

for a change occurring in the circumstances of a registered firm. The marginal note, "registration on change of firm's name," does not clearly convey the provision in the clause, and I propose to make it read, "Statement to be made on change of members of firm," which I think will be sufficient indication of what the clause contains. If a firm changes its name, it has to be registered as if it were a new firm. The penalties for default in registration are not to exceed five pounds for the first offence, and not to exceed £100 for second and subsequent offences. Clause 13 provides that persons in default, who bring an action in any court, shall be ordered by the court to register. I consider this a very valuable clause. For making false returns, a person becomes liable, on conviction, to imprisonment for a term not exceeding two years. Clauses 15 and 16 provide for the method in which the Registrar of Companies is to discharge his duties. Clause 18 sets forth that regulations may be made by the Governor. Certificates of registration can be obtained from the Registrar of Companies on payment of a fee of five shillings, and for each folio of 72 words a fee of sixpence, or such fees as may be prescribed by the Governor. These are the principal features of the Bill. The regulations made by the Governor are to be put before Parliament within one month after they have been made, and if Parliament be not sitting, then within fourteen days of the commencement of next session. Clause 20 reads: "For the purpose of making the statements required by this Act, the forms in the schedule of this Act, or any prescribed forms to the like effect, may be used, and if used, shall be sufficient." This Bill, I think, will meet a want very seriously felt in this colony. Instances might be given—though I think it unnecessary to give them—showing it would have been important to have had such a measure in operation. Every business man recognises that a law like that proposed is desirable for reasons which were given when the Bill was introduced last session.

THE MINISTER OF MINES moved the adjournment of the debate until the next day.

Put and passed, and the debate adjourned accordingly.

# ADJOURNMENT.

The House adjourned at 5:35 p.m. until the next day.

## Legislative Assembly

Tuesday, 2nd November, 1897.

Message: Excess Bill, 1896, first reading—Question: Deep Drainage for Fremantle—Question: North Fremantle Bridge—Question: Legislation re Custody of Inebriates—Question: Site and Designs for New Houses of Parliament—Return: Report on Abrolhos Guano—Perth Gas Company's Act Further Amendment Bill: third reading—Cemeteries Bill: in Committee—Circuit Courts Bill: second reading; referred to Select Committee—Employment Brokers Bill: second reading—Industrial Statistics Bill: second reading—Sale of Liquors Amendment Bill: second reading—Papers Presented—Noxious Weeds Bill: second reading—Adjournment.

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

### PRAYERS.

### MESSAGE—EXCESS BILL, 1896.

THE PREMIER presented a Message from the Governor, recommending an appropriation for the purposes of this Bill, and the Message was read by the Clerk.

At a later stage,

THE PREMIER, upon leave given, introduced the Excess Bill, appropriating £493,378 for the service of the year ending June 30, 1896.

Bill read a first time.

### QUESTION—DEEP DRAINAGE FOR FREMANTLE.

MR. SOLOMON, in accordance with notice, asked the Director of Public Works: 1. Whether any system of deep drainage had been decided upon for Fremantle. 2. If not, whether in view of the increasing population of the port, and the widely spreading locality, the Govern-



ment would take the matter into their consideration at an early date.

**THE DIRECTOR OF PUBLIC WORKS** (Hon. F. H. Piesse) replied: 1. Two alternative schemes for the deep drainage of Fremantle have been submitted by Mr. Chas. Napier Bell, M.I.C.E., and they are now under the consideration of the Government. 2. The Government are not able at present to say when the work will be commenced.

#### QUESTION—NORTH FREMANTLE BRIDGE.

**MR. SOLOMON**, in accordance with notice, asked the Director of Public Works whether, in view of the recent accident to the North Fremantle bridge, making it still more dangerous for traffic than it was before, the Government would push on the work of the new bridge which had been contracted for.

**THE DIRECTOR OF PUBLIC WORKS** (Hon. F. H. Piesse) replied: The contract for the temporary bridge to take the place of the existing North Fremantle bridge was let on the 14th September, 1897, to be completed by the 8th March, 1898. The contractor will be urged to proceed with the work as rapidly as possible. The damage done by a barge to the existing bridge is being repaired: the bridge has not been rendered unsafe for ordinary road traffic.

#### QUESTION—LEGISLATION RE CUSTODY OF INEBRIATES.

**MR. EWING**, in accordance with notice, asked the Premier, whether it was his intention to introduce legislation with a view to the establishment of inebriate retreats in this colony. If so, when?

**THE PREMIER** (Right Hon. Sir J. Forrest) replied: Not at present.

#### QUESTION—SITE AND DESIGNS FOR NEW HOUSES OF PARLIAMENT.

**MR. SIMPSON**, by leave, and without notice, asked the Premier whether he intended to give the House an opportunity of considering the report of the Commission as to the site and designs for new Houses of Parliament.

**THE PREMIER** (Right Hon. Sir J. Forrest) replied: I have no objection to the House considering this matter; but I may say that the Government do not

propose, as at present advised, to place any sum upon the Estimates for this year for the work, so that the question is not a very urgent one. At the same time I think the question of the site is one that we might fairly consider. I have a very strong opinion on the subject; and, if the hon. member desires to move in the matter, or desires me to move in it, I will put something on the Notice Paper which will give us an opportunity for discussing it.

#### RETURN—REPORT ON ABROLHOS GUANO.

On the motion of **MR. SIMPSON**: Ordered that there be laid upon the table of the House the full report on the Abrolhos Island, recently obtained by the Government at the instance of the Agricultural Bureau; also the results of the analyst's examination of the various samples obtained representative of guano deposits.

#### PERTH GAS COMPANYS ACT FURTHER AMENDMENT BILL.

##### THIRD READING.

On the motion of **MR. LEAKE**, this private Bill was read a third time, and transmitted to the Legislative Council.

#### CEMETERIES BILL.

##### IN COMMITTEE.

Clauses 1 to 7, inclusive—agreed to.

Clause 8—Governor may permit burial not in cemetery:

**MR. LEAKE** asked if provision had been made for removal of a body from one cemetery to another.

**THE PREMIER** (Right Hon. Sir J. Forrest) said he believed the Bill did not provide for this.

**MR. OLDHAM** said such a clause was necessary, as bodies might have to be removed from a cemetery for various reasons.

**MR. SOLOMON** said there was a cemetery in the very midst of settlement at Fremantle, and, in such a case, power to remove bodies should be provided.

**MR. LEAKE** promised to prepare a clause accordingly.

Put and passed.

Clauses 9 to 19, inclusive—agreed to.

