

FEDERAL COUNCIL REFERRING BILL,
1892.

This Bill was received from the Legislative Assembly, and was read a first time.

ADJOURNMENT.

The Council, at 8.30 o'clock p.m., adjourned until Friday, 16th December, at 2.30 o'clock p.m.

Legislative Assembly,
Thursday, 15th December, 1892.

Customs Sales, Albany—Breaches of Shipping Laws and Regulations and Appointment of a Board of Trade—Amendment of Clause 49 of Land Regulations—Grant of Land for an Agricultural Society at Greenough—Legislation for investigating origin of Fires—Survey of country between Toodyay and Midland Railway—Public Health Act Further Amendment Bill: third reading—Federal Council Referring Bill: third reading—Perth Protestant Orphanage Lands Sale (Private) Bill: second reading; in committee—Companies Bill: second reading—Message from Legislative Council agreeing to Bill—Perth Railway Crossing Improvement Bill: second reading—Manufacture of Wines Bill: second reading—Scab Act, 1891, Amendment Bill: in committee—Jury Exemption Bill: in committee—Transfer of Land Bill: in committee—Adjournment.

THE SPEAKER took the chair at 7.30 p.m.

PRAYERS.

CUSTOMS SALES, ALBANY.

MR. DEHAMEL, in accordance with notice, asked the Colonial Treasurer:—

1. What was the amount realised on the last Customs sale in Albany?
2. What was the percentage, and how much did it amount to, that was paid to the auctioneer for conducting such sale?
3. Whether the Government called for tenders for the conduct of such sales; and if not, why not?

THE PREMIER (Hon. Sir J. Forrest) replied, as follows:—

1. £328 6s. 11d.
2. $7\frac{1}{2}$ per cent. for selling and collecting; amount £26 16s. 9d.

3. Tenders were not called for the conduct of the sale, Mr. Moir having acted as Government auctioneer at Albany for some years.

(1) BREACHES OF SHIPPING LAWS AND REGULATIONS—(2) APPOINTMENT OF A BOARD OF TRADE.

MR. SOLOMON, in accordance with notice, asked the Premier:—

1. Whether the attention of the Government had been called to breaches of the Shipping Laws and Regulations; and, if so, whether any action had been taken to prevent a repetition of same?
2. Whether, having in view the increase of shipping, the Government would consider the advisability, at an early future, of initiating a Bill for the appointment of a proper Board of Trade, and to assimilate the Rules and Regulations of Shipping with those of other colonies?

THE PREMIER (Hon. Sir J. Forrest) replied:—

1. That he was not aware to what the hon. member referred.
2. That the Government did not intend to move in the direction named, at present.

AMENDMENT OF CLAUSE 49 OF LAND REGULATIONS.

MR. THROSSELL, in accordance with notice, asked the Commissioner of Crown Lands whether it was the intention of the Government to amend, this session, clause 49 of the existing Land Laws, in the manner proposed in "The Homesteads Bill?"

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) replied that the Government did not propose at present to make the amendment referred to.

GRANT OF LAND FOR AGRICULTURAL SOCIETY, GREENOUGH.

MR. TRAYLEN, in accordance with notice, asked the Premier whether the Government was in a position to give a piece of land near the Greenough Crossing for the purposes of an Agricultural Society?

THE PREMIER (Hon. Sir J. Forrest) replied that if the hon. member would point out a suitable piece of Crown land the Government would be glad to meet his wishes, if it were possible to do so.

LEGISLATION FOR INVESTIGATION OF ORIGIN OF FIRES.

MR. TRAYLEN, in accordance with notice, asked the Attorney General whether the Government would prepare, during the recess, an efficient measure for creating an authority to investigate the origin of fires, and to clothe the police and coroners with sufficient powers for the purpose?

THE ATTORNEY GENERAL (Hon. S. Burt) replied that he could not make any promise on behalf of the Government.

SURVEY BETWEEN TOODYAY AND MIDLAND RAILWAY.

MR. CLARKSON, in accordance with notice, asked the Director of Public Works if it was the intention of the Government to carry out a complete survey of the country between Toodyay and some point upon the Midland Railway, with the view of ascertaining the cost of constructing a line of railway in that direction?

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) replied that the Government regretted they were unable to proceed with this survey.

PUBLIC HEALTH ACT FURTHER AMENDMENT BILL.

Read a third time, and transmitted to the Legislative Council.

POLICE ACT, 1892, AMENDMENT BILL.

Read a third time, and transmitted to the Legislative Council.

