

## ADJOURNMENT.

The House adjourned at 11.29 p.m.,  
until next Tuesday afternoon.

**Legislative Council,**

*Tuesday, 13th September, 1898.*

Petition: Swan River Fishing—Question: Perth Police Court, Fines and Informers—Question: Kingsley-Hall Reward Gold-Mining Company, Further Particulars—Motion: Swan River Fishing—Message: Assent to Bills (four)—Motions (two): Leave of Absence—Return: Northampton Mining Leases—Motion: Shipping Casualties Inquiry Bill, Select Committee's Report—Criminal Appeal Bill, Select Committee's Report—Reappropriation of Loan Moneys Bill, first reading—Interpretation Bill, third reading—Wines, Beer, and Spirit Sale Amendment Bill, in Committee, new clauses; reported—Immigration Restriction Act Amendment Bill, second reading; in Committee, reported—Imported Labour Registry Act Amendment Bill, second reading, Division; in Committee, reported—Adjournment.

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

## PRAYERS.

## PETITION: SWAN RIVER FISHING.

HON. F. M. STONE presented a petition from 44 residents of Western Australia, in reference to fishing nets used in the River Swan.

Petition received, read, and ordered to be printed.

[Motion on the subject moved at a later stage.]

## QUESTION: PERTH POLICE COURT, FINES AND INFORMERS.

HON. F. WHITCOMBE asked the Colonial Secretary,—1, Whether the amounts payable out of the Perth police court, to

informers or parties prosecuting (being one-half of the fines imposed), have been paid to the persons entitled thereto. 2, if not, what is the amount thereof now in the hands of that court? He said he would like to make a statement, in asking this question.

THE PRESIDENT: The hon. member could not make a speech in asking a question.

HON. F. WHITCOMBE said he wished to make a personal explanation as to the motive which urged him to ask the question. He had been informed there was an opinion outside that this question was directed personally against the present police magistrate. He (Mr. Whitcombe) had no such motive in asking the question, as his enquiries were directed mainly to the period before the present police magistrate accepted the position.

THE COLONIAL SECRETARY (Hon. C. Randell) said he had not heard any such report as that referred to, and he believed it was unfounded. The formal reply to the question was:—1, Yes. 2, Answered by No. 1.

## QUESTION: KINGSLEY-HALL REWARD GOLD-MINING COMPANY, FURTHER PARTICULARS.

HON. H. G. PARSONS asked the Colonial Secretary,—1, Whether the Hon. the Minister of Mines has not in his possession full particulars, in print and MS., of the flotation and the reconstruction of the Kingsley-Hall Reward Gold-Mining Company, together with the balance of the old company. 2, If so, why the Hon. the Minister of Mines gave as his answer to questions on Tuesday, September 6th, a general denial that his Department had any information relative to the internal affairs of mining companies. 3, Did not the Warden, who heard the case, find that the labour conditions had not been complied with; and has not the Minister in his possession, the report of the directors of the reconstructed company, showing that their only available capital was £30; and did not the manager give sworn evidence, now in the Minister's possession, that the new company had failed to secure further working capital? 4, Did the Minister undertake that if he were satisfied that the new company was wound up, and the ground abandoned, he would restore

the lease to the prospectors? 5, Is the Minister in possession of evidence certified by the Supreme Court of South Australia that the new company is wound up? 6, Is the Minister in possession of the copy of the advertisement by which the liquidators are offering the property for sale? 7, If so, will the Minister reply further to the question asked him on September 6th? 8, Has not the Minister instructed the Warden to protect the applicants' rights under certain contingencies, giving the prospectors a preferential right to forfeiture? If so, how can the Warden carry out the Minister's instructions? 9, Will the Minister in the meantime undertake that his refusal to endorse the Warden's decision shall not be gazetted, pending the discussion of the matter in another place?

THE COLONIAL SECRETARY (Hon. G. Randell) replied:—All papers connected with the Kingsley-Hall Company's lease are on the table of the Legislative Assembly, having been placed there last week pursuant to resolution, and all action taken by the Minister of Mines minuted thereon. The Minister's decision of refusal to forfeit lease was gazetted last week.

#### MOTION: SWAN RIVER FISHING.

HON. F. M. STONE moved:

That, in the opinion of this House, it is desirable that, in order to allow fishermen fishing in the Swan River to provide themselves with nets of a three-inch mesh and to use out their nets of a less mesh, the regulation of the 24th August last, making it unlawful to use nets of less than three-inch mesh in the River Swan, should be amended so as not to be enforced for six months; and this Council respectfully requests the Government to alter the regulation accordingly.

Fishing by nets in the Swan River was not allowed, from the Narrows right up the river, and no fishing on any account was allowed except by the ordinary rod; nor in the Canning River, from Canning Bridge up the river; also from the North Fremantle Bridge to the sea, no fishing was allowed. The only part of the river in which fishing was allowed by nets was from the Narrows to Fremantle Bridge and to the Canning Bridge. The regulation was made by the Government on the 24th August last, that only nets of 3-inch mesh should be used in that portion of the river which was open to net

fishing. All the fishermen in Perth and Fremantle who fished in the river had nets with  $2\frac{1}{2}$ -inch or  $2\frac{1}{4}$ -inch mesh. Only two fishermen were able to obtain a small quantity of 3-inch mesh, and the other fishermen had been thrown out of employment and a number of hawkers in Perth had also been thrown out of employment because the fishermen of Perth sold their fish to hawkers to hawk about. He had presented a petition to the House signed by 25 fishermen and 19 hawkers, asking the House to pass a resolution that the Government should not enforce the regulation in reference to the 3-inch mesh for six months. That would enable the fishermen to work out their present supply of nets. Some 12 boats were employed in fishing on the river, and each boat had nets valued at £10 or £12, which would make about £300 worth of netting which, if the regulation were enforced, would become useless. If the regulation were not enforced just now, the fishermen would be able to work off the nets which they had on hand, and obtain 3-inch mesh. If the regulation were enforced, a number of men would be thrown out of work, and he was sure that the Government did not wish any number of men to be thrown out of employment. Fishing with the present sized nets would do no harm, as the fish were fully protected by certain portions of the river being closed to net fishing altogether.

HON. R. S. HAYNES: Needlessly closed.

HON. F. M. STONE: The time would come when the whole of the river should be open to 3-inch mesh during a certain portion of the year, say four or five months, when the fish were not spawning, but not to a net of a smaller mesh than 3 inches. In his opinion, in the whole of the river, a net with a mesh not less than 3 inches should be used. It was a great hardship on fishermen that the regulation in reference to the 3-inch mesh should be so suddenly sprung upon them. There was considerable difference of opinion as to what size mesh the nets should be. An inspector came to him (Mr. Stone) and asked him his opinion about it, but he referred the inspector to a well-known authority, who advised a 3-inch mesh. After looking into the matter, he (Mr. Stone) believed a 3-inch

mesh was the proper size to use. He did not like to see men thrown out of employment. Fishermen were honest, hard-working men, and their livelihood was a poor one.

HON. F. T. CROWDER: They charged enough for fish.

