be registered free of charge); provided always that such dog shall be kept free from mange or other contagious disease. Upon representation being made by any person to a Justice of the Peace or a Chairman of a Roads Board that such dog is liable to spread disease by reason of its neglected state, such Justice or Chairman, as the case may be, may order the destruction of such dog."

No. 5.—Add the following New Clause, to stand as No. 13:—"Section thirteen of the principal Act is hereby amended by striking out the words 'not belonging to an aboriginal native,' in the second line of the said section."

No. 6.—Add the following New Clause, to stand as No. 14:—"Every dog registered under this Act shall, on or before the 31st day of January, 1898, be furnished with and wear a collar with a metal plate affixed thereto, which shall bear in plain figures the registered number and the number of its district, such plate to be supplied by the officer registering the same; and any dog found in a public place in any municipality or roads board district without such metal plate and registered number thereon shall be deemed to be unregistered, and may be destroyed by any police constable forthwith."

##### *Schedule of Amendment made by the Legislative Assembly in Amendment No. 1:*

No. 1.—In line 2, strike out the word "shall," and insert the words "may, if the Board think fit," in lieu thereof.

##### *Schedule of Amendments to which the Legislative Assembly has disagreed:*

No. 3.—Add the following New Clause, to stand as No. 11:—"Section twenty-three of the Act 47 Victoria, No. 13, shall be and the same is hereby repealed."

No. 6.—Add the following New Clause, to stand as No. 14:—"Every dog registered under this Act shall, on or before the 31st day of January, 1898, be furnished with and wear a collar with a metal plate affixed thereto, which shall bear in plain figures the registered number and the number of its district, such plate to be supplied by the officer registering the same; and any dog found in a public place in any municipality or roads board district without such metal plate and registered number thereon shall be deemed to be unregistered, and may be destroyed by any police constable forthwith.

*Reasons of the Legislative Assembly for disagreeing to Amendments Nos. 3 and 6.*

Amendment No. 3.—The law as it at present stands makes the owner of a mischievous dog responsible for injury to another person, and the amendment would have the effect of relieving the owner of practically all responsibility, inasmuch as a person injured by a dog would have to prove that the dog had a previous mischievous propensity, and that the owner knew it.

Amendment No. 6.—It is impracticable in this country to carry out the intention of this amendment. The collars and discs would constantly be removed by the owners and would also be often torn from the necks of the dogs by contact with fences and other obstacles, and in the end no notice would be taken of the absence of the collars and discs, and the law would become a dead letter.

WALTER A. GALE,

Clerk of the Assembly.

25/11/97.

IN COMMITTEE.

THE MINISTER OF MINES (Hon. E. H. Wittenoom) moved that amendment No. 1 made by the Legislative Assembly to the amendment of the Legislative Council be agreed to.

Put and passed.

THE MINISTER OF MINES moved that the Council do not insist on amendment No. 3, with which the Legislative Assembly had disagreed.

HON. R. S. HAYNES said he had moved this amendment, and the Council had unanimously passed it after he had explained the difference between the English law and the law here. The effect of the new clause was simply to introduce the English law into this colony. In England no person was liable for an injury done by a dog, unless the owner knew that the dog had mischievous propensities, and had either bitten or attempted to bite somebody previously. That seemed to him to be a reasonable and fair law. It had been the law in England from time immemorial. It seemed to be the whole

virtue of the Bill. Many of the resolutions that had been adopted by the Council after considerable discussion had not received that amount of respect in the other House to which they were entitled. He could scarcely call to mind any resolutions which had been arrived at by the Council, after calm and deliberate discussion, which had been agreed to by the other House. The time had come when the Council should assert itself, and make its position felt. We should seize the opportunity when such a Bill as the present—which was an unimportant one—was before the House, to let the other branch of the Legislature know that the Council would not allow itself to be treated with levity.

THE CHAIRMAN: There must not be any allusion of that kind made to the other House.

HON. R. S. HAYNES: After this Council had deliberately discussed this matter and unanimously arrived at a conclusion, he thought it should insist on the amendment being acceded to.

THE MINISTER OF MINES said that, while he was entirely in favour of the clause, having supported it before, it had apparently not met with the approbation of members in another place. If the Council were to take up a hard-and-fast position, and the other House did the same, that course would lead to deadlocks. We must consider these questions on their merits with a view to any reasonable compromise. He did not know what compromise the Council could make in this matter. If hon. members desired to return the amendment with a message that they wished to have it adopted, there was nothing to stop them. He would offer no impediment. He only asked hon. members to look at the matter carefully with a view to meeting the views of both Houses. The Bill was a good one, and he hoped it would not be lost.

