

Question— That progress be reported—
put and passed.

Progress reported.

ADJOURNMENT.

The House adjourned at 11.35 p.m.

Legislative Assembly,

Thursday, 8th December, 1892.

Dilapidated state of Albany-Eucla Telegraph Buildings
—Construction of Government Steam Launch—
Holidays of Employes in Locomotive Department
—Importation of Railway Trucks from New Zealand
—Return of Subscribers to Telephone Exchange—
Land Titles (Consolidation) Bill: first reading—
Bonus for Deep Shaft-Sinking on Goldfields: ad-
journed debate—Public Health Act Further Amend-
ment Bill: further considered in committee—
Adjournment.

THE SPEAKER took the chair at
7.30 p.m.

PRAYERS.

DILAPIDATED STATE OF TELEGRAPH BUILDINGS, ALBANY-EUCLA LINE.

MR. R. F. SHOLL (on behalf of Mr. Hassell) asked the Director of Public Works whether the Government were aware of the dilapidated state of the buildings on the Albany-Eucla telegraph line, and if it was the intention of the Government to erect new and substantial buildings?

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn) replied that the Government were aware that the telegraph buildings on this line were not in good order, and a report on their actual condition was being obtained.

- (1) CONSTRUCTION OF GOVERNMENT STEAM LAUNCH; (2) HOLIDAYS OF EMPLOYEES IN LOCOMOTIVE DEPARTMENT; (3) IMPORTATION OF RAILWAY TRUCKS FROM NEW ZEALAND.

MR. MOLLOY, in accordance with notice, asked the Commissioner of Railways:

(1.) In the case of the local boat-builder who offered to construct the steamboat for the Government, was it a

fact that at the time the plans and specifications had not been prepared, and that the indent had not been sent. Was the boatbuilder informed that it would be too costly to prepare plans and specifications for this particular work, and that the order would be made according to a circular illustration and price list. Why, if the order had not been sent, and if the local builder offered to supply a plan and specification with his price, he was refused?

(2.) Why the men employed in the Locomotive Shops at Fremantle were only allowed 10 days holiday yearly, instead of 14 as in every other department of the Service; and if the Commissioner would have the locomotive men put on the same footing as the other departments of the Service in this respect?

(3.) How many trucks had been imported from New Zealand; and at what price, and how did they compare in quality and price with the local manufacture?

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) replied, as follows:—

(1.) The local boatbuilder was informed that in the opinion of the Engineer-in-Chief it would cost entirely too much and involve altogether too great a length of time (in view of the smallness of the undertaking) to prepare such detail drawings and specifications as would be necessary to let a contract by local competition in the colony; whereas, by ordering a steam launch from a maker of very high reputation who makes a speciality of these things, the colony secured the best possible article economically and without loss of time or labor. The indent had already left the Public Works Department before the local boatbuilder in question made the offer referred to.

It should further be stated that the Engineer-in-Chief gave it as his opinion that neither himself, nor probably anybody else in the colony, would be capable, within a reasonable time, of producing detail designs and specifications for a launch of the most modern type, and with the very latest improvements, such as would be obtained from a builder of high repute in England; but if we got one such launch, and required more in the future, then we could possibly get

the other ones built locally by working from the model of the imported one.

(2.) The men employed in the Locomotive Workshops at Fremantle, who have been in the service for twelve months, are allowed fourteen days holidays in each year, the same as the men in every other branch of the Railway Service.

(3.) One hundred trucks (100) were imported from New Zealand, and their cost, including freight and erection, &c., was £92 each; and they are quite equal in quality and efficiency to the trucks recently made locally, which have cost £99 each.

By importing waggons already existing from New Zealand, we obtain in three months what would otherwise have taken us fully 15 or 18 months to obtain.

RETURN SHOWING NUMBER OF SUBSCRIBERS TO TELEPHONE EXCHANGE.

MR. R. F. SHOLL, in accordance with notice, moved, "That a return be laid upon the table of the House, showing:

(1.) The total number of subscribers to the Telephonic Service.

(2.) The number of non-paying subscribers.

(3.) The names of the non-paying subscribers whose private residences are connected with the Exchange."

Question—put and passed.

