

**Legislative Council,**  
*Wednesday, 6th December, 1899.*

Motion for Papers: Boulder Nor'-West Lease, Surrender of Rights—Return: Rents for Crown Lands, Goldfields—Constitution Acts Amendment Bill, Recommendation, progress, Division—Slicing and Dredging for Gold Bill, first reading—Mines Regulation Amendment Bill, in Committee, reported—Fremantle Harbour Works Railway Bill, first reading—Loan Bill, £750,000, first reading—Companies Act Amendment Bill, second reading—Seats for Shop Assistants Bill, second reading, in Committee, reported—Draft Commonwealth Bill, Assembly's Resolution, Message returned—Adjournment.

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

PRAYERS.

**MOTION FOR PAPERS—BOULDER NOR'-WEST LEASE, SURRENDER OF RIGHTS.**

HON. A. P. MATHESON moved:

1. That all papers and correspondence in connection with the surrender of the surface rights of the Boulder Nor'-West lease, No. 1614e, be laid upon the table of the House.  
 2. That a return be furnished, showing the names of the lessees registered with the Mines Department on the 1st January, 1899, and all transactions in connection with the lease registered on the books of the Mines Department since that date up to the 6th October, 1899, when the conditional surrender was gazetted.

He had been requested to move in this direction by the Boulder Municipality. A practice had grown up on the goldfields of permitting individuals to surrender for a consideration leases which otherwise could not be worked. The municipality of the Boulder adjoined the lease in question, and he believed the municipal authorities were desirous of protesting, at a later date, against that practice, if it was found on production of the papers that such protest was justified. It appeared that the lease was the property of a company, which was formed in March, 1896, and ceased to exist, owing to liquidation, in March, 1899. He was informed the reason it went into liquidation was that the shareholders refused to pay any more calls; because it had been proved on investigation that the lease was worthless. Under those circumstances the lease should have been allowed to lapse to the Crown—should have been forfeited, in fact—and the Crown would have taken the surface for municipal purposes without compensation at all. Apparently the lease was sold

at a nominal figure to certain individuals, who then approached the Crown, and obtained two freehold blocks in return for the surrender of an absolutely valueless lease. It was obvious, if such were the case, that an injustice to the public had been committed.

Question put and passed.

**RETURN—RENTS FOR CROWN LANDS, EASTERN GOLDFIELDS.**

HON. A. P. MATHESON moved:

That a return be laid upon the table of the House, showing: 1. The amount received by the Government in rents for Crown lands during the four years ending 30th June, 1899, from that portion of the colony lying east of longitude 120° and south of the tropic of Capricorn, under the following heads:—(a) For pastoral purposes; (b), For mineral lands; (c), For gold-mining leases; (d), For residence areas and any other leaseholds. 2. The amount realised by the sale of town, suburban, or other lands during the same four years.

A return had been laid on the table, on the motion of Mr. Dempster, showing the expenditure by the Government in the Eastern goldfields during the period referred to in this motion. That return had formed the subject of comment, and he (Mr. Matheson) was now anxious as a set-off to obtain a return, which could be very easily furnished, showing the large amount of revenue the Government had derived through the expenditure of that money. It would be only a fair thing to the goldfields in this particular district that the returns the Government had received should have as much prominence as the expenditure of the money. In reference to the expenditure of money which rendered the return particularly desirable, a misapprehension appeared to exist as to the sum total. He was credibly informed that £954,397, which formed the first item of the return, contained sums of money which were included in number three return and in number five return. He had checked the figures and believed the case to be as he stated; and if that were so, the amount expended by the Government on the goldfields must be reduced by a million, and stand at two millions instead of three millions. This was not a discrepancy for which the department were altogether responsible, but the department were responsible to a certain extent, because the discrepancy arose from the form in which the return

had been presented, and it had led Mr. Dempster to confuse the different figures. Possibly when the matter was dealt with, the Colonial Secretary would be able to correct his (Mr. Matheson's) statement if it were not correct.

**THE COLONIAL SECRETARY:** There was no objection on the part of the Government to the motion.

Question put and passed.

#### CONSTITUTION ACTS AMENDMENT BILL.

##### RECOMMITTAL.

**THE COLONIAL SECRETARY** having formally moved that the Bill be read a third time,

**HON. A. G. JENKINS** moved, as an amendment, that the Bill be recommitted for consideration of new clauses which he desired to insert, and on which he had previously spoken. One clause provided that members of the Metropolitan and South-East Provinces should have the power, if they so desired, of electing to sit in the new South and Metropolitan-Suburban Provinces. Such arrangement would be only fair and reasonable, and one which hon. members ought to support; because it was not fair that members elected for a province which might be divided into two different districts should, by the Bill, be made representatives of a province for which, perhaps, they had no desire to sit.