HON. F. M. STONE: It was well known that the Fremantle supply of fish went to the goldfields. While on this subject, he might say that it seemed strange that the Government should have closed the river to fishing except with a 3-inch mesh, and at the same time allowed the destruction of the fish to go on by preventing the shooting of shags. The destruction of fish by shags was great; for while watching a pelican last Sunday, he saw that in 10 minutes it got 16 fish, and went on unsatisfied. Pelicans were protected, and at the same time people were prevented from getting fresh fish. There could be no harm if fishing were left open for four or six months; and in the meantime the Government might appoint five or six persons with a knowledge of the fishing industry on the Swan to go into this matter, and arrive at a satisfactory solution. These persons appointed could inquire into the size of mesh which would be permissible, and thus enable the fishermen to live, and the public to be supplied with fish. He commended the motion, because it was undesirable, in the present state of the labour market, that so many men should be out of employment.

THE COLONIAL SECRETARY said he was quite in accord with the motion, but, in view of the statement he was about to make, he hoped Mr. Stone would withdraw. He (the Colonial Secretary) had been approached by two fishermen engaged on the Swan, and, from what they had said, he had seen the hardship which would arise if they had suddenly to cease from fishing. He took the matter up at once, and he was now pleased to inform Mr. Stone that to-morrow a proclamation would be made extending the time until the 1st of January. If after that date it was found further extension was required, there would be no difficulty in obtaining that extension.

HON. R. S. HAYNES: What about the opening of the Swan? Had that not been recommended.

THE COLONIAL SECRETARY: That was a new subject. Perth Water might be opened for a limited time; but the result of closing the river had been very satisfactory, and some such precaution would have to be taken in the future, if the Swan had to be stocked with fish. To allow fishermen to go on with a mesh as heretofore would be destructive to fish; and that was the point he had urged on the Government long ago. He himself thought a 3-inch mesh large enough. At first he thought such a mesh very large, but he had since found that 3 inches meant from point to point and stretching it, and therefore did not admit of large fish going through. Steps had been taken to issue a proclamation on the following day.

THE PRESIDENT: Did Mr. Stone wish to withdraw his motion?

HON. F. M. STONE said he was pleased to hear it was the intention of the Government to take steps to remedy the hardship to fishermen. He asked leave to withdraw his motion.

Motion, by leave, withdrawn.

#### MESSAGE: ASSENT TO BILLS.

A message from the Governor was received and read, assenting to the following Bills:—Customs Tariff Amendment Bill; Lodgers' Goods Protection Bill; Warrants for Goods Indorsement Bill; Beer Duty Bill.

#### MOTIONS: LEAVE OF ABSENCE.

HON. F. M. STONE moved that further leave of absence be granted to Mr. H. J. Saunders for one month, on the ground of private business. One cablegram had been received intimating that Mr. Saunders would leave for Australia by the French mail steamer, and another cablegram said Mr. Saunders had already left.

Put and passed.

HON. H. G. PARSONS moved that further leave of absence be granted to Mr. J. H. Taylor for one month, on the ground of urgent private business. There was a certain feeling, he was aware, that Mr. Taylor had been unduly absent; but hon. members would take into consideration that Mr. Taylor now found himself in a condition ready to leave for Australia,

provided his leave of absence was extended.

HON. R. S. HAYNES: Then if leave were granted he would come?

HON. H. G. PARSONS: Mr. Taylor was suffering from severe chronic rheumatism—a disease which had interrupted his career in the colony previously, and had necessitated his visiting New Zealand, England, and Germany, and at the present moment he was in Germany. So far as could be gathered, Mr. Taylor was now sufficiently recovered to stand the sea voyage, and his friends were ready to cable so soon as they heard the result of the present motion. Mr. Taylor had already been granted leave, and his seat would not be vacated until the expiration of two months. Under the circumstances, it could not be held that a member who was known to be suffering from chronic rheumatism, and was prepared to leave for Australia on receipt of an expression of the wish of the House, was guilty of contempt towards the Council. Under the circumstances, he (Mr. Parsons) had confidence in submitting this motion.

THE COLONIAL SECRETARY (Hon. G. Randell): A letter had been received from Mr. M. L. McKenzie, who stated that Mr. Taylor had been obliged to go to Homburg for the benefit of his health. He (the Colonial Secretary) trusted the House would extend the indulgence asked for.

HON. W. T. LOTON: The reasons advanced by Mr. Parsons were such as ought to have necessitated Mr. Taylor sending in his resignation, in order that his constituents might be properly represented. If any person, from whatever cause, was absent for a considerable time, and was not likely to be able to attend to his ordinary duties, he ought to allow some other person to have an opportunity of occupying his position.

HON. R. S. HAYNES: The motion was one he certainly could not assent to. He did not know one member who had attended so seldom as had Mr. Taylor. He was sorry to make a statement of the kind, but not only during last session had Mr. Taylor been absent, but when he did attend the sittings it was only once or twice in a week, and then only for a very few minutes at a time. Speaking from

memory, he knew no member who had attended the sittings of the House so seldom as had Mr. Taylor, and the reasons given for his absence were not sufficient. It would be observed that Mr. Taylor did not take the trouble himself to apply for leave of absence, but left it to his friends. Mr. Taylor made no start for Australia, but waited to see whether this motion were carried or not. If the motion were carried, Mr. Taylor would come back; but if it were not carried, then Mr. Taylor was not coming back at all, and the leave of absence would extend over the next year. Two members represented the Eastern Province, and both resided out of town, and it was too much to ask them to look after the interests of Mr. Taylor's constituents.

HON. F. T. CROWDER: What were those two members elected for?

HON. R. S. HAYNES: Those members were elected to do what Mr. Taylor did not do, and the work ought to be divided amongst the representatives of the Province. Country members might have an excuse for not attending, but town members had not, and he protested against the proposed leave of absence. It had been stated that a refusal of this leave of absence would not affect this hon. member's seat; but that only showed how much the hon. member cared about the matter. Mr. Saunders had asked for two months' leave of absence, but the House had only granted him one month. Mr. Saunders was now on his way, and the House had granted him an additional month. There were important matters requiring discussion. Members would have to consider the Land Bill, the Mining Bill, and the Estimates, and it was not right that hon. members should be absent during all this time. Naturally enough he (Mr. Haynes) might go away next year and say to himself, the House did not declare Mr. Taylor's seat vacant, therefore they would not declare his (Mr. Haynes's) seat vacant. Mr. Taylor was not paying sufficient respect to the position he held, and he had forfeited the confidence of the electors. At any rate, he had not attended to look after the interests of his electors.

THE COLONIAL SECRETARY: From a letter he had received, he gathered that Mr. Taylor was now on his way to the colony.

HON. A. P. MATHESON: A member of the House ought either to resign if he went away, or stop in the country. He sympathised with Mr. Taylor, as it had been said his absence was caused by ill-health; but he (Mr. Matheson) agreed with Mr. Loton that if members were so indisposed that they could not attend to their duties, they ought to resign and allow some one else to take their place. In consequence of the absence of hon. members we had experienced, several times this session, some difficulty in getting a sufficient number of members to conduct the business, and business had to be adjourned from day to day because of the absence of members. He would oppose the motion.