LANDS TITLES CONSOLIDATION BILL.

MR. BURT, in accordance with notice, moved, for leave to introduce a Bill to consolidate the law relating to the simplification of the Title to and the dealing with Estates in Land.

Question—put and passed.

Bill introduced, read a first time, and ordered to be printed.

BONUS FOR DEEP SHAFT-SINKING ON GOLDFIELDS.

ADJOURNED DEBATE.

IN COMMITTEE.

Debate resumed upon Sir JOHN FOREST's amended motion—"That the undermentioned bonuses be offered to any person or company who, during the year 1893, shall sink a shaft as hereinafter mentioned, on any of the declared goldfields of the colony, in accordance with

regulations to be made by the Government:—For a shaft between the depths of 100 feet and 200 feet, £2 10s. per foot; for a shaft between the depths of 200 feet and 300 feet, £5 per foot."

MR. SOLOMON said he was sorry to say that, on this motion, in its present form, he could not support the Government. It was too indefinite. The amount of expenditure that might be incurred under it was unlimited. Although at the present time there might only be ten or twenty companies who might take advantage of it, perhaps there might be forty or fifty that would do so during next year, and there was no knowing where the expenditure would end. If the motion were amended, and its operation restricted to a limited number of companies, he would be prepared to support it, otherwise the expenditure might reach such an amount that the colony could not afford it. He thought at any rate the House should have some idea as to what this motion was likely to cost the country. He was in favor of doing all we possibly can to develop the goldfields and other industries; at the same time, in view of the amount of money at our disposal, and the claims of the country in other directions, he thought it was very necessary for us to regulate our expenditure. He, therefore, hoped the Government would see their way clear to amend this motion, and put it in such a form as to limit the expenditure under it.

MR. TRAYLEN thought that when this subject was first brought before the House it had a good deal to commend it. The absence of water, or of an insufficient supply of water, suitable for mining purposes, was a question that certainly deserved the attention of the Government; and if they could suggest any method by which this difficulty might be overcome, it would be very much to their credit, and the House would, reasonably, fall in with any suggestion they might make. Although there were some objectionable features about this proposal in its original form, he thought it contained most objectionable features in its present amended form. In the first place, it was designed to give encouragement to deep sinking within prescribed limits for a well-defined object; but now it had degenerated into a proposal to give monetary assistance to all gold mines in the

colony, because he thought there was hardly a mine in existence to-day that was so shallow that it would be unable to take advantage of the bonus offered for sinking at depths from 100ft. to 200ft. And now that the question was so considerably changed, he would state why he was not prepared to support it as it now stood, and why he should have been prepared to have supported it in its original form. Not many days ago they passed a resolution having relation to the obtaining of a diamond drill, and so ascertaining in the Eastern districts of the colony—and probably Yilgarn would be chosen as the precise spot in those districts for commencing operations—at what depth water could be obtained. He altogether disbelieved in the theory of obtaining artesian water at Yilgarn. (MR. SIMPSON: Hear, hear.) He did not think there was one single natural feature of the country about Yilgarn to warrant any expectation that artesian water will be obtained there. Of course, he was not saying that water did not exist at some distance below the surface. But that was one thing, and an artesian water supply was another thing, and an entirely different question. A diamond drill was of very little use in obtaining any other kind than artesian water. At the same time, it certainly must disclose whether there is some water, some moisture, down in the bowels of the earth; and when the diamond borer did that, it would remain, at a place like Yilgarn, to supplement that discovery by putting down a shaft, so that water might be raised from whatever depth at which it might be found—possibly 500 feet or 1,000 feet. A shaft, of necessity, would have to be put down, so that some pumping apparatus could be used, or a tube from the bottom of the bore to the water. Having this in view, and seeing that there are mines already down 200 feet, it did seem a reasonable thing for the Government to say, instead of spending money on a diamond drill for a country like Yilgarn, and going to the expense of carting it to the field, and afterwards having to sink shafts—it did seem a reasonable thing for the Government to say, “Let us try, first of all by way of experiment and at the least cost possible whether, if some of these mines that are down to 200 feet were to go

down another 100 feet, they may not strike a sufficient water supply for their purpose.” It was true that was open to this objection: that within the limited space of a few acres there were three or four mines that would be able to avail themselves of this bonus, and each one could claim it, while at the same time their combined operations had only furnished one general datum, one general piece of information, that water could be obtained at these levels in that particular locality. But in the course of the debate it had turned out that there was one mine which had already complied with these conditions, and the problem to be solved was almost already solved so far as that mine was concerned. He was informed that the Blackborne mine had sunk to a depth of 280ft., and this mine, therefore, would only have to go down another 20ft. to reach the maximum depth for which this bonus was offered. That 20ft. would only amount to £100. Why could not the Government first of all help that company to sink down to that depth, and see what the result would be?