Clause 20—Rights of burial to be personal estate:



MR. LEAKE asked whether this clause would not be likely to cause future trouble, as personal estate might, some day, form part of the residuary estate of some testator, and might be divided up again.

THE PREMIER said he did not anticipate any such trouble.

Put and passed.

Clauses 21 to 32, inclusive—agreed to.

Clause 33—Malicious injury to vaults, monuments, etc. :

MR. LEAKE said some provision should be made to prevent persons from defacing the inscription on a vault or monument, and from destroying ornaments that might be placed on a grave or vault. A new clause could be put in at the end of the Bill.

Put and passed.

Clauses 34 and 35—agreed to.

Clause 36—Registration of burials :

MR. LEAKE said the clause provided that copies of certificate should be evidence of burial. It should be *prima facie*, and not conclusive, evidence.

MR. BURT (late Attorney General) said that only the evidence was required.

Put and passed.

Clauses 37 to 41—agreed to.

Schedules—agreed to.

Preamble and title—agreed to.

Bill reported without amendment.

## CIRCUIT COURTS BILL.

### SECOND READING.

MR. BURT (late Attorney General): I rise to move the second reading of this Bill. It is introduced with the object of extending circuit courts to be held on the goldfields and other parts of the colony. This will save the expense of bringing cases to Perth for trial. Provision is made that, in addition to the trial of persons, civil issues may also be tried on circuit. Under the Bill, the Governor-in-Council defines what the circuit districts shall be, and appoints the time and place for the courts to be held.

MR. SIMPSON: Do the Government intend to appoint a new judge for this work?

MR. BURT: I do not think that is contemplated. At first there will probably not be many sittings of the circuit court; but the Bill will make provision

so that the courts can sit. In the first place the courts might sit once or twice a year on the goldfields, and that would be a great benefit. Provision is made in the Bill for the accommodation of the judge, and the duty is cast on the resident magistrate to see that the judge is properly housed and looked after while on circuit. I do not know that there is anything more in the Bill that I need mention at the present time. The object of the Bill is simply to send the judges to the different parts of the colony. I propose to ask that the measure be referred to the same select committee to whom has been referred two other legal measures.

MR. SIMPSON (Geraldton): I welcome the advent of this measure. It has been asked for every year by the people of the country. A great dissatisfaction has existed in many parts of the country, owing to the absence of any provision for circuit courts. I hope that the Bill will be placed on the statute book and made an effective measure, and not merely placed on the statute book without putting it into action. I am informed that there is very little chance of this measure being effective unless an additional judge is appointed. We are informed that in town the judges are worked to death.

THE PREMIER: They could do the work easily enough. They do not work in the afternoon at all.

MR. SIMPSON: These circuit courts are urgently required throughout the colony. It is the general opinion among lay people that the judges on every opportunity impress on litigants that they have so much work to do that they cannot go on circuit. I hope the Bill will be carried out.

HON. H. W. VENN (Wellington): I think that what the member for Geraldton has said is pretty right. We constantly hear that the judges are very heavily worked, and that they cannot go into the country, or that the work in town would be entirely neglected. I have mentioned this matter several times, and that is the reply I get generally. If that is the reply we get from the learned gentlemen, it seems clear that the first thing the Government should do is to appoint another judge. I do not think there should be much hesitation about that. If the Government once find out



that the present judges are so employed that they are unable to go on circuit, then to make the present Bill a really live measure, a new judge must be appointed. The Government might ascertain whether it is possible to do the work with three judges in Perth at the present time.

**MR. ILLINGWORTH** (Central Murchison): As far as I understand this Bill, it is something like what we had in Victoria—county court judges—and I strongly urge on the Government, if that is their intention, to appoint a judge or judges to carry out the Act. When this departure was taken in Victoria, it was found necessary to appoint judges with special aptness for the work. I think if this Act is to be effective, as we desire it should be, the Government should take into consideration the appointment of one or two judges for the special work contemplated by the Act. I am not particularly anxious that the Government should increase the staff of civil servants in any branch; but if this Bill is to be effective, the Government must appoint one or two judges—gentlemen particularly fitted for the work.

**THE PREMIER** (Right Hon. Sir J. Forrest): When this Bill comes into operation, if it is found that the present three judges of the Supreme Court are unable to carry out the Act, it will be for the Government to consider the matter. It will be their duty to see that the Act is carried out. For my own part, I do not think that we have arrived at that condition of things when the Supreme Court bench requires to be increased. We must remember that we have facilities of transit all over the colony, and judges can go from one place to another very quickly. We would not appoint circuit courts in any place where there is no railway communication. There are times when judges are, perhaps, unusually taxed owing to pressure of business; and we also know that it often happens that such is not the case. The full court sits once every three months, I think. [**MR. LEAKE**: Every other month.] Well, every two months, except four months at Christmas time. The judge in chambers sits half-a-day. He never comes into court in the afternoon. The judge who takes the court cases sits, of course, until the business is completed; and as a general rule, unless there is some pressing matter,

one judge is off altogether. In these circumstances no one can say that the judges are hard-worked. I do not say that they have not important business requiring a lot of time and quiet in order to consider their decisions, but I cannot think, taking it altogether, that the judges of this colony are worked as hard as they are in England or in any of the other colonies. That being so, I hope the judges will be able to carry out the provisions of the Bill without unduly harassing them. If they are not able to do that, the Government will have to see that this law passed by Parliament is carried out.

**MR. KINGSMILL** (Pilbarra): In connection with this Bill, I would like to know what provision is made for those parts of the colony far removed from railway communication. I would like to point out that in North-West Kimberley there is no provision for the trial of criminal or civil cases. I ask the late Attorney General if provision cannot be made for this part of the colony.

**MR. BURT** (late Attorney General): I cannot quite understand that no provision is made for the trial of criminals in the North-West. Quarter sessions are held at Derby and Wyndham. It is the same court that they have at Coolgardie and Geraldton and Bumbury. If cases come up—say a case of murder—for which the chairman of quarter sessions has no jurisdiction, then a commissioner is appointed to try the accused. The gentleman who is now the Police Magistrate at Perth has been secured for this purpose. I do not think there is any trouble in the North-West district in regard to this. I do not think the Government in the future will send a Judge to the North-West, at this time of the year at any rate. I do not think he ever would come back. We could send a commissioner up there, or a barrister.