HON. A. G. JENKINS said he had been in communication with Mr. Taylor, and he (Mr. Jenkins) had seen a cable which had been received from Mr. Taylor within the last 36 hours, and which stated that Mr. Taylor was ready to start by the next boat, if this leave was granted.

HON. R. S. HAYNES: And if not?

HON. A. G. JENKINS: Then his departure would be delayed for another month or two. Mr. Taylor had been suffering from chronic rheumatism for some time, and every year he had to take a trip to New Zealand, or some place in Australia, where he could get certain baths for the benefit of his health. Having once granted Mr. Taylor leave, the House should not, without giving Mr. Taylor an opportunity of getting back, refuse leave now.

HON. F. T. CROWDER supported the motion for the extension of the leave. During the years he had been in the House, it was a common occurrence for leave of absence to be granted whenever it was asked. Both Mr. Saunders and Mr. Taylor no doubt left this colony with the idea that no steps would be taken to curtail their leave, seeing that in the past all members had received leave of absence for as long as they liked. It would be far better if the House passed a resolution, or made it known in some way, that in future members would seriously consider whether leave of absence should be granted or not.

HON. R. G. BURGESS: We should not refuse this leave. Mr. Taylor was elected under the old Electoral Act, and we might

make nasty remarks about his absence, but we should not take the serious step of depriving a member of his seat.

HON. R. S. HAYNES: It would not take his seat away.

HON. R. G. BURGESS: What then?

HON. R. S. HAYNES: It was simply refusing leave.

HON. A. P. MATHESON: It simply reprimanded him.

HON. R. G. BURGESS: After the remarks of Mr. Crowder, that other hon. members had gone away for a whole session and had not attended to their duties, he did not think it right to make an example of the case before us. It was all very well for members to be elected and then go away and make use of the position they held. The sooner the House stopped that, the better. It was hard on some members who had to come a long distance—400 miles and so forth—to attend their duties at great inconvenience, when there was a large number of members away. It was no trouble for town members to attend; it was a sort of amusement for them to be present, but it was inconvenient for the members who came from the goldfields. One member had to come from Champion Bay. He (Mr. Burgess) often came to the House because he did not know whether there would be sufficient members present to transact the business or not.

HON. J. W. HACKETT said his sympathies were altogether with Mr. Haynes on this motion, and he said it because Mr. Taylor was a special friend of his—one of the first friendships Mr. Taylor formed in the colony, and that friendship had never been interrupted. This applying for leave of absence was becoming a serious matter; for we had had an elective Council during only four years, and in that time, in seven different sessions, some members of the Council had been away from first to last. It seemed to be taken as a matter of course that members might stay away, and run a risk which was no risk at all; and, when these members came back, they chaffed everyone about the delightful holiday they had had in London or elsewhere. It was a pity to make a scapegoat of one hon. member without giving him warning, but we must begin somewhere. The whole question

was a big one. He moved, as an amendment, that a Select Committee be appointed to consider the propriety of granting the Hon. J. H. Taylor leave of absence for one month, and that the Committee consist of five persons.

HON. H. G. PARSONS asked the House not to accept the amendment. It was unnecessary and extremely harsh. From the tone of the speech of Mr. Hackett, one was inclined to say, "Save me from my friends."

HON. J. W. HACKETT: Friendship did not come into this.

HON. H. G. PARSONS: Mr. Taylor had shown his utmost willingness to comply with his duties, in the past. It was said that some hon. members had to come from Coolgardie and other places, but Mr. Taylor was perfectly willing to attend even from Karlsbad. If the House passed a vote of censure on Mr. Taylor, it would look as if Mr. Taylor had committed an act of contempt towards the House.

HON. F. WHITCOMBE, in supporting the amendment, said that when Mr. Taylor went away it was understood he had gone for good, if he could get what he wanted in California; and, if he could not, he might come back. Now Mr. Taylor was somewhere else. It appeared that Mr. Taylor's friends were trying to keep his seat "warm" for somebody else, when the time came. We had not the exact information as to the attendance of members in the past, therefore it might be as well to refer the matter to a Select Committee.

THE COLONIAL SECRETARY: It seemed a little invidious to take a step like this in regard to Mr. Taylor, when the House had agreed to grant leave of absence to Mr. Saunders. No doubt a Select Committee would recommend that Mr. Taylor be granted the leave; therefore, in voting for the amendment, members would only be delaying the granting of the leave. It was unfair to Mr. Taylor to treat him differently from any other member. The letter which he (the Colonial Secretary) had, said that on August 6th Mr. Taylor was in a bad state of health, and had gone to Homburg for the benefit of his health, but that Mr. Taylor would return to the colony this month. Mr. Taylor last session took an

active interest in the business of the House.

HON. F. T. CROWDER: He always voted with the Government.

THE COLONIAL SECRETARY said he hoped the hon. member would not press his amendment. It was wrong for hon. members to absent themselves; still that was more a question for hon. members' constituents than for members of the House, although members had a right to expect other hon. members to attend. It was a very important question to consider, whether people were willing to be disfranchised. Mr. Hackett had said that six members had been away for a whole session since there had been an elective House.

HON. J. W. HACKETT: Seven.

THE COLONIAL SECRETARY: That was not fair. But it was not right to select one man, and say that leave should not be granted in his case.

HON. E. McLARTY: In agreeing with Mr. Loton and others as to members absents themselves in this House, it would be rather unfair to refuse to grant leave of absence, because other hon. members had been excused. The House had a right to interfere in this case as well as the constituents. He was entirely opposed to members travelling about with M.L.C. after their names, but in this case he would support the motion.

HON. R. S. HAYNES: If Mr. Hackett intended to withdraw his amendment, it should be on the distinct understanding that if, within one month, the Hon. J. H. Taylor was not on his way here, the House should refuse further leave of absence. The House refused two months' leave of absence to Mr. Saunders, but said that if Mr. Saunders was on his way to the colony within one month, the House would grant another month's leave of absence to enable him to get here.

THE PRESIDENT: The same concession should be given to Mr. Taylor as was given to Mr. Saunders. It would be rather invidious treatment of one member, to refuse him leave of absence, when it was granted to another.

HON. W. T. LOTON: Hon. members had expressed strong opinions as to members absents themselves, and it seemed to be the unanimous opinion that members should not stay away for lengthy

periods. The question was, when should we make a start in refusing leave of absence. After what had occurred, very few members would attempt to absent themselves without the leave of their constituents, and the House afterwards.

HON. J. W. HACKETT said he was prepared to withdraw his amendment on the understanding expressed by Mr. Haynes.

Amendment, by leave, withdrawn.

HON. A. P. MATHESON: What was the understanding?

HON. R. S. HAYNES: That Mr. Taylor be on his way to this colony within one month.

Question put and passed.

