

Legislative Council,

Tuesday, 15th August, 1905.

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THE ACTING PRESIDENT took the Chair at 4.30 o'clock p.m.

PRAYERS.

PAPERS PRESENTED.

By the COLONIAL SECRETARY: 1, Goldfields Water Supply Administration Balance Sheet, net revenue account, and revenue account for half-years ending respectively 31st December, 1904, and 30th June, 1905. 2, Roads Act, 1902.—Exemption from rating of the—(a) Marradong Road Board (1903-4); (b) Nullagine Road Board (1904); (c) Upper Gascoyne Road Board (1904); (d) Upper Blackwood Road Board (1903); (e) Cuballing Road Board (1903-4); (f) Upper Irwin Road Board (1903-4); (g) Rockingham Road Board (1902-3); (h) Goomalling Road Board; (i) Upper Gascoyne Road Board (1903); (k) Minilya Road Board (1903); (l) Wandering Road Board (1903); (m) Nullagine Road Board (1903); (n) Nannine Road Board (1903); (o) Greenough Road Board (1903); (p) Nelson Road Board (1903); (q) Geraldton Road Board (1903); (r) Dandarragan Road Board (1903); (s) Williams Road Board (1903-4). 3, By-laws of the following Road Boards:—(a) Buckland Hill; (b) Ashburton; (c) Kojonup; (d) Minilya; (e) Canning; (f) North-East Coolgardie; (g) Katanning; (h) Upper Blackwood; (i) Peak Hill; (k) Perth; (l) Greenough; (m) Serpentine. 4, By-laws of the Municipalities of Coolgardie and Fremantle. 5, Report by the Under Secretary for Lands for the year 1904. 6, Report of the Woods and Forests Department for the year 1904. 7, Report of the Department of Public Works for the year 1904. 8, Report of the Royal Commission on Immigration, 1905. 9, Report of the Caves' Board, 1904. 10, Copies of Orders in Council issued under Section 35 of "The Audit Act, 1904."

11, "The Mining Act, 1904."—Amendment of Regulations and additional Regulations. 12, "The Industrial Conciliation and Arbitration Act, 1902."—Return of registered Industrial Unions of Workers as at 31st December, 1904. 13, "The Local Courts Act, 1904."—Local Court Rules, 1905. 14, By-laws of the Municipalities of Albany, Fremantle, and North Fremantle. 15, Annual statement of the Suspense Accounts opened under Section 55 of "The Audit Act, 1904," during year ended 30th June, 1905.

BILLS (3)—FIRST READING.

The following Bills received from the Legislative Assembly were read a first time, on motions by the MINISTER:—

ELECTRIC LIGHTING AMENDMENT.

PERTH MINT AMENDMENT.

PUBLIC EDUCATION AMENDMENT (distance from a school).

QUESTION—LIFT AT THE LAND TITLES OFFICE.

HON. G. BELLINGHAM asked the Colonial Secretary: 1, The original cost of the lift at the Lands Titles Office. 2, The cost of repairs to date. 3, How long it had been out of use. 4, If the Government intended putting it in working order again. 5, If so, when.

THE COLONIAL SECRETARY replied: 1, £1,680 14s. 7d. 2, £119 1s. 4d. 3, Eighteen months. 4, Yes. 5, As soon as Parliamentary authority has been granted for the installation of electrical power, for which a sum has been entered on the Estimates for the current year.

MOTION—MIDLAND RAILWAY AND LANDS, REPORT.

On the order for resuming the debate on Dr. Hackett's motion for production of the full report of the board of inquiry into the extent and value of the Midland Railway and lands:

DR. HACKETT said: The papers relating to the Midland Railway having been already laid on the table in another place, the Minister would doubtless be willing to lay them on the table of this House.

THE COLONIAL SECRETARY: Yes; the papers would be laid on the table as early as possible.

Question put and passed.

BILL—FERTILISERS AND FEEDING STUFFS AMENDMENT.

SECOND READING.

THE COLONIAL SECRETARY (Hon. J. M. Drew), in moving the second reading, said: In submitting the original measure to the test of practical operation, certain amendments have been discovered to be necessary; and the object of this Bill is to remove those defects. Had a little more care been taken in the drafting of the original measure, there would have been no necessity for the introduction of this amending legislation. Whoever was responsible for the existing Act had copied the South Australian Act without also copying the amendments which experience had shown to be necessary in that State. The present Bill includes all the amendments which were introduced in South Australia. Clause 2 proposes to alter a definition in Section 3 of the Act, and this is rendered necessary on account of an amendment set forth in Clause 4 of the Bill; the term "phosphate" being changed to "phosphoric acid." The necessity for this change I will explain in referring to Clause 4. Subclause (d.) of Clause 2 amends the definition of "dealer," who is here defined as "any person who carries on business as a manufacturer, importer, vendor, or dealer in any fertiliser or food for cattle for purposes of trade, and whether such person carries on any other business or trade, or not." This change is found necessary because the definition in the principal Act throws on the buyer the onus of proving the sale or offering for sale of the fertiliser, and it is found impossible in many instances to do this. Such was the experience in South Australia before the law on the subject was amended, and such also is the experience in this State. In the opinion of the Crown Solicitor this will meet all the necessities of the case. In regard to Clause 2, in the definition of "fertiliser" in the original Act, crude material is excluded; and the consequence is that it is extremely doubtful whether guano, bonedust, salt, potash, and other crude materials come within the operation of the Act. A dispute arose in this connection in South Australia, and it was deemed advisable to introduce the amendment which this Bill is to establish. If guano and bonedust are to be exempt under this Bill—and they

are if crude materials are exempt—a great deal of the utility of the measure will be lost. Clause 3 effects a necessary amendment by making it unlawful for a dealer to have in his possession a fertiliser below the regulation standard; and it also relieves the inspector of the necessity of proving that such fertiliser has been sold at any time. At present it is necessary to prove a sale before a conviction can be secured; but if this clause is passed it will be sufficient if the person has the stuff upon his premises and ostensibly for sale. The word "phosphate" in the original Act was a mistake. It should be phosphoric acid. There are three elements of plant life—nitrogen, potash, and phosphoric acid; but for some reason the word phosphate was placed in the Act. Phosphates may contain 20 per cent. of phosphoric acid, or 30 per cent. or 50 per cent. The word has no definite meaning. So it is our intention to have something by which finality can be determined, and in Clause 4 we have introduced, instead of the word phosphate, the words "phosphoric acid," the latter being a recognised quality in fertilisers. It is not necessary for me to say any more. I have explained the reason for the whole of these amendments. I move that the Bill be now read a second time.

Question passed.

Bill read a second time.

IN COMMITTEE.

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

ADJOURNMENT.

The House adjourned at eight minutes to 5 o'clock, until the next day.