Amendment put and passed, and the Bill recommitted.

##### IN COMMITTEE.

##### New Clause:

**HON. A. G. JENKINS** moved that the following be added, to stand as Clause 9:

Any member of the Legislative Council who shall represent the Metropolitan Province or the North-East Province at the coming into operation of this Act may, within one month thereafter, by notice in writing addressed to the President, elect to represent in Parliament the Metropolitan-Suburban Province or the South Province, respectively, instead of the province for which he was elected; and thereupon he shall be deemed to have been elected a member of such newly created province, and his seat for the province for which he was elected shall become vacant as if by resignation.

**THE COLONIAL SECRETARY:** Underlying this clause was a principle of fairness, which should be carefully con-

sidered, and hon. members were, he thought, in sympathy with the proposal. The new clause would meet the circumstances of the case, and there was no desire on the part of the Government to oppose its insertion in the Bill. But this was a matter entirely for hon. members to decide, and some justification for the clause was shown in the case of Mr. Jenkins, who, if the Bill passed in its present shape, would represent a province in which perhaps he had no interest, and some anomalies would arise under the circumstances. For instance, Mr. Jenkins would be representing the North-East Province, and yet be resident in the South Province, where his interests were, and he might feel a delicacy in taking up questions for the South Province, inasmuch as he was originally a member for the North-East Province; and the position held good *vice versa*. He (the Colonial Secretary) spoke neither in favour of nor against the proposal, because it was a matter which should be left entirely to hon. members; but he did not think any evils could arise from the adoption of the clause, which would not, so far as he saw, prejudicially affect any of the constituencies. It might seem at first sight, as it did to himself, that in enacting the clause hon. members might be virtually appointing one of the first representatives, supposing any member chose to represent the newly created province. On the other hand, it must be remembered that the sitting member would be put in a peculiar position by the operation of the Bill as it stood; therefore one's sympathies were with Mr. Jenkins, although there was the difficulty as to interference with what seemed to be the rights of the newly created province. Weighing the advantages and the disadvantages in the scale, he thought hon. members would decide in favour of the proposed new clause.

**HON. W. T. LOTON:** The clause might be a little more far-reaching perhaps than hon. members imagined. A new suburban province had been included in the Bill, and under the clause it seemed to him the three members who now represented the Metropolitan Province could take the advantage, if there was any advantage, and apply to represent the Metropolitan-Suburban Province. The Metropolitan-Suburban Province, or a

large portion of it, was included in the Metropolitan Province; but Guildford, Midland Junction, Victoria Park, and South Perth had been included in the Suburban Province, and if the three members elected to represent the latter, then practically the Metropolitan-Suburban Province would be represented in this House by persons whom the electors had not chosen, nor had an opportunity of choosing. What opportunity would Guildford, Midland Junction, and South Perth have of expressing their views in regard to returning any one of the three members who at present represented the Metropolitan Province? It seemed to him the electors might justly complain. He was not speaking against the clause, but only pointing out the position as it occurred to him; and he asked hon. members to consider whether it was desirable to put the electors in that position. One hon. member who represented the Metropolitan Province would have to go for election next year, and another member would go two years afterwards, while the third would follow after four years; and supposing these members elected to represent the Metropolitan-Suburban Province instead of the province they now represented, the Suburban Province electors would have no opportunity of expressing their views in regard to sending members to the House for two years in the case of one person, and four years in the case of another. Was that desirable?

**THE COLONIAL SECRETARY:** The position as stated was not correct.

**HON. W. T. LOTON:** This clause applied to the whole of the representatives of the province. The words were "any member of the Legislative Council who shall represent the Metropolitan Province."

**THE COLONIAL SECRETARY:** A member would go out whenever his time expired.

**HON. W. T. LOTON:** One would go out next year, another two years afterwards, and two others would go out four years after that. It was the same in regard to the North-East. He did not know whether it was desirable to pass a proposal of this kind. He was not aware whether the mover had thought it out. There was supposed to have been a great cry for the people to have an opportunity of electing representatives,

but here we were closing the door against some of them.