**A MEMBER**: It does not matter whether he comes back or not.

**MR. KENNY** (North Murchison): I certainly congratulate the Government on introducing this Bill, if it will relieve the gentlemen who occupy the positions of chairmen of quarter sessions at the Murchison and Geraldton. They are gentlemen against whom not a word could be said, but they are placed in very awkward positions. They occupy the position of



committing magistrate; they decide if the case shall go on for trial, and if they send it for trial subsequently, they go through the evidence given to decide whether they shall find a true bill or not against the person whom they have committed for trial; and having found the true bill, they send the case on to the quarter sessions. On the morning when the quarter sessions court opens, a clerk reads the indictment, and while the indictment is being read, the gentleman whose name is first mentioned as the committing magistrate there, sits as judge at the trial. It would be utterly impossible to conceive of more awkward positions than those which are held by Mr. Brown and Mr. Dowley at the Murchison and at Geraldton. There is not a gentleman in the House who will not say that the sooner an end is put to that state of things the better. If we put an end to that state of things, and it costs the colony the salary of a judge, it is cheap at the price. I strongly advocate the appointment of a judge, if we cannot meet these cases in any other way. Nothing could afford me greater pleasure than to assist in the passing of this Bill.

MR. LEAKE (Albany): This, I suppose, some hon. members call a lawyers' Bill; but there is a great deal behind it which necessarily interests the public, as it concerns the administration of justice generally. For years past there has been a demand for circuits, or that the judges of the Supreme Court, or legally qualified men, properly qualified men, should administer justice in the outsid districts. Whether the proper course is being adopted by this Circuit Courts Bill or not, is a debatable question. I draw hon. members' attention to the fact that the Bill asks for the establishment of fresh courts of record. It is not a mere branch of the Supreme Court that is to be established; but wherever the courts are established, there will have to be a certain staff to keep the records in proper order. It is a question which should be considered, whether the same effect could not be given by a more general application of Section 12 of the Supreme Court Act, which allows the Governor to try any particular case at any particular spot. I venture to express an opinion, that, if this Bill becomes law, we shall have to appoint additional judges. In spite of what the Premier says, I think the present judges of the Supreme Court

would find it difficult to leave their business in Perth, and travel all over the colony to the different circuit courts.

THE PREMIER: They could go there in a few hours.

MR. LEAKE: But we have cause lists now in Perth containing 30 or 40 cases, and two judges have to sit to get rid of those cases. The October cases, for instance, are not yet finished (November 2), and I have been all this day in the court before one of the judges endeavouring to settle a case which was set down for the October sitting of the court. The October list will not be closed before the November list comes on; and on top of the November list there is the Full Court list. I must say I think the judges of the Supreme Court are worked as hard as, if not harder than, the majority of the civil servants in the colony. There is chamber work to be attended to, and invariably we have one or two courts sitting. But the work of the judges is not represented merely by the time occupied in sitting on the bench. They have to consider their judgments; they have to confer together; and, if a judge has five or six important judgments to prepare, he must devote to them a considerable amount of time outside of office hours. I ask hon. members to consider this matter seriously.

THE PREMIER: Do you want another judge?

MR. LEAKE: No. I say you will have to appoint more judges.

THE PREMIER: Then wait for the Estimates.

MR. LEAKE: I am not opposing the Bill; but the Premier said it will not be necessary to appoint another judge, because the existing judges have plenty of spare time on their hands. I, as a practical man and a practising lawyer, tell the House that I do not agree with the right hon. gentleman. I ask members to inquire for themselves, and see whether this is correct. I honestly think that some provision will have to be made. It is a good Bill; the idea is perfectly good; and it will have this great advantage, that it will wipe out, I hope, the courts of quarter sessions which are held in the country districts, where justice, and criminal law especially, is not administered with an even hand. I do not wish for a moment to impugn the



integrity of the gentlemen who preside at these courts; but they are not qualified. I have pleaded before such magistrates myself, and I know what can be done in these courts. If there is a pretty smart man on one side and no lawyer on the other, the smart man has a pretty good chance of having matters done as he wishes them done.

THE PREMIER: Not always.

MR. LEAKE: In Clause 2 I notice that the Governor shall appoint a place and fix a time in and for each district for the holding of a court therein. That, I think, is a mistake; because surely the judges who will have to preside, and possibly to leave work behind them, should have a say in that. The judges must be consulted, because matters of this kind are arranged very often between the suitors or the solicitors and the judges, who of course must be consulted, because you cannot take a judge away from the Supreme Court bench in Perth and direct him to hold a court at some other place. Such a proceeding might be very convenient for the people into whose district the judge would go; but it would be very inconvenient for the suitors who were waiting for the determination of their cases in that judge's court in Perth. The object might be attained in the manner suggested by the member for Central Murchison (Mr. Illingworth), namely, by appointing county court judges. In that case you would not have to appoint extra judges of the Supreme Court; but still my argument holds good that fresh judges must be appointed, whether they be of the Supreme Court, special judges for circuit work, or county court judges. I do not care which class of judges is appointed; but I am perfectly satisfied that you will have to appoint extra men for the work; and the country will not be satisfied unless you appoint duly qualified men. They will not be satisfied if magistrates—as we know magistrates—are placed upon the bench. That will not do; and, if I find that such a proposal is in contemplation, I shall do all I can to prevent the passing of this Bill. Coming to matters of detail, there is a good deal to be said in criticism of this measure; but, as I have been appointed a member of the select committee to deal with it, I do not propose to enter into these details.

I have thought fit, however, to express my views to the House; and I regret that the two other hon. members who are legal men are not in their places to assist us in this discussion. I know perfectly well that the lay members of the House do not appreciate this question, or do not consider it in the way that we do. At the same time, I appeal to those hon. members to express their views upon this very important measure; because a layman's views may contain many valuable suggestions; and we professional men, of course, approach this subject from a professional standpoint. I should be delighted to have the light of criticism thrown upon such a measure by the practical observations of men who, if they are not at the present time suitors, I hope will be. What we want is undoubtedly the due and speedy administration of justice; and I am satisfied that we should come to the conclusion that we will have to have an extra staff of judges and of officers to carry out the objects of this Bill. And I tell hon. members that they really must not be led away by the statement that the judges are not hard-worked. They have got all they can do to carry out their duties at the present time, and to administer justice fairly and properly.

MR. RASON (South Murchison): Speaking as a layman, I should like to congratulate the Government on the introduction of this Bill, and I believe that its provisions are very necessary. Judging from what we hear, it is a matter of every day talk that the present staff of judges will not be sufficient, and that it will be necessary to appoint one or more additional judges. The Government will soon be in a position to determine whether that shall be done or not; and I have no doubt that, if the Bill becomes law, they will make provision for carrying it into effect. Speaking from my knowledge of the goldfields, I may say that I entirely concur with the hon. member for Albany in his statement that the appointment of anyone but a duly qualified man would not meet the requirements of the country. Even the appointment of a commissioner would be unsatisfactory. What the public expect is a man who has had an experience extending over a considerable number of years, and who would be qualified to be a judge of the Supreme Court.



