

who had taken great interest in the Bill. The amendments by another place were not vital in regard to the best principles of the measure. We were entitled to legislation enabling us to obtain some of the benefits derived from our own mines.

**MR. MOORHEAD:** The Attorney General had said the object of the amendments was to protect an attorney from being rendered liable for any fine inflicted for an infringement of this Bill; but supposing a company had no assets which could be levied upon, and the attorney was thus protected from liability, how were penalties to be enforced?

**THE ATTORNEY GENERAL:** Under such circumstances, the penalties could not be enforced. By these amendments, an attorney for a company was absolutely protected from any penalty under the Bill. In other respects the Bill was as it left this House. Once a company was in default, it could not carry on its business, and whatever property it possessed was liable to be levied upon for the amount of the penalty imposed. Had these amendments not been made, an attorney would have been liable, and he could afterwards recover against the company; but now the liability was direct on the company, and the attorney was protected. Hon. members must recollect that an attorney here was only an agent; and from this point of view there was a great deal in favour of the amendments. If these were not now accepted by this House, the Bill would be lost.

Question put and passed, and the amendments agreed to.

Resolution reported, and the report adopted.

#### ADJOURNMENT.

#### PROROGATION ARRANGEMENTS.

**THE PREMIER:** As the business of both Houses had now, he was glad to say, been practically completed, His Excellency the Governor would be pleased to prorogue Parliament at noon to-morrow. He begged to move, therefore, that the House at its rising do adjourn until half-past 11 o'clock to-morrow, which would give a little time for preliminary business before hon. members were summoned to the Legislative Council.

Question put and passed.

The House adjourned at thirteen minutes past 11 until the next forenoon.

### Legislative Council,

Saturday, 16th December, 1899.

Complimentary Remarks, close of Session—Prorogation, Assent to Bills.

**THE PRESIDENT** took the Chair at 11:30 o'clock, a.m.

#### PRAYERS.

#### COMPLIMENTARY REMARKS, CLOSE OF SESSION.

**HON. F. M. STONE:** By leave of the House, I would like to say a few words before we disperse. On behalf of hon. members I desire to thank the Colonial Secretary for the great courtesy, consideration, and kindness with which he has treated us throughout this session, and during the time he has occupied the position of representative of the Government in this House. Although I have, perhaps more than any other member in the House, opposed the hon. gentleman in relation to many motions which have come before us, still I have often done it with the greatest regret. The hon. gentleman has frequently disarmed much opposition that I would have shown towards measures, and I think that to the way he has treated us and the consideration he has displayed is due the fact that often measures have been passed to which otherwise greater opposition would have been forthcoming. On behalf of hon. members I wish to tender our heartiest thanks to the Colonial Secretary.

**HON. W. T. LOTON:** I second the vote of thanks.

**THE PRESIDENT:** I am sure, as President of the Council, I can bear my testimony to the able manner in which

the Colonial Secretary has performed his duties during the session, and I join with hon. members in tendering thanks to him.

THE COLONIAL SECRETARY (in reply): I need hardly say I feel grateful for the kind words which have fallen from Mr. Stone. The hon. member never opposes me in the House, but only the measures I bring forward; and I am glad the relations between myself and the other members of the Legislature are of the character he states, and that my methods of conducting the business of the House are approved of. I always desire to work in harmony, if I possibly can, with any body of men with whom I may be associated; and I trust that as long as I have anything to do with public affairs, either in this Council or anywhere else, I shall maintain the same attitude. I appreciate very highly the kind remarks which have been made by Mr. Stone.

#### THANKS TO OFFICERS.

THE COLONIAL SECRETARY: I have much pleasure in expressing, on behalf of hon. members, the thanks of the House to the officers of the House for their assiduity, carefulness, and readiness to give assistance. I am sure every hon. member will coincide with this expression of thanks for their able services. They have had a busy time of it, especially during the last few days, and in the discharge of their duties their energies have been strained to the utmost. Especially on my own part I desire to thank Mr. Lee Steere, without whose assistance the greatest difficulty would have been experienced. When the leader of the House has so much business passing through his hands, he is apt to forget some of the forms of the House, and it is well to have the assistance of one in whom implicit trust is placed, and who is thoroughly versed in the Standing Orders. It is only through having such a gentleman as our Clerk that the business is carried out to the satisfaction of all of us. On behalf of hon. members I move that the thanks of the House be given to the officers of the Council, for the able assistance which these officers have rendered in the discharge of their duties.

HON. D. K. CONGDON: I second the motion.