**HON. J. W. HACKETT:** When this question was first brought up by his friend Mr. Jenkins, that hon. member seemed to him (Mr. Hackett) to have absolute justice and fairness on his side in urging that when a province was subdivided into two, the sitting member should be allowed to elect for which province he would sit. Doubtless everybody would be agreeable to that. But we had gone a long step beyond that, having taken other constituencies surrounding the metropolis and declared that any of the three members or the whole of the three members representing the metropolis should, if they so desired, be by Act of Parliament declared to be representatives of places which had never elected them. It was out of the question to consent to such an amendment of the Constitution Act, and it was quite certain if the Council consented to it, the Legislative Assembly, which was largely interested in the formation of these provinces, would dissent from it.

**HON. F. T. CROWDER:** The members would not shift, so far as Perth was concerned.

**HON. J. W. HACKETT:** How did the hon. member know? Let us have the Bill in a shape we could understand. He (Mr. Hackett) was certainly averse to imposing members on districts which might be entirely opposed in principles and opinions to those members.

**THE CHAIRMAN:** No doubt the position on the goldfields was different from that in Perth. As it was now, supposing three of the present city members decided to take the suburban province, Perth would return the whole six members for the city and suburbs.

**HON. A. P. MATHESON:** If it would meet the views of the House, Mr. Jenkins would, he thought, be willing that he (Mr. Matheson) or some other member should move an amendment to strike out the words "the Metropolitan Province" where they occurred, and also "the Metropolitan-Suburban Province," and make the amendment apply only to the goldfields.

**HON. W. T. LOTON:** The North-East?

**HON. A. P. MATHESON:** The North-East Province.

HON. F. T. CROWDER: The same argument would apply.

HON. J. W. HACKETT: No; there were no new electors.

HON. A. P. MATHESON: Mr. Crowder did not quite appreciate the fact that the new province on the goldfields, formed out of the North-East Province, consisted entirely of a portion of the existing constituency.

MR. LORON: There had been no new area taken in.

HON. A. P. MATHESON: A slight area had been added to the North-East Province, so that it would include a part of the country north of Mount Malcolm; but that did not affect the question, because that part was practically uninhabited. Presumably the hon. member's intention was simply to provide that he, and possibly other members for the North-East Province, who might have no connection with the new North-East Province, should have an opportunity of representing the province in which they lived, and in which all their interests existed. The same argument did not apply with equal force to the Metropolitan Province, as had been clearly shown by Mr. Hackett. He moved that the words "the Metropolitan Province or," in line 2, be struck out.

HON. F. M. STONE: The amendment moved by Mr. Matheson would meet the case, because in looking at the provinces one would see that the Metropolitan Province and Metropolitan-Suburban Province were now divided up. If any member who now represented the Metropolitan Province were elected, say, for the Metropolitan-Suburban Province, he would be sitting for Claremont and Guildford, two districts which had never elected him; whereas Perth, East Perth, West Perth, and North Perth had elected him at the present time. There was a distinction between the North-East and South Provinces, and the Metropolitan Province. If the proposed amendment with reference to the North-East and South Provinces were not made, under clause 44 Mr. Parsons, for instance, who he believed was virtually elected for Kalgoorlie, would be bound to sit for Coolgardie. He spoke subject to correction, but he believed Mr. Parsons was virtually elected for Kalgoorlie, as a populous centre.

HON. A. P. MATHESON formally moved that the words "the Metropolitan-Suburban Province or," in line 6 of the typewritten copy, be struck out; also that in the following line the word "respectively" be struck out. This would carry out his intention.

HON. J. W. HACKETT: It was stated that a member must make his election within a month of the coming into operation of this Bill. The Bill must come into operation a considerable time before the general elections took place; and if a member decided, within a month of the coming into operation of this Bill, to sit as a representative of one of the new provinces, his election by choice being equivalent to resignation of his present seat, an election would have to take place for the seat so vacated.

THE CHAIRMAN: In any case there would have to be a second election, according to what he could see.

HON. J. W. HACKETT: The first at the coming into operation of the Bill, or within a month, and the next two or three months later?

THE CHAIRMAN: Yes.

THE COLONIAL SECRETARY: Anyone vacating his seat for one province to take up another would, be understood, continue to be a representative of the former province until the time had expired. Two members elected for the new province would go out in 1900 and two in 1906. Mr. Jenkins would go out in 1904.

HON. J. W. HACKETT: The hon. member had not grasped the point. It meant that there must be two elections. A member elected which province he would sit for within a month of the coming into operation of the Bill, but that month would elapse long before the general election would take place. In the meantime his seat would be vacated by the operation of the statute, therefore an election would have to be held for the seat which he had vacated.