Question put and passed.

Bill read a second time.

SELECT COMMITTEE.

On the motion of MR. BURT, the Bill was referred to the same Select Committee as that appointed to consider the Jury Act Amendment Bill; the Committee to report on the 15th November.

EMPLOYMENT BROKERS' BILL.

SECOND READING.

MR. BURT (late Attorney General): This is a Bill for the regulation of employment brokers, and is for the purpose of dealing with people who set up offices in towns, and mislead people who want employment. That is as good a way of describing it as I can imagine. The matter was brought under the attention of the Government some time ago, and it is clear that something of this sort is required. It is only the poor man who is led astray by these people. They get five or ten shillings from him, and lead him a wild-goose chase which, in cases I have known, has extended to Kalgoorlie and other parts of the fields. This Bill was designed to checkmate them, and it will be seen that an employment broker is defined in the second clause as "Every person who follows, for reward, the calling of an agent for procuring engagements for persons seeking to be employed for reward, or for procuring employees for persons seeking to employ them for reward." It does not apply to persons empowered by law to act in the engagement of seamen. The third clause requires every agent of this sort or employment broker to register his name immediately after the passing of this Act in a magistrate's office; and then he is to apply, at the next licensing meeting, to the justices who deal with liquor licenses, for a special license to carry on the occupation of an employment broker. The proposition is to have them licensed under this Bill. Clause 5 deals with the procedure to be observed in making such applications for registration. The procedure very much resembles that which has to be gone through by a person who requires a license to keep a hotel or a vehicle. He has to give notice to the magistrates; the notice is posted up and advertised; and objections to his applica-

tion may be heard as set out in Clause 6, which provides that objections to the application may be made by "any of the licensing magistrates; any applicant for a license or any person already licensed in the district; any police officer in charge of the district;" or "the council of the municipality within the boundaries of which the said business premises are situate." The objections will be heard, and the question of the license will be decided, in the same way as applications for licenses for houses under the Liquor Act are dealt with. After the broker has obtained his license, Clause 10 and following clauses provide what books he shall keep. He has to keep a book called a register book, in which to enter the names and addresses of all persons seeking employment, and of those seeking for employees. He has also to keep another book called an application book, the form of which is set out in the third schedule of the Bill, which gives the particulars of each column, such as the names of the persons seeking employment, the name of the person to whom each man is referred for employment, the nature of the employment, the terms of the engagement, and so on. All these particulars are to be registered in these books in the office of the employment broker, and the books are to be open for inspection at any time by the magistrate, or any official or constable who may be authorised in writing by the magistrate to inspect such books; so that if any complaint is made to a magistrate by a man sent away in search of employment which did not exist, the books can be inspected and the facts of the case ascertained, and the employment broker can then be indicted for fraud or for conspiracy to defraud. Clause 15 provides for a penalty not exceeding £50, or three months' imprisonment, if during the currency of an annual license granted under this Act the holder of a license has been twice convicted of a breach of the Act, his license may be cancelled. A fee of 10s. is charged upon giving notice of an application for a license, and upon the issuing of a license £1 is charged. The license has to be renewed yearly. If the applicant has not been carrying out the business satisfactorily, the license will be refused. The measure is a tentative one, and I think is



called for in the interests of the working classes. I beg to move the second reading.

MR. OLDHAM (North Perth): I congratulate the Government on the measure they have introduced. They evince a desire in this Bill to place some restrictions upon that particular class of people who gain their living by keeping what is called a registry office. Anyone who has had an experience of registry offices as they are conducted here, or any person who comes into contact with people who have had such experience, must acknowledge that it is absolutely necessary, in order to protect people wishing to obtain occupation, that something should be done in this matter. This is a good Bill so far as I am able to see, but I do not think it goes altogether far enough, and I believe it misses the main point which it is necessary to guard against. I may be wrong in my reading of the Bill, but it appears to me that, while Clause 3 compels the registration of these registry office keepers, it is not regarded as an offence against the Act to advertise or offer fictitious employment. I may be wrong, and I am open to correction, but I think that no employment agent should be allowed to charge a fee of any description, unless he gets employment for the person seeking it. I submit these suggestions for the consideration of the hon. member who has charge of the Bill. I recognise there is a desire to do good by this Bill.

THE PREMIER: The registry office keeper must have a fee of some sort.

MR. OLDHAM: If he does not do the work, he should not be paid.

MR. ILLINGWORTH (Central Murchison): I wish to emphasise the point just referred to. The people who conduct some of these offices never get employment for any one: they simply live on the half-crown fee for registry, which they charge both sides.

MR. RASON (South Murchison): I desire to call attention to one fact. As a magistrate, I know frequent complaints are made as to the conduct of these registry office keepers. The most frequent cause of complaint is that when men are discharged without proper notice, the registry office keeper invariably sides with the employer, and makes a statement that the man was employed by the day,

whereas he may maintain that he was employed by the week. I submit to the hon. member in charge of this Bill that the schedule does not clearly show how a man was really employed, whether by the day or by the week. The sympathy of the registry office keeper is naturally with the employer of labour. When a man is discharged, he looks to the registry office keeper to find him another position, and I have noticed as a peculiar coincidence that the registry office keeper usually, when there is a dispute as to the terms of employment, states that the man was employed by the day. I submit it would be advisable to make it compulsory for the keeper of a registry office to distinctly state, when securing employment, the nature of the engagement, whether by the day or by the week.

Question put and passed.

Bill read a second time.

## INDUSTRIAL STATISTICS BILL.

### SECOND READING.

MR. BURT (late Attorney General): This Bill is an old friend. It was on the table of the House last year, but an objection to it was raised by the hon. member for the Murray. The Bill then provided for a return of information as to motive power in all factories, the number of men employed, and so on. These statistics are supplied in the other colonies. It was pointed out by the hon. member at the time that it might be adverse to the interests of the manufacturers for such information to be divulged. The Government have struck out all those clauses to which the hon. member took objection, and the Bill now before the House merely provides for obtaining statistical returns, showing the distribution of land, the improvements thereon, and the nature of the crops, etc., and has nothing whatever to do with the industries. This Bill, I may say, was prepared chiefly in Sydney by the Statistical Registrar there, and comes highly recommended to this Government. I believe several conferences were held as to the form of the Bill. At any rate it comes to us very highly recommended. There can be no possible objection to the Bill now. It merely enacts that these returns shall be made compulsory. They are made now as a matter of fact, but without any law



or regulation whatever. The police collect the returns in their districts without an Act. This Bill simply enacts that the people shall be compelled to give returns. It provides that the resident magistrates shall be the statistical agents, and that the police officer in charge of the district shall be the collector, and that constables shall be the sub-collectors. Section 6 states the duties of the statistical agent. He is to transmit the information to the Registrar General, and so on. Section 7 recites the duties of the collectors and sub-collectors. If the Registrar General gets the returns all mixed up, it is impossible for him to bring out a proper report, and one that would be reliable. This Bill seeks to remedy that state of things. It is quite necessary that a Bill should be passed, and I beg to move, therefore, the second reading.