THE PREMIER (Hon. Sir J. Forrest): They have got water, plenty of it.

MR. TRAYLEN: Then, why in the world did we want to put money into the pockets of mining companies for the avowed purpose of discovering whether water was obtainable, when water had already been obtained?

THE PREMIER (Hon. Sir J. Forrest): That was only at one place.

MR. TRAYLEN: Exactly; but if water could be found at 300ft. in one place, it was highly probable, in a country like Yilgarn, it would be found in other places, within a reasonable distance. As the motion was originally proposed by the Government, he should have been prepared to have given it his support, but now, when it was proposed to offer a bonus to every company now in existence, or that may come into existence next year, for sinking any depth below 100 feet, the question presented an entirely different phase. It was not now a question of Yilgarn alone, but of all the other goldfields in the colony. [THE PREMIER: Hear, hear.] He had yet to learn that these other goldfields were in the same difficulties as Yilgarn with regard to water supply. However, no *prima facie* case had been made out for extending this

offer to all these other goldfields, unless indeed it be to obtain the support of the hon. member for East Kimberley. He proposed, therefore, to ask the committee to divide this motion when the question was put by the Chairman, putting it in the first place to the vote, aye or nay, whether a bonus of £2 10s. per foot be offered for sinking between the depths of 100 feet and 200 feet, and in the second place, whether a bonus of £5 per foot be offered for sinking between the depths of 200 feet and 300 feet. He now formally moved that the motion be divided into and put as two distinct motions: the one proposing the desirability of granting a bonus, for a shaft between the depths of 100 feet and 200 feet, £2 10s. per foot; the other proposing the desirability of granting a bonus, for a shaft between the depths of 200 feet and 300 feet, at £5 per foot.

MR. SIMPSON said he was perfectly sure that the Government, in bringing this matter before the House, had only one idea, and that was to assist in developing the gold resources of the colony. As to the main principle involved, he was opposed to it, and, with regard to the particular goldfield that had been referred to, Yilgarn, and particularly Southern Cross he would say there was not a mine there in absolute need of financial aid. He spoke an absolute fact, with which he was himself acquainted. Therefore, whether from the point of view of propping up a tottering industry—which might be of use to the colony—or from the point of view of assisting speculative ventures, he submitted that this motion was entirely uncalled for. Allusion had been made to the “live” mines on Southern Cross. He would name them—Fraser’s South, Fraser’s, the Central, and the Central Extended, all contiguous, and all consequently presenting the same natural formation. Recently the Government had indicated their intention to procure a diamond drill to test, in the inland districts of the colony, the question of whether water is to be found down below, either an artesian supply or by pumping. The Government had informed the House that they had taken steps for obtaining this machine; so that this question now resolved itself into, not a question of looking for water—the Government were importing a diamond drill to do that—

but of subsidising each of these mining companies.

THE ATTORNEY GENERAL (Hon. S. Burt): It will be two years before that diamond drill is at work.

MR. SIMPSON: The learned Attorney General said it would be two years before this diamond drill is at work. He (Mr. Simpson) failed to see why it should not be here in five months. The Government at any rate had told them that they were going to get a diamond drill to test for water, and, therefore, so far as the so-called water difficulty was concerned, the Government were doing what was necessary in the matter. He did not admit, himself, that the water question was a difficulty on Yilgarn.

THE PREMIER (Hon. Sir J. Forrest): No water difficulty at Yilgarn?

MR. SIMPSON: None.

THE PREMIER (Hon. Sir J. Forrest): The hon. member surprises me.