#### RETURN: NORTHAMPTON MINING LEASES.

HON. R. S. HAYNES moved—"That a return be laid on the table of the House, showing—1, the number of mining leases held in the Northampton mining district at present; 2, whether all such mining leases are manned in accordance with the Mineral Land Regulations, and if not, how many are not; 3, the number at present under exemption, with the names of the persons to whom such exemption has been granted; 4, a list of the mining leases held at Northampton from September 30th, 1896, to July 31st, 1898, showing the name or names of the person or various persons to whom each of such leases has been granted between those dates; 5, the quantity of lead and copper ores conveyed to Geraldton from Northampton, by train, from January 1st, 1897, to 31st July, 1898." He wished the Government to be informed of the little game that was going on in the vicinity of Northampton. The mines were being played with like a game of battledore and shuttlecock.

HON. F. T. CROWDER: What about the Collie?

HON. R. S. HAYNES: Perhaps the same was going on there. At Northampton, leases had been pegged out and that was all. The lessees were trying to sell the leases. One person kept the land as long as he could; then he allowed it to be jumped by a friend, and so on. No work was done whatever, and the object of the Mines Regulation Act was being defeated. The Government should see that some

steps were taken so that leases should not be "shepherded" in this way.

HON. J. W. HACKETT: Were not most of the mines on private property?

HON. R. S. HAYNES said he was referring to leases.

Question put and passed.

#### MOTION: SHIPPING CASUALTIES INQUIRY BILL.

##### SELECT COMMITTEE'S REPORT.

HON. R. S. HAYNES: The evidence taken before the Select Committee on the Shipping Casualties Bill had been handed to the Colonial Secretary, to enable him to get the Bill re-drafted. He understood from the Colonial Secretary that the draftsman was unable to draft a Bill in accordance with the evidence. There were thus only two courses now open, either to bring in a report recommending that the present Bill be thrown out, or to move that the time be extended for a week to enable him (Mr. Haynes) to take the present Bill in hand and redraft it, which he was willing to do. He moved that the time for bringing up the report of the Select Committee on the Shipping Casualties Inquiry Bill be extended for a week.

THE COLONIAL SECRETARY said he would be glad if the House agreed to grant the extension of time, to enable Mr. Haynes to redraft the Bill.

Question put and passed.

#### CRIMINAL APPEAL BILL.

##### SELECT COMMITTEE'S REPORT.

HON. R. S. HAYNES brought up the report of the Select Committee on the Criminal Appeal Bill.

Report received. Ordered, that the report be taken into consideration at the next sitting of the House.

#### REAPPROPRIATION OF LOAN MONEYS BILL.

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

#### INTERPRETATION BILL.

Read a third time, on the motion of the COLONIAL SECRETARY, and *passed*.

WINES, BEER, AND SPIRIT SALE  
AMENDMENT BILL.

## IN COMMITTEE.

Consideration of new clauses resumed.  
New Clause:

HON. F. M. STONE moved that the following be added as a new clause:—

No conviction under this Act shall be quashed by any court or judge on the ground that the evidence upon which the conviction was made was that of an informer or police constable purchasing liquor for the purpose of obtaining such conviction.

This clause would, he felt sure, commend itself to hon. members who voted against the Sunday opening of hotels. It was impossible under the present law to obtain a conviction against a hotel keeper for Sunday trading. In numerous cases publicans had been convicted before magistrates for this offence, but when the conviction came before the Supreme Court, and it was shown to have been brought about by an informer, it had been quashed. In the case of a police-constable going into a hotel and obtaining liquor during prohibited hours, whilst another constable kept watch outside, the conviction had been quashed, and moreover the constables had been "slated" by the Supreme Court judge for obtaining the liquor by such means. It would be impossible to obtain a conviction for Sunday trading unless some such clause as that now proposed were carried. He (Mr. Stone) did not like such means of obtaining convictions, but if the law said there had to be no Sunday trading, that law should be upheld, because it was impossible for the police to get convictions in any other way. The Committee had already agreed to a clause providing that hotels should be kept open from 1 to 2 o'clock in the afternoon and from 9 to 10 o'clock in the evening on Sundays, and the clause now proposed was intended to apply to hotel keepers who supplied liquor during prohibited hours. Without such a clause, the law as applied to limited Sunday trading would be a dead letter.

HON. R. S. HAYNES: The law, as it at present stood in regard to informers, applied to both judge and magistrate, and had done so for many generations. A judge or jury was not bound to convict any person on the evidence of an informer,

unless that evidence were supported in some material particular. A judge or jury might convict on such evidence alone, but if they did so, it was no ground for the quashing of a conviction. Why should there be a distinction made between informers in regard to publicans and informers in regard to other persons who broke any other law? If publicans could not be caught without calling into existence a body of informers, some judges thought it was better that the law should be broken than that there should be such informers. The lesser evil of the two, as between allowing the law to be broken and the class of informer or blackmailer to be created, was to allow the law to be broken. There was no doubt that many made a trade of being informers; and the object should be to distinguish between an informer and an accomplice. A man who induced a publican to break the law was undoubtedly an accomplice, without whom the law would not have been broken, and that was the class of person to whom the judges objected. In one case a judge drew from a man that he was an informer and was doing pretty well at the business. In reply to questions, that informer said he had earned about £150, and expected to get £15 out of the case then before the court, that £15 being earned by his inducing people to break the law. The clause now proposed would alter the common law in force throughout the British dominions, and he believed in America; and if the law had to be altered in this connection, why not alter it also in relation to magistrates? The Full Court unanimously upheld a conviction in a case where some constable went and got some beer whilst the hotel keeper was absent. The beer was obtained from the daughter of the publican, and the latter was fined £50. He (Mr. Haynes) appealed to the Full Court on behalf of the publican, and although the conviction was upheld, the judges regretted the means by which the conviction had been obtained. That was the only case of the kind he knew of. Both Mr. Justice Stone and Mr. Justice Hensman had agreed that it was most deplorable to see informers about, and the latter was of opinion that when informers so conspired, they were breaking the law,



though Mr. Justice Stone did not express an opinion so strongly as that. His (Mr. Haynes's) opinion was that if two persons met together and induced another man to commit a crime, they were guilty of a conspiracy. But the Chief Justice was of a contrary opinion, and held that without informers the law could not be carried out. He (Mr. Haynes) was very sorry indeed to think it was necessary to the administration of justice that a band of informers should be called into existence; indeed, they were not informers at all—they were accomplices. The men whose duty it was to prevent a breach of the law were the very persons who induced a breach of the law, and then it was proposed by this clause that this evidence ought not to be supported. In cases of a man being charged with selling drink without a license, it very often happened that informers dropped upon him unawares, and blackmailed him instead of instituting a prosecution; and the result of the clause would be that, for one case brought into court, there would be five in which blackmail would be levied. It would, therefore, be very unwise to alter the present law. The hon. member ought not to press his motion, which would interfere with the fundamental principle of common law.