FEDERAL COUNCIL REFERRING BILL.

Read a third time, and forwarded to the Legislative Council.

PERTH PROTESTANT ORPHANAGE LANDS SALE (PRIVATE) BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. S. Burt): In rising to move that this Bill be read a second time, I need only

say that the purport of it is fully explained in the preamble. It is to enable the trustees of the Protestant Orphanage to dispose of the present orphanage lands and buildings, and with the proceeds to acquire a new site, more suitable for the purposes of such an institution, to be held on the same trust as the present land and buildings are held. The Bill, being a private Bill, has been referred to a select committee, who have reported in favor of the measure.

Motion agreed to.

Bill read a second time.

IN COMMITTEE.

The Bill was passed through committee, *sub silentio*, reported to the House, and the report adopted.

COMPANIES BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. S. Burt): This Bill is a Bill that has been sent down to us from another place, where, I believe, it received considerable attention, and was somewhat amended. It is a measure which is merely a consolidation of the companies law up to date. The companies formed here under the Joint Stock Act have had to put up with, and work under, an old ordinance passed in 1858, and that ordinance merely embraced the English law up to that date, or a few years previously. Looking at the manner in which companies, limited and unlimited, have spread during recent years, all over the country, in England, in the colonies, and elsewhere—companies are being formed now almost every day—for purposes which were never contemplated in 1858, it must occur to all of us that the law of 1858 must be very much in arrear of our present requirements. For instance, under our present Act there is no power whatever to split up the shares of a company. If a company with shares of £10 or £20 wished to split them into £5 shares, there is no provision whatever in the existing Act to enable the company to do so, or for increasing or reducing the company's capital, or dealing with capital in any way. This Bill, amongst other things, provides for all that; and it will be done under the sanction of the Court. There are numerous other useful provisions that are not to be found in the existing Act embraced in the Bill. I do

not propose to go through them on the second reading, as I think it is unnecessary to go into the details of the Bill. As we go through it in committee, the various clauses will come before us. The second clause of the Bill sets out the different portions of the measure, and will show at a glance the general scope of the Bill. We first deal with the constitution and incorporation of companies—this part of the Bill, I may say, is very similar to the present law—and then we have provisions dealing with the management and administration of registered companies. Then we deal in another part of the Bill with the winding up of companies by the official liquidator, or voluntary winding up. We also provide for striking off the register all defunct companies—companies that have ceased to work and that have outlived the object of their existence. This is a very useful provision for keeping the register clear of dead companies. Then there are provisions in the Bill with regard to foreign companies. It is proposed to make foreign companies trading here to have a registered office, published to the world, and a recognised agent, upon whom service can be effected. All those foreign trading companies that have offices here—companies like Dalgety's and others—will be obliged under this Bill to do what other companies do now: have a registered office here and some recognised place of business, and a recognised agent upon whom writs can be served. We may have some foreign companies—I do not know that there are any here now—but we may have companies that may do their business in a hole-and-corner sort of way, and, if they get into trouble, and a writ has to be issued, we may not know upon whom to serve it. This Bill will compel all these companies to do what I have said—have a registered office here and a recognised agent whom we can deal with. The insurance companies, several of them, follow that provision now, and it is not considered necessary to bring this Bill to bear upon those companies. The Bill also includes the provisions of the Mining Companies Act passed here some years ago, including no-liability companies; and it also contains (I am sure the House will be glad to hear) a provision respecting the liability of the promoters and directors of companies in regard to the

issue of false prospectuses, or the making of false representations generally. In the future, if this Bill becomes law, promoters and directors will be responsible for any false statements of that kind, and can be got at readily, and in a way they cannot be got at now. These people must take care hereafter that they do not fall within the provisions of those sections of the Bill dealing with this matter. Nearly the whole Bill is based upon—is, in fact, a copy of—the provisions of the English law right up to date; it consolidates all the law of England on the subject. And, besides the English law, we have the law relating to mining companies dealt with, which law is not found among the statutes of England, but is in most of the other colonies. I think it will be found a most useful Bill. I am not aware that it is necessary for me to speak at any greater length at this stage. As I said, it has been carefully considered elsewhere, and comes down to us with the sanction of the other House. With these few words, I beg to move the second reading of the Bill.