HON. C. A. PIESSE: The other House had accepted three of the Council's amendments to this Bill, so that the statement made by Mr. Haynes was not correct.

HON. C. E. DEMPSTER was in favour of the Bill being sent back, as the amendment was a most desirable one.

HON. A. B. KIDSON could not agree with the Minister of Mines that the suggestion of a compromise should come from this House. It should come from



the other House. The amendment had been passed unanimously by the Council, and, if the Council went back upon it, hon. members would be stultifying themselves. Hon. members must stick up for the privileges of the House.

Question—that the Council do not insist on amendment No. 3.—put, and division taken with the following result:—

Ayes ... ..	6
Noes ... ..	9

Majority against 3

AYES.	NOES.
The Hon. R. G. Burges	The Hon. W. Alexander
The Hon. D. McKay	The Hon. F. T. Crowder
The Hon. E. McLarty	The Hon. C. E. Dempster
The Hon. C. A. Piesse	The Hon. R. S. Haynes
The Hon. E. H. Wittenoom	The Hon. A. B. Kidson
The Hon. W. Spencer	The Hon. A. P. Matheson
(Teller).	The Hon. G. Raudell
	The Hon. J. E. Richardson
	The Hon. A. H. Henning
	(Teller).

Motion thus negatived.

THE MINISTER OF MINES moved that the Council do not insist on amendment No. 6.

HON. A. P. MATHESON: The object of the clause to which the other House had disagreed was to make a section in the principal Act practicable. That section provided that the police were to do certain things in the case of dogs which were found astray. It was pointed out by some members in this House that it had been found impossible to ascertain whether a dog was registered or not; and, further, it was considered desirable to insert some clause to enable a policeman to identify a dog. The method adopted was that of having a collar, which was usually worn by a dog, inscribed with the registered number of the dog and the district. He was informed that the Council's amendment was referred by the other House to the Parliamentary draftsman, who was asked whether it was reasonable or not, and he, with his usual ability, appeared to have misunderstood the meaning of the word "plate" and inserted the word "disc," which was quite another thing, and then observed that discs would be caught in fences, and would irritate the dogs, and that, as a result, the discs would be torn off. It was perfectly clear that the Parliamentary draftsman had no dog of his own, or else he had not gone to the expense of a collar. The question appeared to have been discussed in another place on entirely erroneous

premises, and the only thing the Council could do was to send back the amendment in order that it might be discussed in the same shape in which it left this Council. The Council's amendment had never been under discussion in another place, where an opinion had been passed on it by members who had not had the amendment before them.

HON. A. B. KIDSON said the Minister of Mines had expressed the opinion, when this matter was before the Council before, that the Bill would be of very little use without this clause, so that he thought the Minister was a little inconsistent in moving that the amendment be not insisted on. It was only after considerable trouble that the amendment had been framed by the Council, and he thought that it was scarcely respectful to this House for its amendment to have been referred to the Parliamentary draftsman to ascertain if it was a reasonable one or not.

Question—that the Council do not insist on amendment No. 6—put, and negatived on the voices.

Resolutions reported, and report adopted.

Ordered, that the resolutions be transmitted to the Legislative Assembly.

#### MINES REGULATION ACT AMENDMENT BILL.

##### IN COMMITTEE.

Consideration in committee resumed.

Clause 6—Plans to be signed and dated:

THE HON. A. H. HENNING moved that the words "and by the surveyor who executed it" at the end of the clause, be struck out.

THE MINISTER OF MINES (Hon. E. H. Wittenoom) said he could not see his way to accept the amendment for reasons which he had given when Clause 5 was under discussion. The amendment meant that the survey plans would be made by the mine manager, and no one else. A manager was not always necessarily a surveyor, nor necessarily a good manager, and the amendment gave rise to the risk of inaccuracy.

HON. A. H. HENNING: Under the present Act, the obligation was imposed on the manager to supply detailed plans to the Mines Department, and he should

be entitled to certify to the plans himself. Why should he be compelled to employ a surveyor, who might extort any amount of money for his signature?

HON. A. P. MATHESON supported the amendment for reasons which he gave when Clause 5 was under discussion. It was difficult to conceive why the manager should be asked to sign survey plans, if he were not responsible or competent to check the surveyor who made them.

