

Question (that the Standing Orders be suspended) put, and division taken with the following result:—

Ayes	19
Noes	10

Majority for	...	9
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AYES.

Mr. Burt
Mr. Conolly
Sir John Forrest
Mr. A. Forrest
Mr. George
Mr. Harper
Mr. Hubble
Mr. Kenny
Mr. Lefroy
Mr. Locke
Mr. Monger
Mr. Morgans
Mr. Oats
Mr. Phillips
Mr. Piesse
Mr. Quinlan
Mr. Throssell
Mr. Wood
Mr. Venn (*Teller*).

NOES.

Mr. Ewing
Mr. Gregory
Mr. Illingworth
Mr. Kingsmill
Mr. Moran
Mr. Oldham
Mr. Simpson
Mr. Vosper
Mr. Wilson
Mr. Leake (*Teller*).

THE SPEAKER: There is not an absolute majority of members of the House (23) in favour of the Standing Orders being suspended; therefore they cannot be suspended, notwithstanding that a vote has been taken, for there must be an absolute majority present and in favour of the motion.

Motion therefore negatived.

On the motion of the Premier, the second reading of the Bill was made an order for next day.

ADJOURNMENT.

Resolved, on the motion of the Premier, that the House at its rising should adjourn until 11 o'clock next forenoon.

The House adjourned accordingly, at 11:45 p.m., until the next forenoon.

Legislative Council,

Thursday, 26th August, 1897.

Question: Fremantle Gaol and Classification of Prisoners—Question: Petitions of Right (3)—Question: Perth Water Supply and Additional Reservoir—Companies Act, 1893, Amendment Bill; discharge of order—Criminal Appeal Bill; discharge of order—Petitions of Right: Question of Procedure—Message: Assent to Bills; Prorogation.

THE PRESIDENT (Hon. Sir G. Shenton) took the Chair at 11 o'clock, a.m.

PRAYERS.

QUESTION—FREMANTLE GAOL AND CLASSIFICATION OF PRISONERS.

HON. H. BRIGGS (for the Hon. R. S. Haynes), in accordance with notice, asked: 1. Is there any classification of prisoners confined in the Fremantle Gaol? 2. If so, in what does it exist? 3. If not, has the Government any intention of introducing classification, so that long-sentence prisoners shall not have an opportunity of meeting prisoners serving short sentences?

THE MINISTER OF MINES (Hon. E. H. Wittenoom) replied that the prisoners in the gaol were being classified as far as the accommodation at the establishment would permit. Prisoners under remand, debtors, female prisoners, and boys under the age of 18 years were separated from the other prisoners.

QUESTION—PETITIONS OF RIGHT (3).

HON. H. BRIGGS (for the Hon. R. S. Haynes), in accordance with notice, asked the Minister of Mines if he will lay on the table of the House all papers to date in reference to the petitions of right in the cases of (1) the West Australian Land Company; (2) Mr. W. Wilkinson; (3) Mr. W. Last.

THE MINISTER OF MINES (Hon. E. H. Wittenoom) replied: I have not the information yet, but it is being compiled, and most probably will be here before the prorogation, in which case I will be glad to make it public.

QUESTION—PERTH WATER SUPPLY AND ADDITIONAL RESERVOIR.

HON. G. RANDELL, in accordance with notice, asked the Minister of Mines,

if the Government are considering the necessity of immediately increasing the capacity of the Victoria Reservoir; or the construction of a new one for the supply of water to the city and suburbs?

THE MINISTER OF MINES (Hon. E. H. Wittenoom) replied: I have not had time to make the necessary inquiries in the matter, but so far as I know individually, as one of the Government, they are not at present. There may be something being done without my knowing it, but so far as I know there is not. I have not had time to look the matter up, the notice was so short.

HON. G. RANDELL: I trust the Government will take it into consideration soon.

THE MINISTER OF MINES (Hon. E. H. Wittenoom): We quite recognise the importance of the matter.

At 11-15 a.m. the **PRESIDENT** left the Chair.

At 11-45 a.m. the **PRESIDENT** resumed the Chair.