HON. E. McLARTY: It was with some diffidence he made any remarks on this question, but the new clause moved by Mr. Stone struck him as a dangerous one. He had always admired the action of the judges in not upholding convictions obtained by the unfair means of informers. The practice of police-constables going into hotels and obtaining convictions against publicans by means of false pretences and false representations should be put down in the strongest manner possible. Only a few days ago in his own district, a case occurred where a man was brought up for sly-grog selling. The penalty imposed was perhaps deserved, but the conviction was obtained under very unfair circumstances. A man might call at a person's place in the bush and be entertained, and then go back and ask for something to drink, with the result that the man who supplied the drink was sold up and lost everything. That

class of informer should not be encouraged in the country. He was glad to see that the police were doing their duty, and in every possible instance bringing prosecutions against sly-grog sellers, and against publicans who sold during prohibited hours. He heartily supported Mr. Haynes in opposing the proposal.

Clause put and negatived.

New Clause:

HON. F. M. STONE moved that the following be added as a new clause:—

If, in the course of any proceedings, the defendant fails to prove the purchaser was a bona fide traveller, but the justices are satisfied that the defendant truly believed that the purchaser was a bona fide traveller, and further that the defendant took all reasonable precautions to ascertain whether or not the purchaser was such a traveller, the justices shall dismiss the case against the defendant, and, if they think that the purchaser falsely represented himself to be a bona fide traveller, it shall be lawful for the justices to direct proceedings to be instituted against such purchaser, under section twenty-one of the Wines, Beer, and Spirit Sale Amendment Act, 1884.

This clause was really intended, he said, for the protection of the publicans, on the principle that if the publican tried to carry out the law he ought not be prosecuted. Under the new clause, if a man came into a hotel and represented himself to be a traveller, and the publican took every means to ascertain whether that man was a traveller, and honestly believed him to be such, then the magistrates could not convict that publican of selling during prohibited hours. But the magistrates could order a prosecution to be made against the person who had represented himself to be a traveller, and who had really trapped the publican into supplying him with liquor. This was a clause taken word for word from the English Act. He himself as a legal practitioner had had cases in which publicans had taken every precaution, and in spite of all had been induced to serve men who were not *bona-fide* travellers. Under the clause, if a publican acted honestly, no conviction would follow, but a prosecution might be ordered against the bogus customer.

Put and passed, and the clause added to the Bill.

New Clause:

HON. F. M. STONE moved that the following be added as a new clause:—

Clause 61 of the Wines, Beer, and Spirit Sale Act, 1880, is hereby amended by inserting after the word "premises," in the sixth line, the words "except between the hours of one and two in the afternoon, and nine and ten in the evening of a Sunday, and."

This was really a consequential clause to one passed when the Bill was in Committee. The House had agreed that there should be Sunday trading between the hours of 1 and 2 o'clock in the afternoon and 9 and 10 o'clock in the evening on Sunday. It was, however, provided by section 61 of the Act that there should be no consumption on the hotel premises, and, if the proposed clause were not carried, it would mean that while a person could buy liquor on the premises, he would have to go out on the street to drink it.

Put and passed, and the clause added to the Bill.

New Clause:

HON. F. M. STONE moved that the following be added as a new clause:—

The words "any person," in the first line of section 86 of the said Wines, Beer, and Spirit Sale Act, 1880, shall include any person, council of any city, town, or the board of any road district objecting to the granting of a license, renewal, removal, transfer, or transmission of a license.

Section 86 of the Act, he said, gave power of appeal in all cases except a refusal to the granting of a license. Supposing the justices of the peace granted a license, and any person objected, the clause as now worded gave no appeal to the Full Court against the magistrates' decision. If the majority of ratepayers in the neighbourhood were against the granting of a license, the magistrates really ought to refuse the license; but supposing the magistrates, for some reason or other, decided against the majority, there was no appeal.

Put and passed, and the clause added to the Bill.

New Clause:

HON. F. M. STONE moved that he following be added as a new clause:—

The neighbourhood mentioned in section 25 of the Wines, Beer, and Spirit Sale Act, 1880, shall mean, as to any city or town, within a radius of a quarter of a mile of the house proposed to be licensed, and in all other cases

within a radius of half a mile of the house proposed to be licensed, and such radius shall be deemed the neighbourhood for the purposes of such section.

According to section 25 of the Wines, Beer, and Spirit Sale Act, the licensing magistrates had power to determine what should be the neighbourhood within the meaning of the section. He wished to define what a neighbourhood should be. From what the licensing magistrates generally decided, a quarter of a mile was a neighbourhood in a town, and half a mile outside of a town, and the new clause he proposed provided this.

THE COLONIAL SECRETARY: This matter cropped up some years ago in the Legislative Assembly, when he discussed the question with the late Mr. George Leake. The ultimate result was that it was found impossible to fix a radius that would be a workable one in the statute. The other day an application was made for a hotel in Bazaar Terrace. If the half mile radius had prevailed, that would go into Wellington-street, and what interest would the residents of Wellington-street between Pier-street and King-street have in a public-house in Bazaar Terrace? A number of instances could be given of this character. In some cases half a mile would not be large enough, but in other instances it would be too large. It would be better to leave the section as it stood. In three instances a radius had been declared and accented as satisfactory. The section had worked very well in the past.

Clause put and negatived.

New Clause:

MR. WHITCOMBE moved that the following be added as a new clause:—

Every person who, without lawful excuse, the proof whereof shall be upon him, shall be found within or upon licensed premises beyond the hours wherein the same are licensed to be open for the sale of liquor, shall, upon conviction, be liable to a penalty of not less than 10s. nor more than £5.

His object was to give further protection to the licensed victualler.

HON. R. S. HAYNES: The statute book was full of crimes already. Licensed premises were not only the house but the yard, and if a person was in the yard he would be liable to the penalty. In the suburbs hotel-keepers had large blocks of land, and if persons were found upon this land they would be liable to a

penalty. He hoped the amendment would not be pressed; it was too drastic. This provision was in force in one of the other colonies some time ago, but it was found to be ineffectual.

Clause put and negatived.

New Clause:

HON. R. S. HAYNES moved that the following be added as a new clause:—

Nothing in this or the principal Act contained shall prevent the sale of liquor upon any day, upon any steamer for which a packet license has been granted, plying for hire on the Swan River, at any place north of the Causeway or half a mile south of Point Belches.

This provision was rendered necessary in consequence of the definition of "traveler" which had been proposed by Mr. Stone.

Put and passed, and the clause added to the Bill.

Bill reported, with amendments, and report adopted.

#### IMMIGRATION RESTRICTION ACT AMENDMENT BILL.

##### SECOND READING.

HON. F. M. STONE, in moving the second reading, said: This Bill is introduced in consequence of a hardship which the Immigration Restriction Act of 1897 has been found to inflict in the north-west parts of the colony. Under the Act, no Malay or Chinese lightermen can be employed on the coast. Now, most of the lightermen from Sharks Bay, and further north, are Malays, and white crews cannot work in those parts of the colony. So long as coloured labour does not get down south, there can be no objection to the Bill. It is provided in the Act that Malays and Chinamen may be employed in pearling, and that they may also be employed in the guano trade in the Abroghos Islands. By some oversight, however, coloured lightermen have been left unprovided for in the measure, and I do not think this House will object to the Bill, seeing it removes a great hardship, and meets what is a necessity in the north-west of the colony.

HON. D. K. CONGDON: To what part of the colony does the Bill apply?