MR. SIMPSON: The water difficulty at Yilgarn had been solved. Within the last six weeks, on one mine, at a depth of under 130ft., they had been pumping 100,000 gallons a day. The Central mine was down to 179ft., and their manager (an experienced and competent man, beyond question) had stated in his report that he had no doubt they would get water within another 50ft.

MR. A. FORREST: He didn’t say that.

MR. SIMPSON said he had read his report, and it said he had not the shadow of a doubt but that water would be struck within another 50ft. Then, take the adjoining mine, Fraser’s. What had that company done to entitle them to State aid? They were down now to 70ft., and they were down that depth three years ago. They had not gone an inch further these three years. The mine lying immediately South, and contiguous, at 134 feet, was flooded. So that the argument for this being a subsidy for obtaining water had actually nothing in it. The diamond drill would determine that question, where it had not been determined already; and this question now resolved itself into a subsidy to each of these mines to induce them to go on mining, the very purpose for which these companies were formed. Then, again, why start from 100 feet, when it was known that 70 feet was about the water level at Yilgarn—about the same as on

the Murchison? The expensive work commenced as soon as you got into the water level; but the Government here proposed to start at the 100 feet level—another absurdity. There was one mine on Yilgarn—it had the misfortune to be a foreign company—which was down to 280 feet.

THE PREMIER (Hon. Sir J. Forrest): Is it all foreign money in that mine?

MR. SIMPSON: Mainly. It was foreign money that found the water. The money that found water at 268ft. in the Blackborne mine was South Australian money.

THE PREMIER (Hon. Sir J. Forrest): They are pretty hard up now.

MR. SIMPSON: We are all that, more or less. That was just a matter of detail. On that mine, when they went down to 280ft., they were actually driven out by the water—fresh water, which the men were drinking. That was only six miles away from Southern Cross. The supply of water was so satisfactory, both as regards quality and quantity, that the late Minister for Mines in South Australia came over here, and, having seen the mine, sent over a man who was very largely interested in the claim—a man who had turned out to be one of the best mining managers in Australia—who reported that there was not the shadow of a doubt as to the existence of fresh water at Yilgarn. That was Capt. Pleitner. This mine, as he had already said, was down to 280ft., and they would get £100 under this motion, although the existence of water had already been demonstrated beyond doubt. There was another mine, the Central, down to 179ft., whose £1 shares had only been called up to 14s. 3d.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): The hon. member is wrong altogether; it is 18s. 3d.

MR. SIMPSON said he went by the report published in yesterday's paper, and which had not been contradicted. But, even taking it the other way, at 18s. 3d., this company, with its 9,520 shares, upon which there was 1s. 9d. yet to be called up, could out of its own capital very well afford to sink the remaining 50ft., within which their manager said they were sure to get water. Why did not these companies, these "live" companies as they had been called, call up their unpaid

capital, instead of coming cap in hand to the Government to assist them to go mining? It was absurd to say it was assistance to find water. Water had already been found, and could be found without charitable assistance from the State. There had been no case made out at all for this subsidy. It was another instance of giving money away to people to induce them to do what they ought to do themselves with their own money. The principle was a vicious one, and had nothing to recommend it. Even supposing there was a substratum of reason in this proposal, why start at 100 feet? The 100 feet level at Yilgarn was 30 feet below water level, where the expensive part of the work commenced. Why not start at 70 feet? The Premier had told them that this motion would be productive of the greatest benefit to the gold-mining industry. What guarantee had we of that? He had already pointed out that there was no necessity to incur this expenditure out of the public funds in testing for water, because that problem had been solved; and, even if it hadn't been solved, the Government had already been authorised to invest in a diamond drill, for that very purpose? But it had been said that this subsidy would also test the depth of our auriferous deposits. But, supposing these companies, when they got to the bottom, found nothing, where would the Government and their money be then? If the Government were to offer a bonus for the production of a certain amount of gold at a certain depth, on any goldfield in the colony, it would do infinitely more for gold mining than a bonus of this kind, from which, it was just possible, no satisfactory results might be obtained. Some of these companies, after going down 300 feet and claiming this bonus, might not turn out an ounce of gold. Why not offer a bonus of £1,000 or £2,000 for the first 1,000 ounces of gold obtained from a 300-ft. level? The Premier told them that this deep sinking was to be done under the direction of the Warden. He did not believe we had a Warden in the colony who was game to go down a 100-ft. shaft, let alone a 300-ft. shaft, for the purpose of inspecting it. They were not used to it. Altogether, he thought this proposal to subsidise mining companies would do more harm than good to the mining industry, on the con-

ditions mentioned in this motion. He thought the Government would do splendidly for gold mining, and splendidly for the shareholders in our gold mines, if they allow them to go gold mining themselves.