THE MINISTER OF MINES said he did not mind relieving the mine manager from signing the plans. The object of the Bill was that the first plans sent in should be plans already in existence at the mine, and that in future, twice a year, the plans should be made by a competent surveyor, and signed by him and the mine manager. It was not unreasonable to ask the mine manager to sign the plans in order to show he knew them to be the plans of his mine. Unless Clause 5 were restored, and the present clause passed, the Bill would be useless.

HON. R. S. HAYNES: As the Bill now stood, there was no compulsion on the surveyor to execute the plans. How then could a surveyor be asked to sign them? He looked on those surveyors as pests who would extort what fees they liked from mine managers for making the plans under this clause. They would, no doubt, charge fees of any sum from £50 to 500 guineas. The Government ought to be satisfied with the plans prepared as at present by the mine manager.

THE MINISTER OF MINES: Competition would regulate the fees charged.

HON. R. G. BURGESS: The Minister, it was to be feared, did not know much about surveyors' fees.

THE MINISTER OF MINES: Instead of half a dozen surveyors, there would be dozens in the business.

HON. R. G. BURGESS: They would all stick together.

THE MINISTER OF MINES: Mine managers would have no more trouble than they had at present. The only difference would be that instead of the Government Inspector copying the plans, the manager, in order to secure accuracy, would have to employ a licensed surveyor. The Government were trying to establish a record branch, so that anyone who wished to purchase a mine could ascertain

exactly what it was he was going to buy. If the safeguard provided by the Bill had to be effectual, the plans must be accurate.

HON. A. B. KIDSON asked what the Minister had to say in regard to the expense of making plans.

THE MINISTER OF MINES: There was only one expense.

HON. F. T. CROWDER said he did not object to the Government having an immaculate office of record, but he objected to that record office being established at the expense of those who were developing the mines of the colony. Dozens of mines were situated 50 or 70 miles away from a place where a surveyor could be obtained, and this clause would mean a tax on those outside mine owners of at least £200 a year.

HON. A. P. MATHESON: The goldfields members were entirely in accord with the desire for a record office. He joined issue with the Government on the question of employing licensed surveyors at a large cost to make the necessary plans. The tax which would thereby be imposed would become absolutely insupportable.

HON. C. E. DEMPSTER: Clause 5 having been struck out, this clause was requiring plans to be signed by a surveyor who would never survey a mine. It would be a great hardship on many mine holders, and would not advance the welfare of the goldfields, to have to employ a licensed surveyor twice a year.

HON. C. A. PIESSE: It would be advancing the welfare of the goldfields to have plans indorsed by two men instead of one.

HON. F. T. CROWDER: The representations of the goldfields members on this question ought to be listened to very carefully, and should receive the attention of the agricultural representatives.

THE MINISTER OF MINES: The question resolved itself into one of accuracy *versus* expense. To do away with the surveyor would in all probability result in inaccurate plans, and if the plans were inaccurate, then there was no use in establishing a record office.

HON. A. H. HENNING: The obligation on the mine manager was to deliver complete plans, and these could not be made more complete through being signed by a surveyor. People bought mines on

an inspection of the ground, and not on an inspection of plans.

HON. E. McLARTY: A record office would, no doubt, be an advantage, but it would entail a great deal of expense on mine owners whose mines were distant from centres. Mine owners should not be put to unnecessary expense. Intending purchasers did not plank down their thousands for mines without satisfying themselves as to what was on the ground.

Amendment (Mr. Henning's) put, and division taken with the following result:—

Ayes ...	...	...	10
Noes ...	...	...	5

Majority for	...	5
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AYES.	NOES.
The Hon. R. G. Burges	The Hon. W. Alexander
The Hon. F. T. Crowder	The Hon. J. W. Hackett
The Hon. C. E. Dempster	The Hon. W. Spencer
The Hon. R. S. Haynes	The Hon. E. H. Wittenoom
The Hon. A. B. Kilsen	The Hon. C. A. Fiesse
The Hon. A. P. Matheson	(Teller).
The Hon. A. McKay	
The Hon. E. McLarty	
The Hon. J. E. Richardson	
The Hon. A. H. Henning	
(Teller).	

Amendment thus passed, and the clause, as amended, agreed to.

Clause 7—Mining manager to produce copies of the plans to any person authorised by the Minister, etc. :

HON. A. P. MATHESON moved that the word "officer" be substituted for "person," in line 4. He did not think the Minister should be authorised to send any chance person to inspect the plans, but only some officer of the Government who was bound to secrecy. That was, no doubt, the intention of the clause, and the substitution of the word "officer" for "person" would make that intention clear.