HON. F. M. STONE: It only applies to that part of the colony north of the 27th parallel. It does not affect the southern parts of the colony at all. The

men contemplated in this Bill can only be employed in lighters, and may only go ashore for temporary purposes; and that they should have been omitted from the exceptions in the Immigration Restriction Act was clearly an oversight. I amend sections 16 and 19 of the Immigration Restriction Act, 1897, by inserting in section 16, after the words "pearl-shell fishery," in lines 3 and 4, the words "or as the crew of coasting, lightering, or other vessels;" and by inserting in section 19, after the words "pearl-shell fishery," in lines 5 and 6, the words "or as the crew of coasting, lightering, or other vessels," and after the words "such fishery," in line 6, the words "or as such crew." The Governor has power to make regulations, and every protection is given to prevent these labourers coming south of the 27th parallel.

HON. A. P. MATHESON: The Bill does not apply to section 16.

HON. F. M. STONE: The Bill applies to the whole Act. I have amended, firstly, section 16, and enabled the Governor to make regulations as to the registration of such persons employed; and then I amend section 19. There is absolutely no reason to be alarmed that these men will come south, seeing that they can be employed only on coasting vessels north of the 27th parallel. A register is to be kept of the men employed, showing their names and so forth, so that we are fully protected from their coming down to this part of the colony.

HON. F. WHITCOMBE: I do not quite understand whether it is intended to add facilities to the importation of undesirable immigrants in any way, or whether the conditions are such as only to allow these coloured men, who are already in the colony, to be employed. Although I do not think that there is any chance of carrying an amendment that this Bill be read this day six months, I shall certainly not support the measure, if it is to have the effect I have indicated.

HON. F. M. STONE: Southward of the 27th parallel these men cannot be brought in at all. They can only be employed north of the 27th parallel.

HON. A. G. JENKINS: Cannot white labour be got north?

HON. F. M. STONE: No; it cannot.

HON. F. WHITCOMBE: I do not suppose any opposition to the second reading of the Bill would be effective; but, at the same time, I am pledged against the further admission of coloured labour into the colony, and I oppose the motion.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Bill passed through Committee without debate, reported without amendment, and report adopted.

At 6.30 p.m. the PRESIDENT left the chair.

At 7.30 p.m. the PRESIDENT resumed the chair.

IMPORTED LABOUR REGISTRY ACT  
AMENDMENT BILL.

SECOND READING.

HON. F. M. STONE, in moving the second reading, said: I would point out to hon. members that the section of the Imported Labour Registry Act I propose to repeal is section 6, by which it is enacted that

Labourers shall not be imported into Western Australia in, or landed from, any ship in a greater number than one labourer for every five hundred tons of the ship's capacity; the tonnage, in the case of a British ship, being taken as the registered tonnage, and, in the case of a foreign ship, being measured according to the rules of measurement provided in the Merchant Shipping Act, 1894.

Hon. members will see that the original Act applies only to labourers imported to the colony north of the 27th parallel of latitude.

HON. A. P. MATHESON: Where is that shown?

HON. F. M. STONE: Section 4 says—

No labourer brought into Western Australia under this Act, or who has already been so brought under the Act repealed by this Act, or under the Imported Labour Registry Act, 1892, shall enter by land or sea into any part of this colony south of the twenty-seventh parallel of south latitude, except as hereinafter provided.

Section 7 says:—

Every person who wilfully assists any labourer to enter Western Australia in contravention of this Act, or wilfully assists any labourer, being already in Western Australia, to enter that part thereof which is south of the twenty-seventh parallel of south latitude, shall be

liable, on conviction, to a fine not exceeding one hundred pounds for each labourer so assisted, or to be imprisoned, with or without hard labour, for a period not exceeding twelve months.

So that the Imported Labour Registry Act applies only to north of the 27th parallel of latitude, and does not apply to any part of the colony south of that parallel. The Immigration Restriction Act provides that no person of any coloured race shall enter Western Australia, unless he is able to read a paragraph in English taken from any standard author; so that that Act prevents any person from entering the colony unless he can read and write.

HON. F. WHITCOMBE: If it is enforced.

HON. F. M. STONE: If the Government like to enforce the Act, it prevents any person entering the colony who cannot read and write.

HON. F. WHITCOMBE: But it is not enforced.

HON. F. M. STONE: It is not enforced except against persons of the coloured races. In order to provide for the northern portion of the colony, the Imported Labour Registry Act provides that persons of the coloured races, introduced for labour purposes and under contract, can be introduced into the northern portion of the colony, but the person importing these labourers is bound to return them. If these labourers are found at large, the Government can arrest them, put them on board ship, and send them back to the country they came from. The Government could inflict a penalty on the person who imported these labourers for not having sent them back. Should these labourers, after their term of contract expired, be engaged by any other person, the other person has to undertake to return the labourers on the same terms as the person who originally imported them. Any coloured labourer found south of the 27th parallel can be arrested and sent back to the country from whence he came; so that every provision is made to prevent undesirable coloured labourers coming to this portion of the colony. The Act goes further than that and provides that one coloured man can only be imported for every 500 tons burden of the ship. This has been found to work a hardship on the people of the northern portion of the colony. It has

been found that steamship proprietors require a large amount for passage money, and also that these coloured people ask for enormous wages, knowing of these restrictions. Such a steamer as the "Sultan," for instance, can only bring down two of these coloured labourers per trip, and it will readily be seen how a great hardship may be worked. These coloured labourers have to be returned under a penalty, and the term "coloured labourer" applies not only to Chinamen but to every other coloured person whatsoever. The old Act only applied to Chinamen, so that in the northern parts of the colony Malay, Cingalese, and Japanese labour could be obtained; but under the Act passed twelve months ago, a great dearth of servants has been experienced in those parts of the colony where it is impossible to induce white servants to go. In nearly all houses in the northern districts the cooks are either Chinese or Japanese, but since the passing of the Act many of the houses have been left without servants, and it has fallen on the unfortunate wives of the settlers to do all the household work. In those parts of the colony it is impossible, owing to the heat in certain times of the year, for white people to perform the services required, and under the Bill people would be enabled to get down under contract as many servants as they liked, but would be compelled to return these servants at the conclusion of the contract.

HON. F. WHITCOMBE: Could Chinese not be got from the south?

HON. F. M. STONE: Where can Chinese servants be got from the south? Such servants cannot be got, and in any case they ask astonishing wages. It is impossible to get Chinese servants in Perth, and, if that be so, it must be impossible to get them in the north. All the Chinese servants in Perth are snapped up by the hotels, and the only resource is to import them under the almost impossible conditions. Under the Act an employer is bound to return a coloured servant. If he does not do so, then the police can arrest the servant, pay his passage money, and then summon the employer, who is liable to a penalty of £100. It will be seen that the southern parts of the colony are protected

in every way. Coloured servants cannot come here by sea or land, under a penalty of £100, and I think that is all that can be desired by people in the southern parts. There is no desire that this class of labour should be introduced into the southern parts of the colony; but hon. members will, I am sure, do justice to that part of the colony in which no other labour is suitable. The *Northern Public Opinion* bears out what I say in the following extract:—

Even now persons of limited income are finding it impossible to pay the exorbitant wages demanded by the few cooks who are here, and as these men are leaving by every steamer the time appears to be fast approaching when ladies will either have themselves to do the housework and cooking, or to revert to the tinned meat and damper of the bush. Stations and boats alike are finding it impossible to procure men, and we understand that at least one vessel is to be laid up at the port of Cossack owing to the difficulty of procuring coloured crews.