#### PROROGATION—ASSENT TO BILLS.

HIS EXCELLENCY THE GOVERNOR entered the Chamber at five minutes past 12 o'clock; and having commanded the attendance of members of the Legislative Assembly, who arrived with their Speaker,

HIS EXCELLENCY gave assent to the following Bills, in addition to Bills assented to previously:—

*"An Act to apply a sum out of the Consolidated Revenue Fund and from moneys to Credit of the General Loan Fund to the Services of the Year ending the last day of June, One thousand nine hundred, and to appropriate the Supplies granted in this Session of Parliament."*

*"An Act to amend the Wines, Beer, and Spirit Sale Act, 1880."*

*"An Act for the Closing of certain Roads and Streets."*

*"An Act to amend the Dentists Act, 1894."*

*"An Act to secure the Permanency of Certain Reserves."*

*"An Act to amend the Agricultural Bank Act, 1894."*

*"An Act to amend the Registration of Firms Act, 1897."*

*"An Act to confirm a Provisional Order authorising the Construction of Tramways in the Municipality of Subiaco."*

*"An Act to amend the Fire Brigades Act, 1898."*

*"An Act to authorise the Construction of a Railway from Northam to Goomalling."*

*"An Act to authorise the Construction of a Railway from Menzies to Leonora."*

*"An Act to amend the Mining on Private Property Act, 1898."*

*"An Act to amend the Act to legalise the use of the Totalisator under certain circumstances."*

*"An Act for the Licensing of Dealers in Pearls, and for other purposes."*

*"An Act to amend the Metropolitan Waterworks Act, 1896."*

*"An Act to prevent the unnecessary Employment of Labour in Mines on Sundays."*

*"An Act to amend the Pharmacy and Poisons Act, 1894."*

*"An Act to amend an Act passed in the Sixtieth Year of Her Majesty, numbered thirty, and intituled 'An Act to facilitate the Administration of Justice and the taking of Statutory Declarations.'"*

"An Act for the further Regulation of Cemeteries."

"An Act to confirm certain Expenditure for the year ending 30th June, One thousand eight hundred and ninety-nine."

"An Act to amend the Bank Holidays Act, 1884."

"An Act to amend the Beer Duty Act, 1898."

"An Act to confirm a further Provisional Order to amend or vary a Provisional Order authorising the Construction of Tramways in the City of Perth."

"An Act to encourage the Recovery of Gold by Sluicing, Dredging, and other means."

"An Act to authorise the raising of Six hundred and eighty thousand pounds by Loan for the Construction of certain Public Works and other purposes."

"An Act to consolidate and amend the Law relating to Bills of Sale, Liens, and Bailments."

"An Act to prevent the Defacement of Bank Notes."

"An Act to amend the Fishery Act, 1889."

"An Act to amend the Mineral Lands Act of 1892."

"An Act to amend the Mines Regulation Act of 1895, and to make further provision for the Inspection of Mines and Collieries."

"An Act to amend the Land Act, 1898."

"An Act to authorise the Construction of an additional Line of Railway from Rocky Bay to Rous Head for the purposes of the Fremantle Harbour Works."

"An Act to provide for Seats being supplied for the Use of Shop Assistants."

"An Act to enable the Director of Public Works to manage and control certain Waterworks within the Municipalities of Fremantle, North Fremantle, and East Fremantle."

"An Act to amend an Act passed in the Sixty-second Year of Her Majesty, and numbered Twenty-eight, intitled 'An Act to amend the Companies Act, 1893, Amendment Act, 1897.'"

#### PRIVATE BILLS.

"An Act to grant to certain persons powers and provisions for the Manufacture, Distribution, and Supply of Gas and Electricity."

"An Act to amend the Land Act, 1898."

"An Act to authorise William Dalgety Moore, or his assigns, to lay down Water Mains and Pipes, and to do all necessary

acts for the Supply of Water throughout the Roads Board Districts of Peppermint Grove, Cottesloe, and Buckland Hill."

HIS EXCELLENCY was pleased to speak as follows:—

"MR. PRESIDENT AND HONOURABLE  
"GENTLEMEN OF THE LEGISLATIVE  
"COUNCIL,—

"MR. SPEAKER AND GENTLEMEN OF THE  
"LEGISLATIVE ASSEMBLY,—

"I have pleasure in releasing you from your parliamentary duties, which have been unduly prolonged owing to the many subjects of importance that you have had to deal with. The subject of federation has received your careful and protracted attention, with the result that both Houses of Parliament have decided that the Commonwealth Bill, as amended at the Conference of Premiers, does not sufficiently conserve the interests of this colony. I regret, therefore, that unless some amendment to meet the requirements of this colony can be made in the Bill, it would seem to be improbable that Western Australia will be able to enter the proposed federation as an original State. The Constitution Acts Amendment Bill, which extends the franchise to women and gives increased representation in both Houses of Parliament, and also the Bill consolidating and amending the Electoral Act, to both of which you have given your approval, are measures of the first importance, and will be submitted by me, as required by law, for the signification of Her Majesty's pleasure thereon.