Put and passed, and the clause, as amended, agreed to.

Clause 8—Plans not to be inspected without Minister's permission :

HON. A. P. MATHESON moved that the word "Minister" in the third line, be struck out, and the words "mine owner or manager given in writing" be inserted in lieu thereof; also, that the words "of the Minister" be struck out, and the word "said" be inserted before "permission." He did not think the Minister was the one to authorise the inspection of the plans. The Minister had already indicated his opinion that the plans should be treated as confidential, when he

introduced the Bill. If so, they should only be shown to persons wishing to see them with the consent of the owner or manager of the mine. Unless this were so, a manager would be debarred from exhibiting his tracing to any chance visitor to whom he might wish to show it.

THE MINISTER OF MINES said he could not accept the amendment, as, if carried, it would do away with any chance of showing the plans, if a manager or owner did not wish them to be seen.

HON. A. P. MATHESON said he wanted to prevent the Minister permitting any member of the public from seeing the plans, contrary to the wishes of the manager or owner. It had not struck him that it might apply to an officer of the department.

THE MINISTER OF MINES: The inspector might want to go on the mines to inspect the plans.

HON. A. P. MATHESON: Clause 7 already provided for that contingency.

THE MINISTER OF MINES: Then the hon. member's clause would be contradictory.

HON. A. P. MATHESON: No; he merely suggested that the plans should be available for the inspector or officer of the department, but should not be available for any other person except with the permission of the owner or manager. He had been to Kalgoorlie to discuss the Bill with the mine managers, and they had pointed out that the only people who would want to see the plans would be those who had ulterior views of their own. He did not want to raise the least obstacle to the inspection of the plans by any official or inspector, but he did want to prevent the plans from being exhibited without authority.

THE MINISTER OF MINES: It was necessary that there should be some power to show these plans, and if the owner or manager were permitted to refuse to have the plans shown, the value of the Bill would be destroyed.

HON. A. P. MATHESON: It had never occurred to him to question the right of the owner or manager to preserve the secrets of his business. These plans and returns contained those secrets. A very great deal depended on the developments going on at different ends of a mine. People were extremely anxious to know

what was being done in a mine, but the owner did not want anybody to know in order that he might be in a position to buy adjoining properties cheaply, if the mine was looking well in that direction. An officer was sworn to secrecy and there was a heavy penalty attaching to the offence of divulging the information he had obtained through his position; but we should prevent any member of the public who was not sworn to secrecy, and who desired to ascertain the work that was being done in a mine, from obtaining access to the plans. It was a most vital question for mine owners, and he was sure it deserved the very careful consideration of the House.

HON. J. W. HACKETT: The clause was a little ambiguous, and might be open to the construction put upon it by Mr. Matheson; but it seemed obvious enough that the object was solely to assist the mine owner by preventing anyone from having access to the papers except officers of the department, with the permission of the Minister. As to the plans, the clause hon. members were discussing seemed to be of very little importance, after the division just taken. He had spoken some time ago, when in New South Wales, to the Under-Secretary of Mines, a most capable officer, appointed by the late Sir Henry Parkes, who never made a bad appointment. The department was in chaos, and this man was selected to put it straight, and he performed something like a miracle. "Whatever you do with your Mining Department," said the Under-Secretary to me, "take care that you have properly certified and registered plans of all the workings in the mines." He then explained how mischief had occurred in the other colonies in consequence of the want of such plans. If the clause, to which attention had been drawn by Mr. Matheson, were made plainer it would remove the hon. member's objection.

THE MINISTER OF MINES thought the clause was quite clear, and that the objection taken by Mr. Matheson was almost like splitting a straw. He did not think any trouble would arise in connection with it.

HON. A. H. HENNING: The objection was well founded. The object of the Bill was not to make the business of a mine owner public, but to enable the department to keep an accurate record of

what was being done in the mines. It was contrary to all reason to empower the Minister to supply the public with this information without the consent of the mine owner.

HON. A. P. MATHESON suggested the insertion of the words "except by an authorised officer," in the second line after the word "inspection." That would meet the point raised by the Minister that the officer, and the officer only, should have free access to the places with the authority of the Minister.

THE MINISTER OF MINES suggested that the word "officer" should be defined. He was quite in accord with the principle of the proposed amendment, but he did not think the words would meet the case.

On the motion of the MINISTER OF MINES, the further consideration of the clause was postponed.

Clause 9—Agreed to.