"Coloured crews" are covered by the last Bill we passed. The article proceeds:—

The Act in its simplicity will allow the educated coloured man to step ashore and compete with the business firms and skilled labour, but the necessary cook and sailor are debarred. Certainly steamers are allowed to bring one immigrant for each 500 tons of cargo, but as this naturally causes so many empty berths, the steamers have raised passage rates accordingly, until the luxury of a cook is beyond the means of any but a "salgash" millionaire. Why the pearlers have the concession of importing crews, and coasting vessels are debarred, it is hard to say, unless the rumour, "Alex hath done this" is founded on fact. Had the Act prohibited importation south of the twenty-seventh parallel, and allowed it north of the same parallel, with the proviso that the men should be returned to their country at the expiration of agreement, and also provided that such men should only work as servants, and not as storekeepers and skilled labourers, it would have been a benefit. As it was, we can only think of the pearlers and say, "truly it is well to have a friend at court." We would respectfully commend the motto: "It's never too late to mend."

Hon members will see from this article that, owing to the Imported Labour Act of last year, the people in that part of the colony are left entirely without servants. Exorbitant passage money was asked before this Act was passed, but since then the shipping companies have gone further. Coloured labourers go away, and cannot be got into the colony again.

HON. D. MCKAY: £25 has been offered for a cook.

HON. F. M. STONE: It will be seen from Mr. McKay's interjection to what extent the people in the north have to go; and it surely cannot be the wish of the members to inflict such hardships on any portion of the colony. In places where, in consequence of the climate, people are obliged to employ coloured labour, why not allow that to be done, as the newspaper article points out, only on certain work and under certain restrictions? In time to come, there will be very few Chinamen in the southern parts, and in the north they would be only employed in work which the white man could not perform. People have gone into that part of the colony and borne the heat and burden of the day, when Western Australia was not so flourishing, and have contributed large revenue which helped the colony along in days gone by; and surely it would be only an act of justice to assist them in the way proposed in the Bill.

HON. J. E. RICHARDSON: I have pleasure in seconding the motion for the second reading of the Bill. I can bear out all that has been said by Mr. Stone respecting the hardships in the north through an insufficient supply of labour. Circumstances in the north are altogether different from those in the south. In the south, coloured labour is not required so much as in the north, and perhaps not at all. It is as cooks and water-drawers that coloured labour is wanted, because that is a class of work which white people cannot be got to do. Coloured cooks in the north are asking exorbitant wages, up to as much as £6 per month, and that is a wage which people cannot afford to pay. Steamers have raised the passage money of the imported coloured people, and the importer of such labour has to pay three months in advance, and then give exorbitant wages. Southern people need not be under fear of the coloured labourers being allowed to come down into this part of the colony, because the Bill is hedged all round with precautions.

HON. A. P. MATHESON: What is going to stop them?

HON. J. E. RICHARDSON: The Act.

HON. A. P. MATHESON: I know that the Act says so, but how are you going to stop them?

HON. J. E. RICHARDSON: The people who bring coloured labour into the country are liable. Mr. Stone has put the matter in a very fair light, and I have much pleasure in supporting the second reading of the Bill.

HON. A. P. MATHESON: I really cannot agree with everything that has fallen from Mr. Stone. In section 4 of the Act provision is made, as Mr. Stone has stated, that no coloured labour shall enter by land or sea south of the 27th parallel of latitude. But there is nothing whatever, so far as I can see, to prevent any coloured labourer coming within that boundary. It is true a coloured labourer is liable to a penalty if he does so come within the boundary, but what does that penalty amount to? The police have to catch him; and anybody who knows anything about coloured people, Chinese or Japanese, knows it is perfectly impossible to identify one coloured person from another until you know him personally. The police will not bail up every coloured man they meet, and ask him for a certificate. We know there are a number of cases in this colony in which Acts have made proper provision to safeguard the public, yet the provisions are absolutely inoperative because the police do not carry them out. It is certain that the police absolutely fail to carry out any provision to keep labourers from coming down past the 27th parallel of latitude. I think the best evidence that these labourers are coming down here is this. We are told by Mr. Stone that the coloured labourers in the North are becoming gradually less, in spite of the large rise in wages. I am accepting his statement because I have no means of verifying it; and, if that is the case, it is clear to my mind that these labourers are going somewhere else where they can get better wages.

HON. R. G. BURGESS: They are going back.

HON. A. P. MATHESON: It is impossible that they should go back when they are offered such high wages here. The fact is, these coloured labourers come down here.

HON. F. M. STONE: They cannot get down.

HON. A. P. MATHESON: I cannot see what is to stop them. As a prohibitive law it is a good one, but the provision in

the Act cannot be put into operation. The whole of the people in that portion of the colony which I represent are anxious that the importation of coloured people into the South should be put a stop to. I gather that the Government are of the same opinion. If my recollection serves me aright, members of the Government have expressed views which coincide with the views of the majority of the people in the southern portion of the colony. I fail to see why a provision, limiting in a most reasonable way the importation of coloured labour to one man to 500 tons of the ship's burden, should be done away with.

HON. F. M. STONE: Only as to Chinamen. You can have as many Japanese as you like.

HON. A. P. MATHESON: I do not think Japanese are at all preferable to Chinamen. Japanese are immoral from beginning to end. I do not impute blame to the Japanese, because they do not look on it as immoral; but, from my point of view, all Japanese are immoral. I am opposed to any alteration of section 6 of the Act.

HON. D. MCKAY: I cannot see how, so long as the coloured people are kept north of parallel 27, they will interfere with the southern portion of the colony at all. It is a matter of impossibility to get white men as labourers in the North. I have been up there, and know by experience that if you pay a white man £20 a month he will not draw water for you; it is impossible for him to do it. White men cannot stand the continual drag and continual heat. So long as the coloured labourers are kept in the North, no harm can be done. The few Chinamen there are up there now want much higher wages than white men would want if you could get them to do the work.

HON. E. McLARTY: I intend to give the Bill my hearty support. It would be a great injustice to the settlers in the North to prevent their employing Chinese labourers. Mr. McKay has stated that it would be impossible to get white men to perform the work which these men perform, and I know that to be true. I am quite as much opposed to the introduction of Chinese labour as Mr. Matheson is, but I believe the settlers, who require the

services of these coloured labourers, should not be deprived of their services.

HON. R. G. BURGESS: I mean to support this little Bill; and I speak independently on this matter, as I am not interested in the North. It is only a matter of justice that we should consider the settlers in the North, although they are in a minority. Some people, who have recently come to this part of the world, think they ought to have everything their own way. As far as alien labourers are concerned—Chinese, Japanese, or other labourers—we should not encourage them at all. Mr. Matheson asked how we were going to keep these labourers out of this portion of the colony. If every man who imports a labourer registers that man, when the engagement is ended the police can see that the labourer is returned, or that the employer is fined a heavy penalty.

