

LEGISLATIVE COUNCIL,

Thursday, 28th August, 1879.

Discrepancies in Expenditure Statement—Poisons Sale Bill, 1879: second reading; in committee—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

DISCREPANCIES IN EXPENDITURE STATEMENT.

MR. MARMION, in accordance with notice, asked the Colonial Secretary to lay on the Table of the House a statement of the particulars or items of Expenditure comprising the amount of £5,056 lls. 11d., being the discrepancy between the amount of £169,230 6s. 1d., shown as the Expenditure of 1875 in the Blue Book for that year, and the sum of £173,286 18s. given as the Expenditure in the returns now before the House.

THE COLONIAL SECRETARY (Hon. R. T. Goldsworthy) replied as follows: I will first read the answer given to the hon. member for Albany yesterday, relative to the discrepancy—"The return of Expenditure for 1875, published in the Blue Book for that year, was prepared early in the year 1876, and before the accounts of the Crown Agents, embracing expenditure chargeable to 1875, had been received. The return should have expressed that it was 'expenditure of the year 1875 so far as it had been ascertained to date.'" The numerous returns asked for by members entail a great deal of extra work in the various Departments, and the ordinary current work suffers in consequence and gets into arrears. I would ask the hon. member if he will be satisfied to have the items of Expenditure composing the amount of £4,056 lls. 11d., shown him in the books in the Treasurer's Office; if so, that Officer will be instructed to place the same before him. This is a course almost invariably adopted in the House of Commons, and saves a great deal of time and trouble.

MR. MARMION said he would be satisfied to adopt the course suggested, but intimated his intention to assert his right to make the result public, if he

thought such a step necessary in the public interests.

POISONS SALE BILL, 1879.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake), without comment, moved the second reading of a Bill to regulate the sale of Poisons. Agreed to.

IN COMMITTEE.

Clause 1.—"From and after the 31st December now next, it shall be unlawful for any person to sell, or keep open shop for retailing, dispensing, or compounding poisons in any part of Western Australia, unless such person shall be licensed thereto by the Resident Magistrate or Police Magistrate of his town or district, and shall conform to such regulations as to the keeping, dispensing, and selling of such poisons as may from time to time be prescribed by such Resident Magistrate or Police Magistrate."

MR. SHENTON thought these regulations should not have force unless approved by the Governor-in-Council. If left entirely to the Resident Magistrates the result would be possibly that each district would have its own set of regulations, and probably at variance with the regulations prescribed in other districts. Moreover he thought it was putting too much power in the hands of magistrates.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said the only object of the enactment was to enable the authorities to find out who had a license to sell poison. The suggested amendment, however, would not be an objectionable one to him.

MR. BROWN thought the Bill itself might set forth the regulations under which poisons should be sold. The third clause, in fact, appeared to do so, and he could only regard it as a very necessary provision, for there was no knowing what some magistrates might regard as desirable regulations.

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said the Bill was a modification of the Imperial Act, in force at home, where the sale of poisons is for the most part made by chemists and druggists,—a skilled and educated body, under the control of the

Pharmaceutical Society, and having a discriminating faculty to enable them to distinguish between Epsom salts and oxalic acid. Here the mere object was to ascertain who had a license to sell poisons, and it was proposed to vest in the magistrates those powers which, if we had a Pharmaceutical Society here, would be vested in that body. If a magistrate issued regulations which were obnoxious, or repugnant to the spirit and intention of the Act, he would be ordered to modify them, or issue others.

MR. SHENTON moved, as an amendment, that the following words be added to the clause: "Provided, however, that such regulations shall not be contrary to the provisions of this Act, and shall be subject to the approval of the Governor, and shall not bear any force or effect until published in the *Government Gazette*."

Agreed to, and clause as amended ordered to stand part of the Bill.

Clause 2.—"Articles named in schedule to be deemed Poisons within the meaning of the Act."

Agreed to.

Clause 3.—"Regulations to be observed in the case of the sale of Poisons:"

MR. BROWN said he noticed in this clause that one of the prescribed regulations was that the signature of the purchaser of the poison should be attached to the entry of the sale in the book to be kept by the vendor. How could this provision be carried out in the case of a country settler ordering, say, strychnine from a chemist in town, perhaps fifty or a hundred miles away?

THE ACTING ATTORNEY GENERAL (Hon. G. W. Leake) said the signature of any person present in the shop when the order was complied with would satisfy the requirements of the Act, the only object in view being to enable the sale of the poison to be traced up, if necessary.

MR. BROWN thought some more definite instructions ought to be prepared for the guidance of vendors in cases where the actual purchaser was not in attendance to sign the entry. He would therefore move, as an amendment, that after the word "affixed" in the twenty-fourth line, the following words be inserted: "Or in the event of the order for

"such article being sent to the seller by letter or telegram, in lieu of the signature of the purchaser being required to be affixed to the entry above-mentioned, the seller shall annex such letter or telegram to the said book, opposite the entry of the sale therein; and the person delivering the article so ordered and sold shall make and sign a memorandum opposite such entry, setting forth the date when, and the person or post office to whom or through which the said article was delivered or transmitted; and if the same article was delivered to any person, the person receiving the same shall also sign such memorandum:"

Agreed to, and clause as amended put and passed.

Clause 4.—"Such Resident Magistrate or Police Magistrate may in his discretion withhold, suspend, or discontinue the license mentioned in the first section:"

Agreed to.

Clause 5.—(Shortening Ordinance) and Clause 6, (Short Title):—agreed to.

Preamble and title—agreed to, and Bill reported.

The House adjourned at one o'clock, p.m.

LEGISLATIVE COUNCIL,

Friday, 29th August, 1879.

Contract of "Otway" and "Rob Roy"—Secret Bills of Sale Bill: in committee—Scab in Sheep Bill, 1879: third reading—Transfer of Land Act, 1874, Amendment Bill, 1879: in committee—Registration of Births, Deaths, and Marriages, Amendment Bill: in committee—Adjournment.

THE SPEAKER took the Chair at 7 o'clock, p.m.

PRAYERS.

CONTRACT OF "OTWAY" AND "ROB ROY."

MR. SHENTON, with leave, substituted the following resolution in lieu of that standing in his name on the notice