MR. R. F. SHOLL: I notice that this little Bill contains only 249 clauses, and, as we have only had it before us a few hours, I hope that the committee stage will be put off for at least a fortnight. I should like to see it put off for six months myself, for it appears to me that to attempt to rush an important Bill like this through the House must end in its passing through without receiving that consideration which its importance deserves. I am aware that there is a great deal of work yet to be done, and that the Government are anxious to get through this session as early as possible. But it is to be regretted that an important Bill like this was not placed before us at an earlier stage of the session. It is not my intention to oppose the second reading, but I hope that ample time will be allowed before we are asked to go into committee upon it.

MR. MOLLOY: If anything were wanting to commend this Bill to our favorable consideration, it would be the statement made by the Attorney General that the Bill was initiated in another place, and that it has come down to us stamped with the approval of those venerable seers whose astute minds have been brought to bear upon it in that

other place. I think this should deprive the Bill of the alarming character assigned to it by the hon. member for the Gascoyne. Still, I think with him, as it is a very important Bill, containing a great many provisions, we ought to have some time to consider it. Probably we may not be able to grasp its provisions with the same rapidity as the more experienced and more intelligent legislators who have stamped it with their approval in another place, and, for this reason, we may require more time to consider the Bill.

MR. SIMPSON: I desire to congratulate the Government upon their introducing this valuable measure, which I understand is a consolidation of all legislation connected with the formation and management of companies of the last few years, both in England and the other colonies. No doubt the Government will be prepared to give us ample time to consider its provisions, and, by the time it emerges from committee, I have no doubt it will be found to be a most useful measure, and a very good measure for the country.

Motion—put and passed.

Bill read a second time.

THE ATTORNEY GENERAL (Hon. S. Burt), in fixing the date for going into committee, said he wished to consult the convenience of members as much as possible. The Government had no wish whatever to hurry members, and, if the hon. member for the Gascoyne did not object, he would fix the following Tuesday for going into committee on the Bill. If by that time the hon. member found he had not had time to consider the Bill, it might be further adjourned. He formally moved that the committee stage be made an Order of the Day for Tuesday, the 20th December.

Agreed to.

MESSAGE FROM LEGISLATIVE COUNCIL: AGREEMENT TO BILL.

The following Message was received from the Legislative Council.

Mr. Speaker,

"The Legislative Council acquaints the Legislative Assembly that it has agreed to the undermentioned Bill, without amendment:—A Bill intituled 'An Act to empower Trustees of certain

Public and other Institutions to raise Money on Lands by way of Mortgage.'

"GEO. SHENTON,

"President.

"Legislative Council Chamber,

"Perth, 15th December, 1892."

PERTH RAILWAY CROSSING IMPROVEMENT BILL.

THE ATTORNEY GENERAL (Hon. S. Burt): This is a Bill that will have some interest, I think, to the residents of Perth. The object of it is to close the right-of-way over Beaufort street bridge, and also the level crossing in Stirling street, and to substitute in lieu of these crossings a bridge centrally situated between Beaufort street and Stirling street, at the spot on which stands at present what is known as the Working Men's Institute. At any rate it is proposed to erect a new bridge in a line with Barrack street, and to lead the traffic from Stirling street and Beaufort street over that bridge, instead of the present crossing and the present bridge. That is the object of the Bill, which also provides that the existing right-of-way over the present bridge at Beaufort street, and the crossing at Stirling street shall cease and determine as soon as the Commissioner builds his new bridge on a line with Barrack street. In other words, as soon as the new bridge is open for traffic, the right-of-way over the present bridge and the Stirling street crossing will be closed. Clause 2 mentions that the width of the new bridge is not to be less than 22 feet for carriage traffic, and 6 feet on either side for foot traffic; but I believe the Commissioner contemplates a greater width. The width mentioned is the clear width, without any obstruction from lamp posts or anything of that sort; and we put that in the Bill so that the citizens of Perth may see what they will get for the loss of the right-of-way which it is proposed to close. It is also proposed to remove the present Beaufort street bridge, and to resume and fence off the land adjacent to it, on either side, to the extent of a quarter or half a chain. It is proposed to erect a very handsome bridge in a line with Barrack Street, and I think, when it is finished, the public will feel themselves indebted to the Commissioner of Rail-

ways when they see this new structure, and no doubt the Corporation will be inclined to come down liberally to assist the Government in the expenditure they will have to incur in carrying out these improvements.

MR. LOTON: I have very much pleasure in supporting the second reading of this Bill. I certainly think the inhabitants of Perth have reason to congratulate the Government upon the broad view they have taken of this matter. No doubt the proposed improvements will entail a considerable expense upon the Public Works Department, and I should imagine that the owners of land in the immediate vicinity, if they are liberal-minded people, will be the very first with a donation towards the cost of these improvements. Looking at the matter all round, I think the contemplated step is one that has been wisely decided upon, in the interests of the city and its inhabitants.