MR. SIMPSON (Geraldton): I very much regret that the Government have left out so valuable a part of the Bill as was in it last year. I do not know any member of this House who wielded so much power as the hon. member for the Murray did last year. Practically the most valuable information has been lost, through him. I suggest nothing personal about the matter, but I consider that the leaving out of that part of the Bill at the hon. member's suggestion, providing for returns from the different industries, has made the Bill a lamentable failure and prevents the public from securing information which they ought to have. The returns to be obtained by this Bill will no doubt be valuable, but I profoundly regret that we shall get no returns as to the development of the timber industry. The gold mining industry is compelled to furnish returns. Why therefore should not other industries be compelled to furnish returns of a similar character? These particulars are required to establish our public credit. If, therefore, the excised clauses can be restored as originally framed, I shall be glad. I should like to recall to the recollection of members who sat in the last Assembly, and to suggest also for the consideration of new members, the importance of securing accurate particulars in connection with every industry in the colony. We are in the early stage of our development, and having to frame the taxation of the country on the basis of our various

interests, we should carefully provide the means for obtaining full and accurate information all round. Therefore I do hope this House will see fit, in its wisdom, to re-introduce in this Bill those provisions which were proposed by the Government in the Bill of last year, but were not pressed because of the opposition raised by individual members; and I do think that, now that we have a Government statistician, we should put in this Bill such provisions as will furnish him with exact information from trustworthy sources, and enable him to gather useful statistics for the information of hon. members and the people of the country.

HON. H. W. VENN (Wellington): This Bill raises, to my mind, a serious question whether some improvement or simplification cannot be made in the complicated and confusing forms of statistical returns which were sent out by the Government last year, to be filled up by farmers and others engaged in the industries of the country. I do not know any farmer who, unless specially skilled in statistics and able to devote considerable time to studying the form sent out last year for a return of live stock and crops, could have succeeded in filling up all the particulars required under the several headings. The ordinary man, occupying or cultivating land, must have found that form the most complicated thing he ever had the misfortune to look at; for I think that to expect a man of ordinary intelligence, any farmer or grazier, to fill up that form with accuracy was expecting something that was practically impossible for the ordinary man to do. The policeman who went round each district to collect the papers must also have found it beyond his ability to instruct farmers and graziers how to fill up those columns which puzzled them most, and which must have caused the papers to be returned in many cases in a condition that would be useless for statistical purposes. It was, in my opinion, one of the most elaborate forms that could be contrived for obscuring the intellects of those persons who had to fill them up. I may say that, in agricultural districts, the people are desirous that the Government should receive accurate statistical information as to crops and live stock; but, in order to make the returns accurate and reliable, the forms sent out should be



reasonably plain and simple, so that any man of ordinary intelligence may fill in the particulars, without being uncertain or confused as to what is wanted under the various headings. Unless the Government take particular care to make the forms easy to understand, I feel sure that even the introduction of this Bill will not ensure that accuracy in the statistical returns which is desired. In drawing the Premier's attention to this matter, I would ask him to look through some of the forms that were sent out last year, and if he be not absolutely appalled, I shall be much surprised. I know that some of the papers must have been sent back time after time to the persons who should have filled them up, and each time they were sent back the individual must have been more mystified than before. I have given a great deal of study, at times, to the making of forms for statistical purposes and for procuring evidence, and if I may claim to have a special aptitude for that work, I can say that the persons who drew up the form that was sent out last year to farmers contrived such a work of art as was beyond ordinary comprehension.

**THE PREMIER:** The forms were drawn up by the Agricultural Bureau, I think.

**HON. H. W. VENN:** Possibly the forms were capable of being understood, by devoting a great deal of attention to them; and if the ordinary farmer had some skilled person alongside of him to explain the different columns and how to add up the several totals for carrying forward to a grand total, the result might be better; but, in the absence of such skilled assistance, I say the forms are complicated and not very serviceable. If it is now contemplated that an intelligent collector should go round, I think that is most desirable; and, of course, even complicated forms may be filled up accurately with the assistance of intelligent collectors. To merely send out forms and expect farmers and graziers to fill up complicated tables of information, and to have the forms collected at some indefinite time, as in the past, by a policeman who does not understand them any better than the farmer, must result in many of the forms being returned only partly filled up. Of course, statistical information returned to

the department in this manner cannot be complete or reliable. The Bill now before the House is very necessary; but I hope the Government will go a little further, and see that the collector in each case shall be intelligent and capable of giving necessary explanations for enabling the statistical papers to be filled in a proper manner.

**MR. GEORGE (the Murray):** I desire to indorse the remarks of the member for Wellington, in regard to the complicated nature of the forms sent out last year to the agricultural community for getting reliable statistics. The forms were such that I doubt whether one member out of the forty-four in this House could have filled them up correctly, if required to do so; and I think the House will agree with the hon. member as to the difficulty of carrying forward the several totals from one page to another for making up the grand total of particular items. The person who drew up the form with the various descriptions of sheep which had to be set forth, contrived the form in such a way that, by the time the farmer carried forward his totals to the third or fourth leaf, he would stand a good chance of getting the sheep totals mixed with some other class of live stock, and so make up a return that would be worse than useless. In fact, it seemed to me that the person who drew up the form must have been trying to make the whole thing a farce. A number of my farming constituents communicated with me on this matter—in my opinion, they are a very fair specimen of average intelligence—and their complaint was that they could not understand this form, and that the policeman who came round collecting the papers gave them no information either; nor, I may add, was the member for the district able to do so. Therefore I quite indorse what the member for Wellington has stated, and I trust the Government will give instruction for fresh forms to be prepared, and will see they are drawn in such a way that an individual of average intelligence may be able to understand them; and will see also that the total showing the number of pigs when carried forward shall not appear in the column intended for some other kind of animal.

Question put and passed.

Bill read a second time.



## SALE OF LIQUORS AMENDMENT BILL.

## SECOND READING.

[Debate resumed, on motion for the second reading of the Bill, moved on the previous day.]