HON. A. P. MATHESON: The proviso covered that.

HON. J. W. HACKETT: The proviso did not cover that. It only dealt with the member going out.

HON. A. G. JENKINS: The case might be met by substituting "three," or "four," or "two," for "one." The election must be in 1900.

HON. J. W. HACKETT: It need not be so.

HON. F. M. STONE: It would be better to postpone the clause. The words, to the effect that a member should continue to represent in Parliament the province for which he had been elected," might be struck out.

HON. A. G. JENKINS: That would not get over the difficulty.

HON. F. WHITCOMBE: Not only should this clause be postponed, but the rest of the Bill would have to be looked into, because the provision made for the election of new members to represent the new provinces was that they should vacate their seats in the order in which they were elected. That clause would have to be dealt with. If the sitting member elected to sit for a new province, the other seat would become vacant.

THE CHAIRMAN: The difficulty we saw was that certain elections must take place in the month of April of next year, when a third of the members of this House would retire by effluxion of time. The elections for these new provinces could not take place then, and not until the Constitution Bill had received the Royal assent and the new electoral rolls had been prepared, which would be in October or November of next year. He took it from the amendments now placed before the Committee that the election for the present province must take place in April, and if the new member elected in April decided to represent the new province, there would have to be another election to fill the vacancy.

HON. A. G. JENKINS moved that progress be reported, promising to consult the law officers of the Crown in the meantime, and introduce an amended clause at the next sitting.

Motion—that progress be reported—put, and a division taken, with the following result:—

Ayes	...	...	14
Noes	...	...	3
Majority for	...	...	11

## AYES.

Hon. H. Briggs  
Hon. D. K. Congdon  
Hon. F. T. Crowder  
Hon. J. W. Hackett  
Hon. A. G. Jenkins  
Hon. W. T. Loton  
Hon. A. P. Matheson  
Hon. D. McKay  
Hon. G. Randell  
Hon. J. E. Richardson  
Hon. H. J. Saunders  
Hon. F. M. Stone  
Hon. F. Whitcombe  
Hon. E. McLarty (Teller).

## NOES.

Hon. C. E. Dempster  
Hon. H. Lukin  
Hon. R. G. Burges  
(Teller).

Motion thus passed.

Progress reported, and leave given to sit again.

## SLUICING AND DREDGING FOR GOLD BILL.

Received from the Legislative Assembly, and, on the motion of the COLONIAL SECRETARY, read a first time.

## MINES REGULATION AMENDMENT BILL.

## IN COMMITTEE.

Clause 1—agreed to.

Clause 2—Interpretation:

THE COLONIAL SECRETARY moved that in line 2, after "requires," the following words be inserted: "The terms in quotation marks shall have the respective meaning hereby assigned to them, that is to say"; also that the following definition be added to the clause: "'Earth,' any rock, stone, quartz, clay, sand, soil, or mineral."

Amendment put and passed, and the clause as amended agreed to.

Clause 3—agreed to.

Clause 4—Repeal of s. 2 of principal Act:

THE COLONIAL SECRETARY moved that "is" be struck out, and the words "and the definition of 'mine' in Section 4 thereof are" inserted in lieu thereof.

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

Clauses 5 to 8, inclusive—agreed to.

Clause 9—Amendment s. 22 of the principal Act:

HON. A. P. MATHESON moved that in line 4, after "air" the words "gas, oil" be inserted. Section 22 of the principal Act limited the number of hours a man might be employed in charge of steam machinery to eight in the twenty-four, and the Government proposed to amend that section by inserting the words "worked by steam, air, or electricity." But that amendment, however, did not go far enough, and the members of the Amalgamated Certificated Engine-drivers' Association of Western Australia were very anxious to have machinery worked by gas and oil brought within the operation of the clause, so that the hours of the engineers in charge of the latter should be similarly limited.

It was only fair that the amendment now proposed should be adopted.

Put and passed.

HON. A. G. JENKINS: There was one amendment of which he omitted to give notice, that he would like to bring forward now. Section 22 of the principal Act contained these words: "or for the treatment of the products of any mine." It was now proposed to omit these words, but for what reason he could not see. If a man was working only 48 hours on a mine where stuff was treated, there was no reason why the man should have to work more than 48 hours on machinery with which the products of the mine were treated, and which was not situated on the mining property. He moved that all words between "electricity" and "in" (lines 4 and 5) be struck out.