Motion—put and passed.

Bill read a second time.

IN COMMITTEE.

The House then went into committee on the Bill, and the various clauses were agreed to without discussion.

MANUFACTURE OF WINES BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. S. Burt): I rise to move the second reading of a Bill to encourage the manufacture of wine. The object of this Act is, as set forth in the preamble, to enable wine manufacturers to obtain spirits out of bond, free of duty, for the purposes of wine-making. It has been represented to the Government that wine manufacturers are unable to fortify their wines as they were allowed to do at one time, on account of the high duty they have to pay upon spirits. I think it will be generally conceded that wine-making should be encouraged in a country like this. A measure of this character has been in operation in South Australia for some time, allowing wine manufacturers to obtain spirits, not free but on the payment of a nominal duty. I think it will be admitted that so long as the revenue is protected, and spirits cannot be obtained to go into general consumption, it is a good principle to encourage the wine-making industry, and to give facilities

for fortifying the wines of the colony. It appears that this colonial wine of ours, when sent out of the colony, will not keep unless it is fortified up to a certain strength; it will not stand knocking about on board ship, and I believe it would have no chance of reaching England in a condition fit for consumption if it were not fortified, and it is customary, as we know, to fortify all wines intended for export. The provisions of the Bill are these: no one will be allowed to get a license for obtaining spirits free of duty unless he has a vineyard of five acres in full bearing, and he must be recommended for a license by two justices who know him. He will then apply to the Collector of Customs, who will grant him a license, in the form presented by the Act, authorising him to obtain not less than 10 gallons and not more than 56 gallons—it is 28 gallons in the Bill now, but I propose to increase it to 56 gallons—at a time, but such spirits shall be used only for the purpose of fortifying his own wines, or for the purpose of washing and cleansing casks. The spirits thus obtained has to be taken to a cellar or store-room on the premises of the licensee and there kept under lock and key, and it will travel from the Customs to its destination in the cellar or store-room of the licensee under the supervision and inspection of a Customs officer. That is to say, if a vigneron at Darlington requires a cask of brandy to fortify his wine, the cask will be conveyed from the Custom-house to the licensee's cellar under such supervision as the Collector of Customs may direct, and it will be there locked up, and when the wine-maker desires to use any of it for fortifying his wine he must give notice beforehand to an inspector, and the spirits will be mixed with the wine in the presence of this officer, and an entry made of the quantity used. It will then be locked up again, and should it be found by the inspector on his visits that any liquor has been abstracted beyond the quantity he has seen taken out of the cask and used for fortifying the wine, the balance of the liquor will be forfeited, and the licensee will be liable to a penalty of £50, in addition to a penalty of forty shillings for every gallon of spirits so found. It will be seen that we have taken ample precaution for protecting the revenue, and I do not think we need fear

that there is any loophole for the Act to be evaded, or spirits sold for consumption which has been obtained for the purposes of the Act. I do not suppose that there will be a great many applications for licenses under this Act, because it is only those who have five acres, and over, in full bearing who will be entitled to a license, and, beyond that, they must enter into a bond for £100 not to use any portion of the spirits for any purposes other than such as are authorised by the Act. I think that with these precautions we may rest satisfied that the revenue will be protected, and that at the same time we shall be giving some little encouragement to wine manufacturers in the colony. I am not quite sure—and unfortunately I have not had time to look into the matter very closely—but I believe that many years ago there was a law of this nature on our Statute Book, and wine-makers were allowed to obtain spirits out of bond free of duty; but it was repealed. I am not quite certain; but at any rate a similar law obtains in South Australia, and I think we may very well grant this indulgence to wine-makers here. I move the second reading of the Bill.

MR. R. F. SHOLL: It appears to me that under this Bill the Government have taken every precaution possible to prevent, to a very great extent, what I fear may be an abuse of this privilege of obtaining spirits out of bond free of duty. But I cannot help thinking even now that it is a mistake to encourage people to fortify their wine—to adulterate their wine, I may say—with spirits. Hitherto we have been under the impression that in drinking colonial wine we were drinking the pure juice of the grape, but we may expect to have to drink, not the pure juice of the grape but the juice of the grape with something stronger mixed with it. There is another point that struck me in connection with this Bill when listening to the Attorney General, and that is with regard to these inspectors. I suppose all this supervision and inspection is going to entail some expense upon the country.