MR. SIMPSON (Geraldton): I am sorry that the Government have not dealt with this question in a manner in which the country has been asking for years that it should be dealt with. They have taken simply one wretched little matter as a subject for this Bill, instead of going into the whole question. And especially do I take this view, having careful regard to some weighty words that fell from the Attorney General last year when this Bill was under consideration. Speaking of the liquor traffic, and the desire in all communities to restrain excess in regard to it, the hon. member (Mr. Burt) said:

I feel sure that the proper remedy is to educate the people in that direction [to make intemperance a thing to be ashamed of]; but as to how this is to be done, none of us may agree, and the state of things is gradually getting worse and worse. Young people are growing up and learning to drink, and are not being impressed with any reason or necessity for restraining their disposition to drink.

As the result of this careful and moderate opinion, we have now this wretched little Bill, dealing with only one branch of the question. I have been for many years a believer in the principle of local option for securing legislation on this question in accordance with the people's will, so that a majority of people in a given place or district shall control the liquor traffic, as majorities should control everything in a community. I consider that each community or locality would be better able to deal with the question of licensing, or continuing the licenses of any public-houses, than the present system of licensing benches is able to. I do not know any one who will contend that the present system of licensing benches is likely to secure the appointment of the most suitable persons for regulating the granting of liquor licenses; and, in saying this, I do not question the integrity of the gentlemen forming the present licensing benches, but I do not think they are sufficiently in touch with public opinion to secure the best results to the community. I have been driven to the conclusion that regulation, and not

prohibition, is what is required; that those people who advocate absolute prohibition have no sympathy with the large proportion of the public who desire to use liquors in moderation; and especially do I maintain this view after having watched the results of the elections in New Zealand, which country is looked on as being advanced in social legislation. I believe it may dawn on us, and perhaps the Government may also realise, that grave matters of social and domestic legislation are beginning to raise their heads in this community, and demanding some of that attention which has hitherto been concentrated on a policy of public works in this colony. I notice, in this connection, that the member for Albany (Mr. Leake) referred the other evening to "tied" public-houses—a term which we all understand—and I had it to-day from a gentleman who has had a large experience elsewhere in connection with this business, who said he was inclined to think the system of "tied" houses had worked well within his experience; that this class of public-house had such exact supervision through the care exercised on behalf of the merchant and the brewer who provide the capital for carrying them on, that a good class of liquor was secured to the public, and very careful supervision was exercised over the management. But still, I think such a system does not apply to a new community like ours; and I hold the opinion that this colony has a splendid opportunity to experiment with the liquor traffic. We know of course that this trade has largely a grasp on politics and on Parliaments; and so much is this the case in the old country, that it is almost impious to think of suggesting that anything should be done for further restraining the liquor traffic. We know also that the demands for legislation in this direction have repeatedly imperilled, and even terminated, the existence of a Government. I suppose there is no more positive opinion expressed about that than was expressed during the last general election in England, when the policy of vetoing all liquor licenses was one of the prominent questions before the electors. I do not suppose the members of this House will deny that the residents in a particular locality are the people best likely to be able to form an opinion as to



whether it is desirable to have an additional license there, or to reduce the number of licenses in the district, or, possibly, to veto them altogether. As to the question of compensation, I have no narrow views; and I do not think that, because a man vends liquor, he is necessarily a scoundrel, for I have known men all over Australia, men of the highest intelligence and with the best instincts, connected with this traffic. I do think the use of women to sell liquor in hotels does not really do any good to the women; therefore, in regard to barmaids, I do not think we would make much mistake if we were to face this question as one of much interest to the people of this colony, and I am sure it would not be approached in any narrow spirit. So far as I have learned the opinion of the colony on the liquor question, it is in the direction of regulating the traffic rather than prohibiting it. I know that the member for Central Murchison (Mr. Illingworth) has almost throughout his lifetime been connected with teetotal associations; and although I have never been allied with any of them, yet that does not disturb my respect for what I know of their desire to accomplish a public good. As you are aware, an advance has been made lately in connection with the question in this colony, and we had recently a representative from a large association that is endeavouring to do good. I must say that, having studied the question, I am largely a convert to the Gothenburg system; and, without tying myself to the details of the scheme, I do think that the sale of liquor should be made a Government monopoly. I hold the opinion that men of ordinary intelligence like to make use of the goods that the gods provide, and at the same time I am soundly of opinion that young Australia is growing up temperate. Therefore I think that in our community we could now well make experiments in connection with this question of the liquor traffic. It has been suggested that we should appoint a Royal Commission, but I do not think much good could come from a Royal Commission in this colony, for we have evidence obtained by Royal Commissions appointed in the old country and in Australia, sufficient to guide us. There is little doubt that terrible calamities are occurring in this community

through the adulteration of liquor. I have no hesitation in saying that the sale of adulterated liquor in this colony is filling our graveyards, and that we are in this way losing citizens who otherwise might be useful members of society. There are many places in this colony where men go into a public-house, respectable and respected, to satisfy a reasonable demand of nature, and they come out of the public-house idiots or felons. Under these circumstances, I do not think this House can do better than endeavour to extend the operation of the Bill, and include a recognition of the principle that, in the renewal of licenses, the residents of the particular community in which the license is to be granted should have a voice in the matter. I entirely agree with the remarks which fell from the hon. member for South Fremantle (Mr. Solomon). I would make the seller equally responsible with the drunkard. I merely suggest these points for consideration, and I regret that the Government have not seen their way to deal with this question on broad principles and on wider lines, so as to bring the liquor traffic in this colony within reasonable bounds. In connection with the question of the adulteration of liquor, I would like to draw the attention of the House to the adulteration of food, and to some comments made by the Agricultural Bureau in their fourth annual report.

THE PREMIER: There is a Health Bill coming in, with provisions about food.

MR. SIMPSON: I am glad of that, and I hope the suggestions of the Bureau will be carried into effect. It is pointed out by the Bureau that the consumer here is absolutely unprotected in regard to the adulteration of food. From the fourth annual report of the Bureau, for the year ending June 30th, 1897, I take the following extract:—

I am also instructed to draw your attention to the fact that there is no legislation in force in this colony governing the quality of antiseptics or preservatives that may be used in perishable food products. The consumer is absolutely unprotected. Imported butter, for instance, may be half borax, and the consumer's health endangered, but the vendor cannot be proceeded against. Borax was found in all the samples of butter analysed by the chemist of the Bureau; and used in small quantities it may be harmless, but when it is known that there is no limit to the use of this



or any other antiseptics, unscrupulous vendors of inferior butter and other perishable products will largely increase the quantity of preservatives. Pure food is of primary importance, of greater importance than cheap food, and the Bureau cannot too strongly urge upon your attention, in the interests of the public health and the public purse, the necessity of introducing legislation which will secure this to the ever-increasing mass of consumers, who have to depend largely for their sustenance upon imported products.