Mr. R. F. SHOLL said he would not have risen again had the hon. member, who had just sat down, not stated, with reference to one mine particularly, of which he (Mr. Sholl) had some knowledge, that it was only down 70 feet now, and that it was down 70 feet three years ago. If the hon. member had taken the trouble to ascertain whether his "facts" were correct before giving them to that House, he would have known that this statement was not a fact. He did not know whether this was on a par with his other facts; if so, he did not think much of his facts. That particular mine was now down to 120 feet, or very nearly so; and they were still going down, and in a very short time would be level with the neighboring mine. The hon. member would lead them to believe that he, and he alone, was the only authority on gold mining. He did not think the hon. member was a very reliable authority, though he must say the hon. member was a very 'cute manipulator of mining affairs; but he knew more about amalgam and that sort of thing than he knew about the mining industry. It was a debateable point whether, in the interests of the colony, the mining industry should be subsidised by the State, but he doubted very much whether this proposal was the proper form of subsidy. The question to his mind was whether they had sufficient details to justify them in agreeing to this proposal at present. He would have much preferred to have seen the matter referred to a select committee, so that the House might have some further details. This was a very vague resolution as it stood, and left a good deal of discretion in the hands of the Government. It was necessary, of course, that the Government should have some discretion given to them, but in this case the whole matter was left to their discretion. He should like to see the resolution withdrawn, and the whole question referred to a select committee, so that some reasonable and well-defined scheme might be arrived at. It was a wise policy, no doubt, to assist the gold-mining industry, where assistance was required, but not otherwise.

THE PREMIER (Hon. Sir J. Forrest) said the hon. member who had just sat down had told them that he believed the gold-mining industry required to be encouraged, but that he did not know whether this was the best way of doing it. He (the Premier) was not prepared to say that this was the very best plan that could be devised, but it was a plan that commended itself to the Government, and, in their opinion, would be productive of immediate good results to the country. Members were not aware, perhaps, as he was, that throughout the whole of the Northern parts of the colony the Government were being continually pressed by persons interested in gold mining asking for assistance. From the Kimberley goldfields they had continual applications for assistance in some way or the other. From Pilbarra they had received appeals that he might almost say were pathetic; and, again, from Yilgarn they had constant appeals for assistance. In fact, from one end of the country to the other, those who were engaged in gold-mining thought that the Government should come to their aid, either by monetary assistance to enable them to sink deeper shafts, or by lending them the money to buy and to work their crushers, or to erect crushers at the public expense. One hon. member had called this proposal of the Government a bald proposal. It was bald, no doubt, so far as being embodied in very few words; but he believed it would meet with general approval from all those who were engaged in gold mining throughout the colony. It would assist those in the far Kimberley to deepen their shafts—and that was the great thing they wanted to do. He had heard that from those who knew those fields. The great point required to be proved was whether the auriferous deposits went down some depth, and what depth, or whether they were merely to be found near the surface. Again, at Yilgarn, a year or two ago it was the almost universal opinion that the Government should subsidise deep-sinking; and the Government did offer a bonus for deep-sinking, and well advertised their offer, but there was no response to their invitation at that time, because the sinking was too deep for the means then at the disposal of the companies. He believed