THE ATTORNEY GENERAL (Hon. S. Burt): No; the licensee pays all the expense. No more billets.

MR. R. F. SHOLL: If that is so, if the licensee has to pay the inspector every time he wants to mix spirits with his

wine, I do not think this Bill is likely to be availed of very much. It may be necessary, no doubt, to fortify wine for export, but I am not aware that there is much wine sent out of this colony; and I have not heard any outcry as to there being any great necessity for a measure of this kind. However, if it is likely to be of any assistance to local manufacturers, and there is a desire among them to cultivate an export trade, I shall have no great objection to it, though it struck me at first that there was an element of danger in allowing people to obtain spirits out of bond free of duty, and using it for other purposes than wine-making. But the Bill seems to be surrounded with every safeguard.

MR. PEARSE: It is my intention to support the second reading of the Bill, for I think it will supply a long-felt want amongst our local wine manufacturers. But I notice it is only intended to confer this privilege upon the owners of vineyards. It appears to me that the makers of wine should also have the same privilege. There are wine manufacturers who do not own vineyards of their own, but who purchase their grapes from other growers, and I think this concession should be extended to wine manufacturers as well as vineyard proprietors; and, when the Bill goes into committee, I intend to move an amendment to that effect.

THE ATTORNEY GENERAL (Hon. S. Burt): The House will remember—at any rate it is on record—that last session the Government were formally asked to take this question into consideration and to introduce a measure of this kind, and I believe the hon. member for the Gascoyne voted for that motion; and we are bringing in this Bill now in response to that appeal of the House last session.

Motion—put and passed.

Bill read a second time.

SCAB ACT, 1891, AMENDMENT BILL.

The House went into committee on this Bill.

Clauses 1 to 3 inclusive:

Agreed to, without comment.

MR. LEFROY moved that the following new clause be added to the Bill, to stand as Clause 3: "All sheep before "passing out of an infected district into "any clean district shall be legibly

"branded on the back by the owner with "the letter 'O,' at least three inches in "diameter, and shall be kept so branded "by him or any other owner for the space "of six calendar months from the time "such sheep leave the said infected district. And every owner neglecting the "provisions of this section shall be "deemed guilty of an offence." The Attorney General, he concluded, in moving this Bill did not do so in his capacity of Attorney General, but in his capacity as the member for the Ashburton, because the hon. gentleman seemed most solicitous for the interests of the North, while at the same time he had not considered the interests of the South at all.

THE ATTORNEY GENERAL (HON. S. Burt): Because they won't have it in the South. The Southern members wouldn't have it.

MR. LEFROY, continuing, said he had, therefore, taken upon himself to introduce this small addition to the Bill. He had been induced to do so in the belief that something should be done to keep scab out of these Southern districts, and that there should be some means of distinguishing all sheep passing from an infected district into a clean district. It must be remembered that all sheep coming South, from the Victoria district, passed through country where this disease was known to exist, and there was always a danger of the disease being in this way carried to our Eastern and Southern districts. Since he had given notice of this new clause, he had found that in New South Wales they had a very similar provision to this, providing that all sheep intended to be introduced into the colony shall be branded with a distinguishing brand. If they came from Victoria, they were branded with the letter "V"; if from South Australia, with the letter "A"; or, if from Queensland, with the letter "Q." There fore, it would be seen that there was nothing novel about this provision. This colony of ours was a very large one, and consequently measures had to be adopted here which perhaps were somewhat different from those adopted elsewhere. The Northern parts of this colony were as far distant from here as Queensland was from Victoria, and sheep travelling over that large extent of country were liable to contract this disease on their way down.

He noticed that, according to the existing Scab Act, all sheep before leaving the Victoria district had to be dipped; but there was no rule laid down as to the nature of the dipping; and he hoped the Government were carefully watching to see that this dipping was properly done. He had no doubt that sheep were dipped, but the question was, were they properly dipped; and he hoped the Government would see that the dipping was properly carried out. He had been told, and he believed it was correct, that sheep were sometimes hurried through the dip; and, any one acquainted with scab must know that hurried dipping of that kind was utterly useless. Scab might be lying dormant under the wool, and the dipping mixture might not reach it unless the sheep were left a certain time in the dip to allow it to penetrate. He therefore hoped the Government, who were responsible for the carrying out of the Act, would inquire about this dipping business, and see that all sheep travelling from that district were properly dipped, and dipped as carefully and thoroughly as if they were actually affected with scab. It was really a most serious matter, this scab, and every precaution possible should be taken to eradicate it, and to prevent its spreading Southwards. He therefore hoped this new clause would meet with general support, and that it would furnish further protection to this part of the colony. It would be seen that the concluding words of the clause provide that "every owner neglecting the provisions of this section shall be deemed guilty of an offence." If members would look at the principal Act they would see what "an offence" meant, and that it implied a penalty of £100. If the clause passed, as he hoped it would, he trusted that the Government would see that the inspector carried it out.