In another part of the report occurs the following passage:—

It is an anomaly, to which I am instructed to draw your attention, that while the cow, the horse, the sheep, and the pig are protected by this Act in the matter of the quality of their food, the unfortunate owner is absolutely without protection so far as the quality of the food he consumes is concerned. The vendor of an inferior oil-cake, sold for the purpose of feeding a pig, can be prosecuted and heavily fined; the person who sells 13ozs. of butter for 16ozs., half of which may be borax and the other half beef fat, cannot be touched by the finger of the law. The vendor of one pound of manufactured food for stock must guarantee so much actual nutriment; the vendor of one pound, or one ton, of food for a human being need not guarantee anything—neither purity, weight, nor nutriment. This is an anomaly the Bureau would like to see amended.

I am sure the Bureau will have accomplished its purpose if it will only have secured the passage of a Health Bill. I have quoted the passages from the report to show that there are other things necessary for the welfare of the people, besides legislation in regard to railways and bridges, and that social and domestic legislation is no less important. I am glad that an opportunity will be given to us of dealing with the great question of the liquor traffic, and I hope as a result that we shall be placed in the much-longed-for position of securing for the State a reasonable revenue from what is regarded as a luxury, and at the same time of obtaining the proper regulation of the liquor traffic. I shall support the Bill in the hope that, in committee, its provisions may be considerably widened and more good done to the community than is anticipated.

MR. BURT (late Attorney General): I will say a few words in reply. It has been stated that a clause somewhat similar to the provision in this Bill was passed in the Act of 1894, but that Act was altogether nullified by a proviso. Well, that is the simple way in which members,

when they do not agree with a provision brought forward, try to nullify an enactment. The original clause, making it an offence to have adulterated liquor on the premises, was proposed in the Bill of 1894, and some hon. member proposed the proviso that "No person should be held liable to be convicted, if he could show that he did not know the liquor was adulterated." That was passed by a majority of members of the House; and it cannot surprise anyone to find now the provisions as to the analysis of liquor are inoperative. They have never been acted on, because directly we charge a person with having adulterated liquor on his premises, he pleads that he did not know it was adulterated. We omit that proviso in the Bill now before the House. The regulation of the sale of liquors is a large question—no one knows that better than I do—but the particular provision in this Bill has become so urgent and important that we are here endeavouring to do something to prevent adulteration. This little Bill was brought forward, not because the Government thought it was all that is needed. A great deal is needed, but we cannot find any consensus of opinion as to what is the best thing to do. We know, however, that once you stir up the question, it may be debated as long as you like; and not only will the local option question be raised, but everything connected with the liquor question may be brought into the discussion.

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

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

MR. MITCHELL: I have listened attentively to the debate on this important question, and I must confess that I am pleased to see hon. members take such an interest in this question. There are many evils in connection with it, and I think it behoves this House to probe these evils to the bottom, and to rectify them if we can. I am not one of those who make sweeping assertions that the publicans, and also the merchants who supply them, are not very respectable. I think we may fairly say that many publicans are good, and many of them bad; and so also of



the merchants. I was much struck with something that fell from the lips of my friend the member for North Murchison (Mr. Kenny) last night. It appears, from what he said, that he had been on an exploring expedition, and eventually found himself in a cellar, where he discovered a cask of white spirits. He was told the spirits were employed for blending with other liquors. He also saw some labels; and, after that, he seems to have received a circular sent out by a particular firm, which I suppose was the same firm that the cellar belonged to. Now, if that firm, or any other firm, sent out such a circular, all I can say is that they are a pack of fools; for I cannot conceive a firm that would send out a circular to purchase empty cases with bottles and corks, worth about 1s. 6d. per case, and offering 3s. 9d. each for them, unless it be for some unlawful purpose. That is a serious statement to make touching any firm; and when an hon. member makes such a statement as that in this House, he should be prepared to give the name of the firm to which he refers—not only in justice to the firm itself, so that it might offer some vindication, but also in justice to other firms to whom his remarks might be supposed to apply. I am glad to see that a move is being made in the right direction to alter and amend the law pertaining to the sale of grog in this colony. There is no doubt that a lot of grog is palmed off upon the public which is called whisky, but is not whisky at all. I hope the law will be made so stringent that it will be impossible to offer to the public anything that is not the genuine article. I shall support the Bill, and hope there will be added to it many other amendments of the present law that we shall be able to accept.

MR. KINGSMILL (Pilbarra): I congratulate the Government on the course they are taking. Outeries have been made for some considerable time past in regard to this matter. The Bill now before the House will, I think if it becomes law, afford great gratification, and be of considerable use to all members of the community, not only to the consumer, whose health will be protected thereby, but also to the more respectable members of the class whose traffic this Bill proposes to regulate, by taking away from

the more unscrupulous members a most unfair means of competition. But, in order to make this Bill more operative, I must say that, in my opinion, it will have to be considerably amended. I cannot think that throwing the burden of the carrying out of the Bill on justices of the peace and police constables will render the legislation effective. I think that those two classes have already such multifarious duties to perform that they have quite as much to do as they are likely to carry out, and I think that in this connection the suggestion of the hon. member for North Murchison (Mr. Kenny), that inspectors should be appointed, is a most reasonable one. The announcement of the hon. member for the Ashburton (Mr. Burt) that a Bill will be presented to the House to regulate the adulteration of food is, in my opinion, an additional argument why inspectors should be appointed, and I cannot see why they should not be able to fulfil the requirements of the two Acts. I have much pleasure in stating that I will support the principle of the Bill under consideration.

Question put and passed.

Bill read a second time.

#### PAPERS PRESENTED.

By the PREMIER: Report of the Commissioner of Police for the year ended June, 1897; also, Annual Report of the Agricultural Bank for the same period.

Ordered to lie on the table.

#### NOXIOUS WEEDS BILL.

##### SECOND READING.

MR. HARPER (Beverley): As the Premier has asked me to move the second reading of this Bill, I do so with much pleasure. The principle underlying the Bill is that of local option. No portion of this Bill can come into operation without the will of the people living in any particular district. In Clause 2 you will see that

Noxious weeds shall mean the plants mentioned in the first schedule to this Act, and such other plants as the Governor, by proclamation in accordance with this Act, shall declare to be noxious; but as regards plants so declared to be noxious only in a part or parts of this colony, shall only bear that meaning in the part or parts in which they are declared by such proclamation to be noxious.