HON. D. MCKAY: The passage-money has to be deposited.

HON. R. G. BURGESS: Is it supposed that these labourers walk down from the North past all the police stations? If Mr. Matheson had been in that part of the country, he would see that no Chinaman could travel down here from the North. We do not want the coloured labourers down here, but it is only an act of justice that we should allow the settlers in the North to employ coloured labour. It is our duty in this House to consider the minority as well as the majority. We should do that; it is our bounden duty to do it, and not crush out any industry. If hon. members knew what those persons engaged in the pastoral industry up North have gone through, they would not deprive them of what is justly asked. I have experienced this. The settlers work hard, and then are ruined by droughts and storms and other troubles. The Imported Labour Registry Act was hurried through the House last session, and I believe this session everything will be attempted to be hurried through just as it was last session. When it is found that mistakes have been made, we see the evil of rushing measures like this through. This House should protest against the rushing through of measures. It would be better that we should not have measures passed at all than passed in a hurry. I intend to support this Bill, although I represent a large district

where there are a large number of labourers employed, and we do not want coloured labourers in the district that I represent. It is our duty to try and benefit the minority as well as the majority. I shall always do that as long as I hold a seat in this House.

HON. F. WHITCOMBE: The chief objection to the Bill is the difficulty in preventing such Asiatics as are allowed to go to the northern part of the colony coming down south. That can be met in either of two ways. The traffic is managed by regulation at the present time. A regulation could be provided that every servant introduced into the colony should receive a certificate, stating where he is employed, and the date of his service; and, upon demand by the police or some other authorised person, the labourer should be bound to show his certificate, and if the labourer could not show that certificate, then he could be sent back to the country he came from.

HON. D. McKAY: That is the case now.

HON. F. WHITCOMBE: The other way to prevent their access to this portion of the colony is by a more strict examination of the labourers arriving by steamers at Fremantle and Geraldton. The other day five Asiatics were landed out of the "Sultan," and a report was current that two of these Asiatics were unlawfully landed. The system of examination at Fremantle is not effective, and owing to the supineness of the examiners, these coloured labourers are allowed to come, and no steps are taken to trace these labourers to see whether the report which was circulated was true. Although there would be some difficulty in preventing Asiatics coming to the South, there is no reason why the settlers in the North should be subjected to the high rate of wages which now prevails.

HON. W. T. LOTON: If it was a question of whether any further permission should be given for these coloured people to enter this southern portion of the colony, there would be only one expression of opinion given; but that is not the question which we have to decide. The question is whether any facilities shall be given for coloured labourers to enter the northern portion of the colony. The difficulty is to confine these people north of parallel 27 when they are once there.

I believe the Imported Labour Registry Act is made pretty well as stringent as it possibly could be made in this respect. These labourers, before they are allowed to go on board ship, have to be engaged by an employer in this colony for a certain period of time, and, when these labourers arrive, there is a certain process for them to go through. They are duly registered, and the employer has to find security that the labourers will be returned on the completion of their engagement, and, if the security is not sufficient, the Government can demand sufficient money to pay for their passage back. If the employed travel out of the district, and are not in a position to show that they are under engagement, they are liable to imprisonment. Therefore, it appears to me the Act is as stringent as it could be made. If the resources of the northern districts are to be developed, and white people are to live and prosecute their industries there, they must have coloured labour. The question narrows itself to this: are white people, after inhabiting that part of the colony for 40 years or thereabouts, to give up and return south, and leave the natives to occupy the country again? White servants cannot be got for that part of the country at wages employers can pay; and even if white servants could be paid the wages asked for, they cannot perform the duties, in the sun of that climate, which the coloured labourer can. The only fear and trouble are to prevent these coloured labourers from coming south, and if the Act at present in force is not stringent enough, let us make it more stringent.

HON. A. P. MATHESON: How can you enforce the Act? It is stringent enough already.

HON. W. T. LOTON: Why not enforce it?

HON. A. P. MATHESON: It is impossible.

HON. W. T. LOTON: The matter need not be left to the police, because, if the southern portion of the colony was being overrun by coloured labour, all that would have to be done would be to ask the coloured labourer to produce his engagement. In the country districts we are not overrun by coloured labour as, perhaps, they are in the cities; indeed, coloured labourers could not get in this part of the colony unless they trespassed by coming



overland. Under the circumstances I feel bound to give my support to the Bill.

HON. A. G. JENKINS: I cannot give my support to the Bill. I have seen this question dealt with in places where there are just as stringent regulations as are proposed here. I speak of Queensland and New South Wales, where the Asiatics are found coming across big wastes and arid deserts in order to get into the populated districts, in spite of all the regulations that can be made. The only method is to prevent coloured races coming into the country at all. It is to be regretted that any hardship should be inflicted on settlers, but the hardship that would be inflicted would be somewhat counteracted by the restriction of the importation of these undesirable immigrants. If the Bill be passed, these coloured people will be found coming down, not by ones and twos, but by droves. We should find them coming from the North to the South, just in the same way as they have done in Queensland and New South Wales, and adjoining colonies.

HON. W. T. LOTON: They must be engaged before they come.

HON. A. G. JENKINS: There are exactly the same restrictions in those colonies as are proposed in this Bill.

HON. H. G. PARSONS: I hold very strong opinions on the question of the importation of Asiatics into any temperate part of this or any other colony; but I shall support the Bill. If we turn round and say we cannot enforce the laws and regulations because an injustice will be done to the North, we acknowledge our unfitness to conduct the public affairs of this colony, and admit that the northern districts would have been better under Imperial rule. It seems to me it would be impossible to carry on business in the north of this colony without coloured labour. It would be perfectly possible to keep coloured labour from the southern districts, where we have too many at present. Under these circumstances the House would be stultifying itself by not adopting the Bill. If we find that our laws and regulations are not enforced, all we have to do is to alter our laws and regulations until they do meet the position.

Question—that the Bill be read a second time—put, and division taken with the following result:—

Ayes	...	...	...	13
Noes	...	...	...	2

Majority for	...	...	11	...
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*Ayes.**Noes.*

Hon. H. Briggs  
 Hon. R. G. Burges  
 Hon. F. T. Crowder  
 Hon. R. S. Haynes  
 Hon. W. T. Loton  
 Hon. D. McKay  
 Hon. H. G. Parsons  
 Hon. G. Randell  
 Hon. J. E. Richardson  
 Hon. W. Spencer  
 Hon. F. M. Stone  
 Hon. F. Whitcombe  
 Hon. E. McLarty  
 (Teller)

Hon. A. G. Jenkins  
 Hon. A. P. Matheson  
 (Teller)

Question thus passed.

Bill read a second time.

#### IN COMMITTEE.

Bill passed through Committee without debate, reported without amendment, and report adopted.

#### ADJOURNMENT.

THE COLONIAL SECRETARY moved that the House, at its rising, do adjourn until Tuesday next.

Put and passed.

The House adjourned at 8.30 p.m. until Tuesday, 20th September.