"MR. SPEAKER AND GENTLEMEN OF THE  
"LEGISLATIVE ASSEMBLY,—

"I thank you for the liberal supplies you have granted for the Public Service. The financial position of the colony is satisfactory, and the revenue continues to exceed the expenditure, which it has now done for the past 12 consecutive months. The export of gold for the year 1899, including the quantity sent to the Royal Mint, has now reached the value of six millions sterling, while the total export of gold from the colony is valued at 16 millions sterling; and of this quantity nearly 14 millions have been produced and exported during the last four years.

"MR. PRESIDENT AND HONOURABLE  
"GENTLEMEN OF THE LEGISLATIVE  
"COUNCIL,—

"MR. SPEAKER AND GENTLEMEN OF THE  
"LEGISLATIVE ASSEMBLY,—

"The war between Great Britain and  
"the South African Republics, which is  
"now raging, has aroused into great  
"activity throughout Australia the feeling  
"of loyalty and affection for the mother  
"country, and every Australasian colony  
"has sent troops to assist in the war. In  
"this colony great enthusiasm prevailed  
"on the departure of our Contingent, and  
"satisfaction was expressed on all sides  
"at the ready response that was made to  
"the appeal for volunteers to serve with  
"Her Majesty's regular army in South  
"Africa. The two great works now under  
"construction, viz. the project for sup-  
"plying the Coolgardie goldfields with  
"water and the Fremantle harbour works,  
"are both being energetically proceeded  
"with, and great advancement towards  
"completion is expected during the  
"coming year. I now prorogue this  
"Parliament till Wednesday, 25th April  
"next."

The session then closed.

## Legislative Assembly,

Saturday, 16th December, 1899.

Motion:—Sunday Sale of Soft Drinks; to relax Police  
Act (withdrawn)—Discharge of Orders (3)—Compli-  
mentary Remarks, close of Session—Prorogation;  
Assent to Bills.

### MOTION—SUNDAY SALE OF SOFT DRINKS.

TO RELAX POLICE ACT.

MR. HALL (Perth) moved:

That, in the opinion of this House, no prose-  
cutions should be instituted by the police  
against persons selling non-intoxicating drinks  
on Sundays, and that the Police Act be altered  
accordingly as soon as possible.

While regretting the necessity of bringing  
this matter forward at so late a period,  
the fact remained that according to the  
Police Act, persons were not allowed  
to keep open any premises on Sunday  
for the purpose of selling non-intoxi-  
cating liquors, nor even to sell a little  
fruit. Section 60 of the Act contained  
a specific provision against Sunday sell-  
ing, and provided a penalty not exceeding  
£5 for each offence. Towards the end of  
last summer, the police prosecuted some  
dozen persons for selling non-intoxicating  
drinks on Sunday, and convictions were  
obtained. It seemed to him a monstrous  
thing that during the hot period of the  
year, parents bringing their children into  
town, or crossing the water to the Zoo-  
logical Gardens, or seeking recreation in  
the several parks around Perth, were not  
to be allowed to obtain a drink of  
lemonade or squash, or something of the  
kind. In Queensland some years ago  
the same prohibition was in operation,  
and many persons were prosecuted for  
selling soft drinks on Sunday. Mr.  
Justice Lilly, in dealing with one of  
these cases, said he looked upon soft  
drinks as being necessary to people on  
Sunday the same as any other day, and  
said he must refuse to convict in spite of  
the law; or if he found that he was  
obliged to convict, he would fine the  
offender in the sum of threepence and no  
costs. What was good for the hot  
climate of Queensland must be equally  
good for this climate; and he (Mr. Hall)  
felt sure this House would see the neces-  
sity of allowing the soft-drink shops to  
keep open on Sunday, and there should  
be a similar relaxation in regard to  
selling fruit on Sunday, as fruit was  
almost as necessary as harmless drinks,  
especially in hot weather.

THE PREMIER (Right Hon. Sir J.  
Forrest): With regard to the purpose of  
the motion, he had no objection to it; but  
the matter would require looking into,  
and he thought it need not affect the  
law. He would confer with the Com-  
missioner of Police on the subject.  
Speaking for himself, he was quite in  
sympathy with the motion in regard to  
non-intoxicating drinks; and the only  
difficulty was that under the guise of  
selling non-intoxicating drinks on Sunday,  
persons who kept these places open might  
sell something else. In a climate like