Clause 10—*Re abandoned mines:*

HON. A. P. MATHESON moved that the figure "60" be substituted for the figure "30." He presumed that the Minister would have no objection to this, as it was merely to make the figures agree with those in clause 4, as amended.

Put and passed, and the clause, as amended, agreed to.

Clause 11—Agreed to.

Clause 12—*Re certificates to engine drivers:*

THE MINISTER OF MINES moved that the following paragraph be added:—

Where an engine-driver arrives in the colony and has had no opportunity of presenting himself to the board for examination, the board, or any member thereof, on being satisfied as to the experience of such engine-driver, may grant him an interim certificate of the first or second class, as the case may be, which shall operate accordingly until the day next afterwards appointed for the examination of engine-drivers.

Engine-drivers holding good certificates from Victoria and elsewhere had arrived in this colony and had been prevented by the Act from obtaining employment till they had undergone examination by the board. This clause empowered a member of the board to grant provisional certificates to newly-arrived engine-drivers, pending the holding of the next examination by the board, if he were satisfied that their certificates were good.

Put and passed, and the clause, as amended, agreed to.

Clause 13.—*Re certificates of service*:

HON. A. P. MATHESON said that in line 1 there was an allusion to certificates of service to which there was apparently no previous reference in the Bill. He submitted there ought to be a definition of a certificate of service. The clause in the principal Act dealing with certificates of service (Clause 34) was proposed to be struck out.

THE MINISTER OF MINES hardly thought it was necessary, but as the Bill was to be re-committed, that point could be looked into afterwards.

Clause put and passed.

Clauses 14 to 17 inclusive—agreed to.

Clause 18—Amendments in principal Act:

HON. A. P. MATHESON: In Section 9, Sub-section 2, of the principal Act, power was given to the Inspector to inspect a mine at all reasonable times by day and night, but so as not to impede or obstruct the working of the mine. By the clause it was proposed to strike out the words "but so as not to impede or obstruct the working of the mine." It seemed a little unreasonable to strike out those words, and leave it open to an inspector to obstruct the working.

THE MINISTER OF MINES (Hon. E. H. Wittenoom): It would be almost impossible to carry out an inspection without causing some little obstruction. The whole provision was governed by the word "reasonable," and it was almost necessary to cause some little obstruction during inspection.

Clause put and passed.

Clause 19—agreed to.

HON. A. P. MATHESON suggested that a penalty clause was necessary in the Bill.

THE MINISTER OF MINES: The principal Act in which penalties were provided was incorporated in the Bill. He moved that progress be reported.

Motion put and passed.

Progress reported, and leave given to sit again.

#### IMMIGRATION RESTRICTION BILL.

##### SECOND READING.

THE MINISTER OF MINES (Hon. E. H. Wittenoom), in moving the second

reading, said: The object of this Bill is to restrict the immigration of undesirable persons. For some time past considerable pressure has been brought to bear on the Government to introduce a Bill dealing with this question. The Government at last have given the matter most careful consideration, and although they have not brought in such a sweeping Bill as has been passed in other colonies, they venture to think the measure is one which will meet with the approbation of all concerned. It would not have been wise to go to great extremes; otherwise the Bill would probably meet with the fate of Bills passed in other colonies which were forwarded for the Imperial assent, and have remained at that stage. The Government, in drafting this Bill, went on moderate lines, and took for their example the Natal Act, which has been approved of by the Imperial authorities. If this Bill passes both Houses, there is a chance of an immediate improvement in our laws connected with immigration. Moreover, I understand that if the Bill passes this House, His Excellency the Governor is prepared to give his assent to it at once. That will be recognised as a material advantage, which will enable us to get the Bill into operation at an early date. The principle of the Bill is that every immigrant shall be subject to an educational test. He may be asked on arrival to write 50 English words in European characters: if he cannot do that he cannot enter the country. Great care has been taken to avoid mentioning race, colour, or creed, and thereby offending the susceptibilities of any people either in Her Majesty's dominions or elsewhere. Provision is also made for carrying on the pearl fisheries under certain regulations. In Clause 3, different classes of people are described who are regarded as prohibited immigrants, and I feel certain that hon. members will consider this a most useful clause. A prohibited immigrant coming into the colony is liable to imprisonment for a period of six months; but that imprisonment ceases on his being removed or leaving the colony. Clause 5 deals with the entry of prohibited immigrants on certain conditions. For instance, if a person comes who in the opinion of the officers of the Government is a prohibited immigrant, but who

claims he is not, he deposits the sum of £100, and has to prove within 14 days that he is not a prohibited immigrant, or be liable to forfeit his money.