MR. A. FORREST was sure that every member in the House must sympathise with the hon. member for the Moore in bringing forward this clause, because they all know that the disease which the hon. member wished to keep from coming down South was a most serious one, and the question of stopping it was one of the most important questions that could occupy the attention of that House. The Northern districts originally introduced scab from districts down South, and Kimberley did the same; and it behoved

those who represented the Northern divisions of the colony to support the Attorney General in this Bill, and see that no sheep were introduced into any district North of the Victoria district from or through any infected district. As to what the hon. member for the Moore had said about dipping, the Act was very stringent about that; and, if there was any fault, it could not be with the owners but with those in charge of the dip. The new clause had his hearty support, but he thought that the proposed brand should be altered, as the letter "O" was the common mark used on all sheep sent down here to the butchers, and it would be better to have some other distinguishing brand. He would suggest that sheep coming from the Victoria district should be marked with the letter "V," and sheep coming from the North be marked with the letter "N," so as to enable people to discriminate between the two districts. The presence of the letter "V" would cause all sheep so marked to be looked upon with suspicion, whereas if they had the letter "N" on them, it would be a sign that they had come from a clean district.

MR. LEFROY said he should be happy to accept the hon. member's suggestion.

THE ATTORNEY GENERAL (Hon. S. Burt) said, before that amendment was put, he wished to ask the hon. member for the Moore if he would strike out the words "on the back," after the word "branded."

MR. LEFROY: I am rather anxious that those words should be retained.

THE ATTORNEY GENERAL (Hon. S. Burt): Why?

MR. LEFROY: They might be branded under the belly, where the brand would not be noticed.

THE ATTORNEY GENERAL (Hon. S. Burt): If the hon. member will look at the interpretation clause, he will see that the brand must be on the rump.

MR. LEFROY: Then I have no objection to the words being omitted.

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the words "on the back" be struck out.

Amendment—put and passed.

MR. LEFROY said, as to the suggestion of the hon. member for West Kimberly, to substitute "V" instead of "O" as the distinguishing brand, he was quite

willing to accept the suggestion, if the committee desired it. He had thought of using the letter "V," but he thought afterwards that in the event of the Victoria district becoming clean, sheepowners there might feel offended if we used the letter "V" to distinguish all sheep coming from an infected district; and he thought "O" would be equally discernible.

THE PREMIER (Hon. Sir J. Forrest) said if the letter "O" was the common mark now used for sheep sent down to the butchers, it would have no significance when used as a distinguishing brand for sheep coming from an infected district, and some other mark should be adopted.

MR. TRAYLEN hoped the committee, before deciding to adopt the letter "V," would realise the pain which it would cause the hon. member for Geraldton and himself, representing as they did a district that was not in very good odour with sheepowners.

MR. DARLOT suggested that the letter "T" be adopted, to signify that the sheep had travelled. This was the brand used in the other colonies, in addition to the station brand, when sheep had to travel. He moved that the letter "O" be struck out, and the letter "T" inserted in lieu thereof.

Question—That the letter proposed to be struck out stand part of the question—put and negatived.

Question—That the letter proposed to be struck out, be struck out—put and passed.

Question—That the letter proposed to be inserted, be inserted—put.

MR. LOTON moved, as an amendment, that the letter "V" be inserted. He thought it would be more appropriate as a distinguishing mark than the letter "O" or the letter "T," as sheep might travel from other districts than infected districts, and they all knew that the district they wished particularly to guard against was the Victoria district.

Question put—That the letter "T" be inserted.

Negatived.

Question put—That the letter "V" be inserted.

Passed.

MR. LEFROY moved that the word "diameter" be struck out, and the word "length" be inserted in lieu thereof.

Put and passed.

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the words "or any" be struck out, and the words "and every" be inserted in lieu thereof; the clause would then read, "and every other owner."

MR. TRAYLEN asked whether this would not necessitate every fresh owner putting a fresh brand on the sheep, which would soon cover them with brands.

THE CHAIRMAN pointed out that the clause only provided that once the sheep were branded they should be kept so branded; it did not contemplate that every fresh owner should put on a fresh brand.