The same applies to the next section, which defines noxious seeds as meaning the seeds of the wild oat and of all the plants mentioned in the first schedule of the Act, the remaining part of the section being the same as that dealing with noxious weeds. When this Bill was before the House last year, a good many hon. members objected to the wild oat being considered a noxious seed. It is only so considered when sold as wheat. It can be cultivated or not as the people please, but if it is sold with wheat it will render the seller liable to a penalty. When a district desires to bring this Bill into operation, it can petition the Governor for an inspector. There is no provision for the payment of inspectors: that is entirely left to the district. The Bill provides for the appointment of a local inspector to carry out the provisions of the Act. Clause 8 deals with the absentee proprietor. This clause gives power for the local body to deal with those proprietors who neglect their duties as landlords, and I am certain that it will have a very beneficial effect upon those absentees who hold large grants of land. The following clauses down to Clause 14 deal with these absentees. Clause 15 provides for the proportion of the expenses of clearing to be borne by owners and occupiers and by one of several owners. That is, where an occupier has a certain lease, if it runs over three years he will be liable for the expenses of clearing. If the lease is for a lesser term, the owner bears a proportion of the expenses with the occupier, and if the lease is for only one year the owner bears the whole of the expense. Clause 16 provides that Crown lessees are liable only for a certain amount; that is, if they shall have expended £100 in any year in clearing lands leased from the Crown, the Government may direct payment of any sum expended by any such lessee or occupier over and above the sum of £100 so expended. Clause 17 provides that waste Crown lands shall be dealt with in the same way as private lands are. Clause 19 might perhaps be objected to. It provides that an occupier shall trim hedges and clear weeds. There is no doubt it may be useful, especially in districts lying to the Southward. Further North there is not likely to be any trouble from stray briars, gorze,

broom, blackberries, as mentioned in the clause. Clause 21 provides that any person or contractor undertaking to thresh corn must not cart seed from one farm to another, but must thoroughly cleanse his machine before taking it elsewhere. Clause 25 provides that the Governor may at any time, by proclamation in the *Government Gazette*, declare any plant to be a noxious weed within the meaning of the Act. That enables each district to decide for itself what it desires to be classed as a noxious weed. It may so happen that a plant in one district is considered a noxious weed and not in another; so this Bill gives the responsibility to each district locally to decide what it may destroy and what it may preserve. This is taken from the *Thistles Act of Victoria*. Nearly the whole of these clauses are selected from different Acts in different parts of the world, and the *Thistles Act of Victoria* has been called upon to supply a number of principles in this Bill. I trust hon. members will appreciate the desire of those people who moved in the matter, and who wished to suppress noxious weeds in their district. The whole principle of the measure is that people who desire to eradicate weeds may have the power to do so. If an hon. member takes an opposite view and objects to this Bill, it is tantamount to saying that he will not allow people to suppress noxious weeds in their district. I beg to move the second reading of the Bill.

MR. SIMPSON (Geraldton): I desire to assist the agricultural industry in every possible way. So far as I can understand the measure before the House, it will be of assistance to that industry. I shall have much pleasure, therefore, in supporting the second reading, especially as it has been so well introduced by the hon. member for Beverley. I hope the measure will accomplish all the good he anticipates from it, and that it will be established throughout every agricultural district in the colony, although I am rather sceptical as to that.

HON. H. W. VENN (Wellington): I must candidly admit I have not had an opportunity of reading this Bill; but, from the remarks made by the hon. member who introduced it, and from a cursory glance at the Bill itself, I am directly opposed to it. I cannot see that it will



do any good, but it may possibly do a great deal of harm and cause a great amount of trouble and expense to the farmers. At this stage, without committing myself to any distinct action, I beg to move that the debate be adjourned until the next sitting.

Put and passed, and the debate adjourned accordingly.

#### ADJOURNMENT.

The House adjourned at 8.1 p.m. till the next day.

### Legislative Council.

Wednesday, 3rd November, 1897.

Papers presented—Motion: Leave of Absence—Steam Boilers Bill: in Committee; referred to Select Committee—Registration of Firms Bill: second reading (debate resumed)—Companies Act Amendment Bill: second reading moved—Perth Gas Company's Act Further Amendment Bill: Standing Orders suspended; Bill passed all stages—Dog Act Amendment Bill: first reading—Adjournment.

The PRESIDENT took the Chair at 4.30 o'clock, p.m.

#### PRAYERS.

#### PAPERS PRESENTED.

By the MINISTER OF MINES: (1) Returns of various life assurance societies, 1896; (2) Report of Government Railways and Tramways, 1896-7.

#### MOTION—LEAVE OF ABSENCE.

THE MINISTER OF MINES moved that 14 days' leave of absence be granted to the Hon. W. Alexander, on account of urgent private business.

THE PRESIDENT: Before that motion is put, I would like to draw the attention of the House to the number of members who are obtaining leave of absence. We are a very small House, and if this leave of absence be granted, as I presume it

will, it will mean that out of a House of 23 members, exclusive of the President, five will be away on leave of absence. I think that members who are in the colony should make some effort to be present. I am aware, of course, that some hon. members are prevented from attending by severe illness. I would point out that, in matters of urgency, when the Standing Orders have to be suspended, there has to be an attendance of twelve members, besides the President; and last evening I had to wait here for some time, and give a great deal of elasticity to the rule which lays it down that, if there be not a quorum five minutes after I take the chair, the House stands adjourned. As I have said, hon. members residing in the colony should remember that the number of members is limited in the House, and that, if they do not attend, great difficulty may arise in carrying on public business.

THE MINISTER OF MINES: While on this question, I should like to ask you, sir, as to whether the necessary quorum of eight includes yourself.

THE PRESIDENT: The Standing Order is very plain on the subject. It states that a quorum of the Council consists of eight members, exclusive of the President, or some hon. member chosen to preside in his absence,

Motion put and passed.

#### STEAM BOILERS BILL.

IN COMMITTEE—REFERRED TO SELECT COMMITTEE.

Consideration of the Bill in Committee resumed. Clause 3—Governor may proclaim districts in which this Act is to be in force:

HON. G. RANDELL moved that the order of the day be discharged, and the Bill be remitted to a Select Committee.

THE PRESIDENT pointed out that, in accordance with a previous ruling he had given, the Bill could not, at this stage, be referred to a Select Committee, unless with the consent of the hon. member who had charge of it.

THE MINISTER OF MINES (Hon. E. H. Wittenoom) said he had no objection to the Bill being referred to a Select Committee.

Motion put and passed.

A ballot having been taken for the appointment of a Select Committee, the