HON. R. S. HAYNES: And to be turned back?

THE MINISTER OF MINES: And to be turned back. A provision also is made that any person who owns land in the colony to the value of £300 shall not be looked upon as a prohibited immigrant. That clause, I suppose, is to encourage agriculture and the tilling of the soil. Masters of vessels, who bring prohibited immigrants to the colony, render themselves liable to a fine of any sum between £100 and £500; and power is given to seize the vessel and sell it or detain it until the fine is paid. Clause 16 gives power to make regulations under the Bill, and also regulations in connection with the pearl fisheries. A breach of the provisions of the Bill incurs a penalty of over £50. I feel certain hon. members will give this Bill their careful consideration, and I hope it will meet with their approval.

HON. R. S. HAYNES: I should like to know whether it is proposed to go further than the committee stage to-night?

THE MINISTER OF MINES: Not if the hon. member makes any objection.

HON. R. S. HAYNES: I have no objection: but I have had placed in my hands a number of amendments which unfortunately are contradictory. One set of these amendments comes from one class, and another set of amendments from another; and these two sets of amendments are diametrically opposite in intent. Under the circumstances I would suggest that, after the motion for the second reading is agreed to, opportunities should be afforded to members of bringing in amendments. It is with some hesitation that I approve of the principles of the Bill, and my approval is subject to very serious and material alterations.

Question put and passed.

Bill read a second time.

## INDUSTRIAL STATISTICS BILL.

### SECOND READING.

THE MINISTER OF MINES (Hon. E. H. Wittenoom), in moving the second reading, said: This is a small Bill intro-

duced for the purpose of enabling the Government to get accurate returns in connection with agricultural, pastoral and industrial statistics. I feel confident that the Bill will commend itself to hon. members, seeing that in a rising colony like this there should be reliable and accurate statistics. A great deal of this Bill has been taken, I understand, from a New South Wales Act which has been in force for some considerable time. The collection of these statistics will be undertaken through the Registrar General's office. The Bill provides that every person who, on the 31st of December in each year, is the owner of more than an acre of ground, shall send in accurate returns connected therewith. The districts for the purposes of the Bill will be the magisterial districts of the colony, and each magistrate will be the statistical agent who will have power of regulating the collection of the statistics. In each district, collectors and sub-collectors will be appointed, and where no such appointments are made, the work will be carried out by the police. Provision is made that where collectors do not go round and get the information, which is returnable in January, and must be collected by the end of February, it is incumbent on pastoralists and others who come under the Bill to forward the statistics themselves. Clauses 11 and 12 set out what those returns shall consist of and the information required by the Government. Clause 13 deals with industrial establishments. It will be seen that a factory or workshop is defined as a place employing more than four hands, and the owners of these establishments have to send in returns. The penalty provided in Clause 15 for persons refusing or neglecting to send in returns, is a fine not exceeding £20. All information has to be considered secret, and can only be used for aggregate returns. No information is to be given about any individual property or places, but all the statistics will be used for public information in the bulk. Letters and telegrams used for forwarding information will be carried free on being franked. An information may be laid within six months, and any person who thinks himself aggrieved has the right of appeal to the Supreme Court. In committee I propose to move that in some instances

the word "electoral" be struck out, and "magisterial" inserted as describing the statistical districts. It was proposed that in one or two places the electoral district should be the statistical district; but on careful consideration it is found that the magisterial district would work much better, for the simple reason that its boundaries are well known to the police and others. Moreover, many magisterial districts are subdivided, and each subdivision could be put in charge of a collector. Where the word "electoral" is retained, there is no subdivision. For instance, Fremantle and the Williams, as magisterial districts are both subdivided. If electoral districts were to be made the statistical districts, Fremantle and the Williams would be each one district, and much more difficult to manage for the purposes of the Bill.

HON. A. P. MATHESON: The Minister of Mines has very clearly set out the advantages of this Bill, but I have been through it carefully, and it seems to me a dangerous measure in many respects. I propose to call the attention of hon. members to some of the dangers and pitfalls which lie before them, if they adopt the Bill as it stands. Hon. members will then be able to take the Bill home with them, and thoroughly study the clauses before these come to be discussed in committee. In the first place in Clause 2, in the second line, we find included amongst industrial establishments "a mine." I am not going to debate the question now, because I shall have to do that in committee. I would like to point out, however, that under the existing gold mining laws, a mine manager is required to furnish all statistical information that the warden chooses to ask for. Nothing can be more imperative than the form of the existing mine lease. If the Government departments cannot furnish extracts from these returns to the Statistical department, it seems to me an extremely hard thing on the mining industry. By Clauses 5, 6, and 7 an enormous staff of officials is going to be created.