THE MINISTER OF MINES (Hon. E. H. Wittenoom): I would like, with the leave of the House, to amend the reply which I gave to the Hon. G. Randell this morning. During the adjournment I have been able to get more definite information, which I thought the hon. member would like. A site has been selected for a new reservoir, and certain estimates have been prepared for the work, but they require the approval of Parliament before the expenditure is incurred.

COMPANIES ACT, 1893, AMENDMENT BILL.

DISCHARGE OF ORDER.

HON. H. G. PARSONS: In speaking on this Order of the Day, I have no desire to delay the House, but I think it would be useful to the House and the colony to say a few words as to the general desirability of this measure and the reasons which have induced me to introduce it. There has been a strong feeling on the fields lately—within the last two years—a growing feeling in favour of the necessity for introducing a Bill making it necessary to have a local share register

kept in the colony. Already it is necessary for every company to be locally registered and to keep an office in the colony. It has been my experience, having been a director of various companies and holding powers of attorney for different companies, that persons holding shares in the colony, having bought the shares on the London register, are deprived of their rights, and are repeatedly deprived of dividends. I will mention one particular case, that of the North Boulder, the first subsidiary company from the Boulder itself, a mine I am particularly acquainted with. The shareholders resident in the colony have twice been deprived of the benefits to which they were entitled as part-owners of the mine. The excuse given by one of the directors, and I believe that was the feeling which was shared by the remainder of the board, with the exception of myself, was that persons resident in the colony must take the disadvantages of their geographical positions. They are regarded as vendors, and I find that lately in London it has led to a grave injustice. In that particular case the persons resident in the colony were not vendors, all the vendors' shares being held in London, and persons on the field who had shares had bought in the local market. Supposing they were vendors, they would be entitled to equal consideration as the other owners of the mine and shareholders in the company. In one case an increase of share capital was made, and time was not allowed for the colonial shareholders to participate in what amounted to a dividend. There were 20,000 shares issued at 15s., the share market price being 20s.; that made a bonus of 5s. to those who intended to take up the shares; but in London no time was given to persons resident at Kalgoorlie. In matters of reconstruction pending, the colonial shareholders will suffer. It is not in the interests of the mine, as a whole, that that state of things should exist. The holding of shares locally by persons working in the mine and men in the neighbourhood of the mine was likely to send up the shares and increase the prosperity of the mine. The real owners of the mine on the registers would benefit, and, in my experience, would have benefited during the last two or three years by a share register being kept in the

colony. A large agent told me that he had his safe full of scrip which had been handed him by the remaining number of the fast-expiring body of shareholders on the spot. Men come to me and say, "How am I to get my dividends?" The man's name that is on the scrip gets the dividend, and the men will not take action. These men cease to invest their moneys, and the properties are becoming more foreign-owned every day. Our mines would be largely owned in the colony, and would remain in the colony, if a share register existed here; but they are practically drifting into the hands of owners in Europe, and, to a certain extent, in the other colonies. The mines might, for all practical purposes, except as to wages, be situated in another place. Men living three miles from a mine have no more interest in it than if they were 400 miles away. I am very deeply indebted to the Hon. A. P. Matheson for his assistance in drafting this Bill. Objection is raised in London that this is an undue interference with the interests in London, and that it will tend to drive capital away. People soon see through it and side with us, because it is for the benefit of our properties. It is the people who would like to keep the control of the mines in London who raise the song of protest. Some of the people concerned in these robberies, and who had heard that a Bill was threatened in the colony, waited on the Premier in England. This Bill has been widely promoted on the fields, and it has been endorsed by the Chambers of Mines. The stock exchanges are unanimously in favour of the steps taken. There is one very valuable clause. It was not my own in the first place: it was suggested to me by a gentleman who has London experience. The principle is good. Clause 13 says "Every foreign company shall lodge, in a special account with its bankers in Western Australia, as a deposit, a sum equal to five per centum of its called-up capital, to be held by the said banker as long as the said foreign company shall continue to transact business in the colony, and in manner hereafter provided." That includes Adelaide companies, and they must keep a certain deposit in the colony. An amount was mentioned in the Bill, but we cannot expect Adelaide companies to keep a balance of, say, £1,000 in the

colony. The amount could be made proportionate to the amount the company has in hand. The great object of keeping a share register here is that people can have an opportunity of investing their moneys, and of obtaining their dividends and disposing of their shares as they like. This Bill will prove of advantage to a large number of persons connected with the mining industry, from the top to the bottom. I am grateful for the indulgence of the House. I do not think I have done wrong in bringing this measure before the notice of the people of the country. I now move that the order of the day be discharged.