that the proposals they were now about to make, not to one particular district, but to the whole colony, would be productive of great good; and that the expenditure incurred would repay the Government a hundred times over. That being his opinion, he had not the slightest hesitation in urging the House to assent to these proposals. The hon. member for Fremantle (Mr. Solomon) thought we should be careful about the amount of money this was going to cost us. He was not at all concerned about the money it was going to cost us, for he believed it would be reproductive, and he felt certain it would not cost a very large amount of money. It was not at all likely that this bonus would induce people to sink shafts simply for the sake of earning the money; it would simply be an inducement to those who already had done some sinking to carry on the work they had in hand. A diamond drill had been referred to as having been approved of by that House and promised by the Government. He did not remember that anything had been said by him about a diamond drill. The resolution passed by the House the other evening was simply that the Government should take some steps to test at what depth water was obtainable in our inland districts—a very good resolution indeed, and one which the Government hoped to act upon. But that did not interfere at all with the resolution before the House. The two resolutions were distinct; one dealt with the extension of our pastoral settlement by the discovery of water in our inland districts, the other dealt with the development of the mining industry. There was no reason why both these objects should not be sought. The search for water in our inland districts, however, must take some time—his hon. friend the Attorney General said it would take two years, but he hoped it would not take that time to import a drill and convey it to the scene of operations. Still, it must necessarily take some time; it could not be done in a moment. But this other work contemplated in this resolution was work which they wanted done at once. The Government did not move in these matters unless there was some reason for it. He could tell the House that the stoppage, or what almost amounted to a stoppage, of the output of gold from our Yilgarn

goldfields had already had a very marked effect upon the revenue of the country. During the last two or three months there had been a considerable falling off in the amount of revenue he had anticipated, and he put that down to a large extent to the stoppage in the output of gold. He still believed that the revenue for the year would realise what he had expected it would realise when he made his financial statement last year; but he must say that the last three months had disappointed him, and he put a great deal of it down to the falling off in the output of gold, owing to serious difficulties that surrounded the prosecution of the industry at Yilgarn. He wanted to see this state of affairs altered. Instead of these mines not being able to work, he wished to see them all in full work; and he believed that the small amount of money this proposal of the Government would cost the colony was nothing compared with the results that would follow. He did not mean to say that the mines referred to by the hon. member for Geraldton would not do this work themselves, in course of time; but he wanted it done at once. What was wanted was prompt and immediate action. This proposal of the Government would insure the work being carried out at once, and quickly. The hon. member for Greenough had spoken about the improbability of an artesian supply of water being found at Yilgarn. He was not prepared to say whether we were going to get an artesian supply or not. It did not always follow that the formation of the country was an unmistakeable sign. They knew that in the Northern Area of South Australia, where there were hundreds of miles of very level country they were finding large supplies of water, so that the existence or non-existence of mountain ranges was not always an infallible indication that there was no water supply below the surface. Of course, so far as Yilgarn was concerned, this had yet to be decided. But, for his own part, he did not despair of Yilgarn; he did not despair that by deep sinking and boring we may yet obtain a large and permanent supply of water there. So far as he was personally concerned, he had no hesitation in urging members to support this proposal. It did not matter to the Gov-

ernment—except in so far as it affected the interests of the country—whether this proposal was accepted or not. They had put it forward because they believed it would do a great deal of good to the colony, and that the money spent will be returned to the country a hundredfold.

Mr. LOTON could not say that he was much in favor of affording Government aid to industries of this kind; as a rule, he thought, it was very much better and wiser to let private enterprise work its way. Still, in connection with new industries, they often did require fostering when in their infancy, and, although we all had very great faith in our gold reefs, it must be allowed that as yet gold-mining in this colony was in its infancy; and if we inquired as to the experience of those amongst us who had invested their money in mining, up to the present time, we should find that, after paying for machinery, there was very little or no return whatever. There was another thing: we were about to spend a large amount of money in constructing a railway to one of the most important of our goldfields, and, bearing in mind the present languishing state of these goldfields, some said from want of capital, others said from want of water—although they had been told that evening there was plenty of water—he thought, looking at the uncertainty of the position and all the surrounding circumstances, this motion was perhaps worthy of consideration. It had one thing at all events to recommend it; it was open to all-comers, and to all the goldfields of the colony. If there were 20 of these companies who had already sank down to a certain extent, and who were anxious to take advantage of this offer, they would all have an opportunity of doing so, and of obtaining this bonus. This was the main thing that commended the motion to his mind. There was one thing which perhaps was a little objectionable about it, and that was this: it did not limit the expenditure to be incurred to any particular amount. But, if every company in existence at the present time who had already sank shafts to depths of 100 feet, and who might claim this bonus, and any other companies likely to start next year, were to send in a claim, he did not suppose the whole expenditure would come to more

than about £10,000. This would represent a large amount of deep sinking, and it could not be denied that money so spent must tend to the development of the gold-fields. Even if we did not succeed in obtaining water, it would show the depth and extent of our reefs. Looking at it all round, he felt himself in a position to support the motion.