Amendment—put and passed.

Clause, as amended, agreed to.

MR. A. FORREST thought that provision should be made to the effect that this Bill should not come into operation for a month or two at any rate, until drovers and others interested should become acquainted with its provisions, and have the necessary brands prepared.

THE ATTORNEY GENERAL (Hon. S. Burt) thought the hon. member's suggestion was a good one, and he would move a clause to that effect before the Bill left their hands altogether.

Preamble and title:

Agreed to.

Bill reported.

JURY EXEMPTION BILL.

The House went into committee for the consideration of this Bill.

Clause 1. — "The following persons shall, in addition to those mentioned in section nine of 'The Jury Act, 1871,' (hereinafter called the Principal Act), be exempt from serving on Juries, and shall not be inserted on any Jury List to be prepared by virtue of such Act or any amendment thereof, or if inserted may claim exemption, that is to say: schoolmasters, managers, cashiers, accountants, and tellers respectively employed as such in any bank, chemists and druggists duly qualified and in actual practice, persons employed under any department of the Public Service, including all officers and servants of the Commissioner of Railways, and all officers and servants employed upon or in connection with any private railway:"

MR. SOLOMON moved, without comment, that the word "mayors" be inserted before the word "schoolmasters."

MR. R. F. SHOLL said he did not know why mayors should be exempted from serving on juries. He thought it was desirable to have as good men as possible on juries. That was one fault that was found with our present jury system—that we did not get enough good men on our juries. He was sure that mayors were not so hardworked that they could not give up a little of their time to serving as jurymen, when other men, occupying equally important positions and having a great deal more work to do, had to do so. He failed to see why mayors should be exempted any more than justices. He also thought it would be a good thing if members of Parliament were not exempted, at any rate when Parliament was not sitting.

MR. A. FORREST was very pleased to support the amendment of the hon. member for South Fremantle. When they found bank managers, cashiers, accountants, and tellers exempted, he thought they might also exempt mayors, though, for his own part, he did not see that this Bill was required at all. We were exempting the very best class of men we could have upon juries, which he thought was a mistake. He failed to see why accountants and cashiers in banks should be exempted any more than accountants in commercial houses. It was just as inconvenient in a commercial house to have one's accountant taken away as it was in a bank. As for tellers, every bank had more than one teller, and it was not likely they would all be summoned on the same jury. These banks managed to get on all right if they had an accountant or a teller absent through illness. He saw no necessity for all these exemptions, and if he had been present when the Bill was read a second time he would have moved that it be struck out.

THE ATTORNEY GENERAL (Hon. S. Burt) said he believed that bank managers and bank accountants were usually exempted in other countries; but he was not particularly wedded to all these people that were enumerated in this clause. He thought, however, that schoolmasters should certainly be exempted, and he hoped the committee would allow bank managers to remain. With regard

to mayors, he did not see why a mayor should be exempted any more than a town councillor. Mayors were not always in office, and why should they be exempted?

Amendment put, and negatived on the voices.

MR. QUINLAN moved to insert the words "town clerks, captains or superintendents of fire brigades," before the word "schoolmasters." He left it to the good sense of the House whether these officials were not deserving of some consideration. The duties of town clerks were very important duties, and these civic servants ought to be exempted, in the interests of the town. With regard to captains or superintendents of fire brigades, he thought it was very necessary that these officers should be exempted from serving on juries. They might be called at any moment by the fire bell, and he did not suppose a Judge would allow them to leave the jury box to attend a fire.

Amendment—put and passed.

MR. TRAYLEN, without comment, moved that the words "cashiers, accountants, and tellers respectively employed as such," be struck out.

Put and passed.

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the words "managers in any bank" be struck out, and "bank managers" inserted in lieu thereof.

Put and passed.

MR. MOLLOY moved that "short-hand newspaper reporters" be added to the clause. He thought it was very necessary these gentlemen should be exempted, as their business required them to be present taking notes of trials, and it would be very inconvenient for the proprietors of newspapers to have their reporters called upon to serve on juries. They could not perhaps get a competent substitute—there were not many short-hand reporters about—nor afford to pay another man if they did get one.

MR. R. F. SHOLL did not think the hon. member for Perth could have seen the return that had been laid on the table, showing the amount paid by the Government to newspaper proprietors for advertising, or he would not have said these proprietors could not afford to employ an extra reporter. He thought the colony had been contributing pretty large-

ly towards at least two Perth newspapers during the last year or two.