Question put and passed.

Order discharged.

CRIMINAL APPEAL BILL.

DISCHARGE OF ORDER.

HON. G. RANDELL: It was the intention of the hon. member (Mr. Kidson), who introduced this Bill, to have had it printed, so that it could be before the country; and I believe his object has been accomplished. I should find myself unable to speak to the Bill at present, although I believe in it. I move that the order of the day be discharged.

Motion put and passed.

Order discharged.

PETITIONS OF RIGHT.

QUESTION OF PROCEDURE.

HON. A. P. MATHESON: I wish to ask the Minister of Mines whether we are likely to have any reply to the Hon. R. S. Haynes's question No. 2 on the notice paper?

THE MINISTER OF MINES (Hon. E. H. Wittenoom): I am sorry to say the information is not to hand, but the answer has really been laid on the table of the House, and any further information will be laid on the table when it comes.

HON. A. P. MATHESON: Shall we get it before the next session?

THE MINISTER OF MINES: To what question is the hon. member referring?

HON. A. P. MATHESON: I am referring to question No. 2, in reference to petitions of right. A great constitutional question is involved.

THE MINISTER OF MINES: If it is so involved as that, it had better stand over until the next sitting of the House.

HON. A. P. MATHESON: Will that be next session?

THE MINISTER OF MINES: Next session.

HON. A. P. MATHESON: Then I would like to move the adjournment of the House, as a great constitutional question is involved. These petitions of right I understand—

THE PRESIDENT: If the hon. member moves the adjournment of the House, I must put the question without debate. According to a ruling of the House, given last session by the Hon. F. M. Stone, who was Acting-President, this question must be put without debate, and I see no reason to depart from that ruling.

HON. A. P. MATHESON: May I call your attention to rule 89?

THE PRESIDENT: The hon. member will see that the latter part of the rule says, "provided that it be moved before the regular business of the day has been called on." If the hon. member had moved the motion before the ordinary business of the day had been called on, he would have been in order, but we are now concluding the business of the day. I must rule that the hon. member is not in order.

HON. A. P. MATHESON: I beg to submit that I could not do as you suggest, as the answer to the question had not been given then.

THE PRESIDENT: I cannot help that: I must be guided by the Standing Orders.

MESSAGE—PROROGATION.

ASSENT TO BILLS.

The following Message from His Excellency the Governor was delivered by the Minister of Mines, and read by the President:—

"GERARD SMITH,

"Governor.

"The Governor has the honour to transmit, herewith, a Proclamation under his hand and the seal of the Colony, proroguing the Legislative Council and the Legislative Assembly to Wednesday, the 6th day of October next.

"The Governor thanks your Honourable House for the attention which you

have given to the Bill to constitute the Commonwealth of Australia, and in Her Majesty's name hereby assents to the following Bills which you have passed:—

1. "An Act to amend the Act of the 57th Victoria, No. 2, authorising the Issue of Treasury Bills."

2. "An Act to apply out of the Consolidated Revenue Fund and from Moneys to Credit of the General Loan Fund the sum of Eight Hundred and Fifty Thousand Pounds to the Service of the Year ending 30th June, 1898."

3. "An Act for the Election of a Representative of Western Australia in the Convention provided for by The Australasian Federation Enabling Act of 1896."

4. "An Act to re-establish the title of the Hainault Gold Mine, Limited, to the Gold Mining Lease No. 81 E."

"Government House, Perth, 26th August, 1897."

The session then closed.