Mr. RICHARDSON said, with all due deference to the Government and the supporters of this motion, he could not help thinking there was a vein of wisdom in the suggestion of the hon. member for the Gascoyne to refer the motion to a select committee. It had been knocked about a good deal since it was first introduced, and these amendments had been made in a hurry, and he thought we might find that the motion might yet be improved. It appeared to him that we ought to have something more definite, otherwise we might have to pay a good deal of money for unnecessary work, or work that would give us the results we wished. After all, the delay of referring it to a select committee would not be more than two or three days, and surely, when we contemplate an expenditure of £10,000 or £15,000, it would be a wise thing to take care that we spent it to the best advantage. The question was a many-sided question, and there was some wisdom in the suggestion that we should look at it all round, and secure the best means of accomplishing the object in view. There was one thing about it which struck him as being somewhat unfair: on one claim they might go down 200ft. or 300ft. and come upon plenty of water, while on another claim they might not succeed in striking water at all, yet both claims would be entitled to the same reward. He thought the claim that struck water would be sufficiently rewarded for its outlay by the discovery of water, but it would get the water and also the reward, while the other claim, after doing the same amount of work, would get no water but only the reward. He thought some provision might be made that claims where water was found should not participate in the reward, as they would be amply rewarded by the discovery of water in their claims. There were other points that required thinking out; the whole question was surrounded with difficulties, and he

thought it would be a wise thing to refer it to a committee of practical men. In fact, in order to test the feeling of the House, he would move that the matter be referred to a select committee.

THE CHAIRMAN: The hon. member's proper course will be to move that I report progress and ask leave to sit again; and, when the Order of the Day for the resumption of the debate upon the motion is called, to move that the Order of the Day be discharged, and that the question be referred to a select committee. This is in accordance with the ruling of his Honor the Speaker on a recent occasion.

MR. RICHARDSON accordingly moved that progress be reported, and leave given to sit again.

Agreed to.

Progress reported.

PUBLIC HEALTH ACT FURTHER AMENDMENT BILL.

This Bill (which had been referred to a select committee) was now further considered in committee of the whole House.

Clauses 5 and 6:

Agreed to, *sub silentio*.

Clause 7.—“Local Board of Health to issue exclusive licenses for removal of “night-soil, on such conditions as may “be mutually agreed upon in writing, “and signed by the Local Board and “the licensee.”

MR. TRAYLEN, in accordance with the recommendation of the select committee, moved that the words “Chairman of the” be inserted before the words “Local Board,” so that the agreement might be signed by the Chairman of the Board, who would usually be the Mayor.

Put and passed, and clause, as amended, agreed to.

Clause 8.—“In the event of a licensee “being unable through the poverty or “otherwise of an occupier to recover in a “summary manner the amount due to “him from such occupier, the said “amount together with all costs against “the occupier may be recovered in a summary manner from the owner; provided that an owner shall not be liable “for any service rendered more than “three months before application for “payment is made to him, and the onus

“of proof that the charges cannot be “recovered from the occupier must rest “with the licensee:”

MR. MOLLOY said he objected to this clause. It placed upon the owner a responsibility that ought to rest with the occupier. Why should the owner be held responsible for the neglect of the occupier in fulfilling the obligations cast upon him (the occupier) by the Act? He thought the existing law was a right and proper one, and that those who created the nuisance should be held responsible. He did not see why the owner of the premises should be liable.

MR. TRAYLEN said this matter had been fully represented to the select committee, and they were unanimous in their opinion that the clause should stand as it was here. Great difficulties arose in this way: there were some owners of property who had very impecunious tenants, and, if these were unable, through poverty, to comply with the requirements of this Act, the Local Board itself would have to bear the expense of removal. There was every safeguard possible provided on the owner's behalf, consistent with getting the work of removal paid for by someone other than the Local Board.