HON. R. G. BURGESS: Another department.

HON. A. P. MATHESON: Not only another department, but an enormous staff of return collectors. There are

going to be statistical agents, collectors, and sub-collectors, all of whom have to do their duty and get their fees. At the same time we find from Clause 10 that the Government have very great doubts as to whether those officers will perform their duties. It is provided in that clause, in case all those officers do not perform their duties, that agriculturists, pastoralists, and proprietors of industrial establishments have to go the police office, or some other office, and apply for a form. Having got the form, if the collector does not go round, the people have actually to go and deliver the information themselves under heavy penalties; in fact the only penalty that has been omitted from the Bill is one of £50 which might be inflicted on every person who has not read this Bill before Christmas-day. That would only be a reasonable clause in view of the other provisions of the Bill. We are now in December, and in January every person who does not send down to the nearest police station and get a form will be liable to a penalty. There are only about three weeks in which every person in the colony has to learn the data of this Bill. Next I should like to call the attention of agricultural members to Clause 11, Sub-section 2. By that clause they have to make a return concerning the failure and deterioration of any crop. They have also to mention the disease from which the crop suffers, and the cause and nature of such disease. In fact they have to make a return very much like that which a veterinary surgeon would give on an animal. I suppose an agriculturist, to make this return, would have to call in the assistance of the Agricultural Bureau. In Clause 12, there is a jab at the pastoralist. That unfortunate gentleman has to make a report concerning the health and management of his stock. He has to inform the department if any of the stock have been ill, and if so what they have suffered from; he has to diagnose the disease, and describe the treatment.

HON. R. G. BURGESS: It is not very easily done. Have you seen one of the forms?

HON. A. P. MATHESON: Later on, in Sub-section 3 of Clause 12, the pastoralist has to descant on the quality of his dairy produce, and say whether his butter turned out satisfactory, or whether his fowls had laid fresh eggs.

HON. J. W. HACKETT: You will never get proper statistics without the particulars provided for in the Bill.

HON. A. P. MATHESON: You might have statistics perfectly useful without all those details, the furnishing of which places an intolerable burden on the people of the country.

HON. J. W. HACKETT: You do not know how much the colony has suffered from the want of such statistics in the past.

HON. A. P. MATHESON: The country may have suffered, but look at the expense which will have to be incurred to reach the desired end. Look at the army of agents, collectors, sub-collectors, inspectors, and post office people who will be necessary to collect these statistics. An employer has to send in a return dealing with the earnings of every one in his employ. To be strictly accurate in this, an employer will have to keep a list of every man employed by him during the year and an account of the wages earned.

HON. C. A. PIESSE: That does not apply to farms.

HON. A. P. MATHESON: It applies to industrial establishments.

HON. J. W. HACKETT: That is done in every colony in Australia, and most valuable the returns are.

HON. A. P. MATHESON: It is no logical argument in favour of the Bill to say this is done elsewhere, if we here do not consider it right. Nobody ever dreams of pointing out the disadvantages of the clauses in the various Bills introduced in this House. Bills go into Committee, and only two or three members happen to have read the clauses. The other members only begin to see the drift of a Bill by the time the two or three members who know the provisions have had their say. Sub-section 4 of Clause 13 must have been derived from some old Act of the Spanish Inquisition. It provides for a return of the capital embarked in a business. What will be the use of these returns unless they are true, and who will give a "true" return of the capital involved in his business as is required by the Bill? Why, no one. Clause 18 is a most important clause, because it exactly provides for the agricultural and pastoral industries what I have been asking for in the Bill we have lately been discussing for

the mining industry. It provides that these returns shall not be published except with the written consent of the informant. It is a most equitable principle. The informant is primarily the one interested. This, to my mind, is the most satisfactory part of the Bill. But I fail to see the use of publishing notices referring to Geraldton, Pilbarra or Marble Bar, in two daily papers in Perth. I have now exhausted the worst features of the Bill.