MR. A. FORREST thought that newspaper reporters should be exempted, otherwise the papers could not be published, if their reporters were locked up in the jury room.

THE ATTORNEY GENERAL (Hon. S. Burt) thought that the newspaper which had a reporter on a jury was likely to have a far better report than it otherwise would. As for there not being many reporters about, if the hon. member would ask the Commissioner of Railways what number of free passes he issued to newspaper men, he would find there were a great many reporters about.

Amendment put, and negatived on the voices.

Clause 2.—Short title:

Put and passed.

Preamble and title:

Agreed to.

Bill reported.

TRANSFER OF LAND BILL.

On the Order of the Day for going into committee on this Bill,

THE ATTORNEY GENERAL (Hon. S. Burt) said if members wished for more time to consider the Bill, the Government had no wish to press its committal that evening; but he might say that the Bill simply consolidated the present law on the subject.

MR. R. F. SHOLL thought the committee stage might be advantageously postponed, though he had no objection to the Bill himself.

THE PREMIER (Hon. Sir J. Forrest) said he believed that the whole of the consolidated statutes of Victoria were passed in about ten minutes—seven or eight volumes.

IN COMMITTEE.

Clauses 1 to 150:

Put and passed, *sub silentio*.

Clause 151.—Crown survey boundaries as marked on the ground to be deemed the true boundaries:

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the following words be added to the clause:—"But it shall be lawful for the Surveyor General to alter the survey boundaries marked upon the ground as aforesaid, so that, however, such alteration does not interfere with

any improvements which may have been in good faith effected by the lessee or grantee from the Crown." He did this in pursuance of a recommendation from the recent conference of surveyors held in Melbourne, at which this colony was represented.

Amendment—put and passed.

Clause, as amended, agreed to.

The remaining clauses and schedules were agreed to, without comment.

Preamble and title:

Agreed to.

Bill reported.

ADJOURNMENT.

The House adjourned at ten minutes to 10 o'clock p.m.

Legislative Council, Friday, 16th December, 1892.

Public Health Act, 1886, Further Amendment Bill: second reading—Police Act, 1892, Amendment Bill: second reading—Federal Council Referring Bill: second reading—Perth Protestant Orphanage Land Sales Bill: first reading—Perth Railway Crossing Improvement Bill: first reading—Adjournment.

THE PRESIDENT (Hon. G. Shenton) took the chair at 2:30 o'clock p.m.

PRAYERS.

PUBLIC HEALTH ACT FURTHER AMENDMENT BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. S. H. Parker): This Bill, sir, was brought in, in the Legislative Assembly, by the Chairman of the Perth Local Board of Health, a body which is formed of members of the City Council. I may say, sir, that the chairman of that Board has had considerable experience on the subject, and he has devoted much time and ability to the furtherance of the cause of health in the city and the sanitary condition thereof, and he has come to the con-

clusion, and apparently the members of the Board have joined with him, that it is absolutely necessary that local Boards should have further powers to enable them to cope with certain matters they have to deal with. It is provided by this Bill that a catchment basin shall mean the whole area whose surface waters flow into the reservoirs of a municipal supply. The object of this is to enable the Board of Health to be absolutely sure that the water supply is pure. We know that Perth is supplied with water from a large reservoir in the hills and that the water which flows into it is caught over a considerable area of ground, but at present there are no sufficient means of ensuring that that area shall be kept free from pollution, and this Bill proposes to supply these means. This Bill also proposes to give additional powers to the Board for "Requiring all existing cesspools to be cleansed and filled up to the satisfaction of the Inspector within a calendar month of notice to that effect being given by the inspector to the owner or occupier; requiring for each closet the supply of a sufficient number of receptacles for excrementitious matter, and to determine the size, shape, style, and materials to be used in the construction of such receptacles, and especially that they be interchangeable with others in the same district; determining the mode and frequency of removal of such receptacles, and the disposal of the contents; fixing the charge which may be made for removing each receptacle and replacing it by a clean one, and for any other sanitary service; determining how house slops, soapsuds, and kitchen and bath waters shall be treated and disposed of (whether by drains, by absolute removal at specified times, or by filtering in approved tanks, and for the proper removal of the retained matter and disposal of the filtrate, and for renewing the filtered beds); determining to whom and on what conditions licenses to remove nightsoil shall be issued; imposing penalties on licensees for breach of conditions; defining an area within which swine may not be kept, and determining the conditions under which swine may be kept in any part of the Local Board's District; specifying the time which may elapse between the