MR. SOLOMON pointed out that this was only carrying out the principle of the Municipalities Act, under which the owner was made liable for the rates in the event of the occupier not paying.

MR. MOLLOY said that under the Municipalities Act the occupier was liable, in the first instance, and it was only in the event of there being nothing on the premises which could be distrained that the owner could be come down upon. He thought the occupier should be primarily liable for the removal of nightsoil off his premises, and that it was to him that the licensee should look for payment.

MR. TRAYLEN said the clause did make the occupier primarily liable, as the hon. member would see if he would only read it. It was only as an extreme measure, a last resource, that the owner was made liable, and then only in respect of services rendered within three months.

Clause—put and passed.

Clause 9.—“Board may supply receptacles:”

MR. TRAYLEN moved, without comment, to strike out the word “inter- “changeable,” and to insert the words

"interchangeable or otherwise," as recommended by the select committee.

Agreed to, and clause, as amended, put and passed.

Clause 10.—"In any case where the provisions of the principal Act may be in conflict with this present Act the provisions of this present Act shall prevail, and by-laws made under this Act may supersede the exemption mentioned in lines 24, 25, and 26 of section 96 of the principal Act."

MR. MOLLOY said he must take exception to this clause, and for this reason: it was too indefinite. Who was to decide when the provisions of the principal Act were in conflict with this present Act?

MR. TRAYLEN did not think that any magistrate was likely to go astray in so simple a matter as this.

Clause—put and passed.

Clause 11.—"Penalties:"

Agreed to, without comment.

MR. TRAYLEN moved to add the following new clause to the Bill, to stand as Clause 12:—"Notwithstanding anything in the principal Act and in 'The Police Act, 1892,' to the contrary, it shall be lawful for a licensee when removing air-tight receptacles, under the double-pan system, to carry on his work from 9 p.m. to 8 a.m." This was in accordance with the select committee's recommendation. The committee were informed that in some cities where this system of removal was in force it was customary to carry on this work all day long, but the committee did not think we ought to give permission for that here, but that if the work was done between 9 o'clock at night and 8 in the morning it was not likely to be offensive to anyone's sight, any more than to their olfactory nerves.

Clause—put and passed.

Preamble and title:

Agreed to.

Bill reported, with amendments.

ADJOURNMENT.

The House adjourned at five minutes past 9 o'clock p.m.

Legislative Council,

Friday, 9th December, 1892.

Companies Bill: third reading—Perth Gas Company's Act Amendment Bill: in committee—Excess Bill, 1891: report—Constitution Act Amendment Bill: first reading—Public Institutions and Friendly Societies Lands Improvement Bill: first reading—Adjournment.

THE PRESIDENT (Hon. G. Shenton) took the chair at 3 o'clock.

PRAYERS.

COMPANIES BILL.

This Bill was read a third time, and *passed*.

PERTH GAS COMPANY'S ACT AMENDMENT BILL.

This Bill was considered in committee, and agreed to without amendment, and reported.

EXCESS BILL, 1891.

THE COLONIAL SECRETARY (Hon. S. H. Parker), in moving that the committee's report on this Bill be adopted, said he had promised to explain the item of £1,616 15s. 5d. for incidental expenses, under the head of "Miscellaneous Services." He regretted that, notwithstanding the large expense incurred by the country in furnishing printed reports and returns for the information of hon. members, his hon. and learned and inquiring friend (Mr. Hackett), who had asked for this particular information, did not make himself acquainted with the information contained in those documents; for if the hon. member had taken the trouble to study the "Public Accounts for the Financial Year ended 31st December, 1891," accompanied by the first annual report of the Auditor General made under the Audit Act of 1891, he would have found at page 109 the details of those "incidental expenses;" the Auditor General stating them thus:—"Chiefly on account of reception of H.M.S. Katoomba, £552; celebration of Proclamation Day Anniversary, £475; purchase of land for People's Park, £500; and law costs, Marshall *versus* Shenton, £82 3s.; total, £1,616 15s. 5d." He moved that the report be adopted.

THE HON. J. W. HACKETT regretted that he could not echo, in the precise words of the hon. and learned gentle-