HON. C. A. PIESSE: It is a good Bill, but it covers too much ground, and all reference to the industries of the country should be struck out, and be dealt with in a separate Bill. That would do away with Clause 13, to which objection has been made. There has been trouble in the past in getting people to understand the forms, some of which have been most complicated. There will be an advantage in having returns showing where there is a failure of crop, as a remedy might be devised. There can be no objection to giving information about diseases, as that would enable the authorities to help in stamping them out. I can see no objection to clauses 11 and 12.

Question put and passed.

Bill read a second time.

## EMPLOYMENT BROKERS BILL.

### SECOND READING.

THE MINISTER OF MINES (Hon. E. H. Wittenoom), in moving the second reading, said: This Bill will do a great deal of good. It provides the remedy for a great hardship. Employment brokers are to be licensed in the same way as hotel-keepers. They will have to make application in the same way, and objections can be made. These applications are to be heard in open court, so that everybody may know exactly what is going on. If the magistrate is satisfied, he will give a certificate. It is incumbent on these employment brokers to keep a register of those who are seeking employment and of employers seeking employees. These registers have to be very carefully and accurately kept, and have to be always on hand, and the fees and other particulars have to be plainly stated. A penalty is provided in the event of each employment broker not keeping a book. These books can be inspected by a magistrate or police-



officer at any time, and any employer or employee can also inspect any of these books with reference to any matter in which he has been himself concerned. After a third conviction in one year a license can be cancelled. Clause 17 is the one that strikes at the root of the evil, because it provides a penalty if any advertisements are published which are inaccurate and misleading. That has been one of the great troubles people have had to put up with in this business. I beg to move that the Bill be read a second time.

Question put and passed.

Bill read a second time.

#### AUCTIONEERS ACT AMENDMENT BILL.

Introduced by HON. A. H. HENNING, and read a first time.

#### POLICE ACT AMENDMENT BILL.

Introduced by HON. A. B. KIDSON for Hon. R. S. Haynes. and read a first time.

#### ADJOURNMENT.

The Council adjourned at 9:45 p.m. until the next day.

### *Legislative Assembly,*

*Wednesday, 1st December, 1897.*

Papers presented—Question: Acceptance of arrears of mining rents without fines—Question: Excursion railway rates to goldfields during holidays—Question: Storage of gunpowder in a gaol—Question: Publication of import and export statistics—Motion: Papers re Administration of Stock Diseases Act—Motion: Proposed railway from Great Boulder to Bulong—Motion: Proposed boring for subterranean deposits of alluvial gold—Motion: Women's Suffrage; division (negative)—Underground Surveyors Bill: first reading—Motion: Legislation re Mining on Private Property—Imported Labour Registry Bill: third reading—Adjournment.

THE SPEAKER took the Chair at 4:30 o'clock, p.m.

PRAYERS.

#### QUESTION—ACCEPTANCE OF ARREARS OF MINING RENTS WITHOUT FINES.

MR. A. FORREST, for Mr. Lyall Hall, in accordance with notice, asked the Premier:—(1.) Whether it was a fact that the Mines Department was now accepting all arrears of rent due on gold mining leases without the usual fine. (2.) If such were the case, whether the Minister of Mines intended to refund the amount of such fines to those lease-owners who, since the first of March last, had paid their rents with fines added.

THE PREMIER (Right Hon. Sir J. Forrest): (1.) No; with exception of leases approved under old Act, in which case no fine is provided for. (2.) Answered by No. 1. The fines imposed are in accordance with the Act—10 per cent. during February, 15 per cent. during March, rents being receivable to 31st January without fine.

#### QUESTION — EXCURSION RAILWAY RATES TO GOLDFIELDS DURING HOLIDAYS.

MR. VOSPER, in accordance with notice, asked the Commissioner of Railways:—(1.) Why no excursion tickets were issued to convey passengers from Perth to the goldfields, as well as from the goldfields to Perth. (2.) Whether it was his intention to grant the coastal population facilities for visiting the goldfields towns during the coming holiday season.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piessé) replied:—1. Tickets at special low fares are issued to residents of the goldfields to enable them to visit the cooler parts of the colony during the exemption period. It is not considered necessary to issue similar tickets from the seaport towns to the goldfields. 2. Yes; holiday excursion tickets will be issued to and from all stations during the coming holiday season. The tickets would begin about the 20th of December.

#### QUESTION—USE OF FREMANTLE GAOL FOR STORAGE OF EXPLOSIVES.

MR. VOSPER, in accordance with notice, asked the Colonial Treasurer:—1. Whether he was aware that part of Her Majesty's Gaol at Fremantle was being used as a magazine for explosives. 2. Whether it was a fact that there were