THE COLONIAL SECRETARY: HON. members would see that this opened an opportunity to defeat the object of the Bill. He had not the Bill before him, but he thought the hon. member should read the clause to give the connection. No doubt the object of inserting these words was that a man should not only be prevented from working machinery and so on, but should also be prevented from working on the products of any mine.

HON. A. G. JENKINS: Section 22 said:

No person in charge of steam machinery used in connection with any mine, or for the treatment of the products of any mine, shall be so employed for more than eight consecutive hours at any time, or for more than eight hours in any twenty-four hours.

If these words were struck out, it would mean that a man could work 16 hours a day or whatever time the employer chose to make him. He (Mr. Jenkins) wanted the principle of eight hours to apply to working on machinery for the products of the mine, if that principle was applied to the mine as a whole.

THE COLONIAL SECRETARY: Notice should be given of the amendment.

HON. A. G. JENKINS: It was a matter of regret to him that notice had not been given.

THE COLONIAL SECRETARY: Perhaps the better course would be to consent to the striking out of these words, on the understanding that the hon. member would not offer opposition if he (the Colonial Secretary) subsequently

moved that the Bill be recommitted for the insertion of the words now proposed to be struck out.

Amendment put and passed, and the clause as amended agreed to.

Clause 10—agreed to.

Clause 11—Amendment to s. 23 of principal Act (general rules):

HON. A. P. MATHESON moved that between "air" and "or," line 15, the words "gas, oil" be inserted. The same argument applied to this as to the previous clause.

Amendment put and passed, and the clause as amended agreed to.

Clauses 12 and 13—agreed to.

Clause 14—Notice of action to be given:

THE COLONIAL SECRETARY moved that the word "performance," in lines 3 and 4, be struck out and "observance" inserted in lieu thereof.

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

Clause 15—agreed to.

Clause 16—Amendment to s. 31 of principal Act:

HON. A. P. MATHESON: The principal Act required the owner, agent, or manager of a mine to keep at the office an accurate plan on a scale of two chains to one inch, of the workings of such mine made by a duly qualified mining engineer or manager or mining surveyor, showing the workings up to within three months past, to produce such plan to any inspector or any other duly authorised person, and (if requested by such officer or person), mark on such plan the progress of the workings of the mine up to the time of such production, and allow the inspector to examine and take a copy or tracing thereof. It was a perfectly fair thing to require the owner or manager of a mine to do that. But this clause proposed to go further and proceeded to put on the owner or manager the onus of making a copy or tracing every time the inspector asked him to do so. That was not reasonable. This question was fought very hard on a previous occasion, and it was a pity the same old bone of contention had been brought up again after the proposal had been defeated. He appealed to hon. members to strike out the clause, which was entirely unnecessary. The clause as it stood in the principal Act was

quite satisfactory to everybody, except perhaps inspectors, whose time would be taken up in taking a copy. If the Government required the inspector to be furnished with a copy, absolutely the very least they could do was to require the inspector to make it. He moved that the clause be struck out.

**THE COLONIAL SECRETARY:** The hon. member was, he believed, quite correct in saying that this matter was pretty well considered on a previous occasion. The only point was that probably these inspectors were not draftsmen. It might be difficult for them to take a tracing of a plan, and if they were not able to take a tracing themselves, a draftsman or surveyor would have to be employed to do it. He did not think there was a great deal in the point, and it was a question for the House to consider whether the responsibility should be placed on the mine owner. It was not a big responsibility. A man who drew a plan could very easily make a tracing, and frequently he would leave a replication of the plan. It would only be for certain portions of the mine. It would show advances in the development work. He (the Colonial Secretary) did not propose to offer any opposition to the hon. member's amendment if the House were willing to take the hon. member's view of the question.

**HON. W. T. LOTON:** The view of Mr. Matheson was, he thought, correct. Supposing there was a change of inspectors in a particular district, it might be necessary for the mine manager to again furnish a plan and details. If the inspector required the plan he should take it, and the Government should pay the expense of it.

Amendment put and passed, and the clause struck out.

Clause 17—Examination of engine-drivers:

**HON. A. P. MATHESON:** This was a clause enabling the Government to appoint a board of examiners and to give licenses to engine-drivers. The amendment of which he had given notice was to add after the word "persons" the words "one of whom shall be a qualified engine-driver." He now moved the amendment accordingly. As a matter of fact, the Minister of Mines, he was informed, recognised the advisability of the sugges-

tion in practice, and he was told that the hon. gentleman had already conceded the privilege by appointing practical engine men on all boards of examiners; and therefore, in asking the House to go a little further to embody that principle in this measure, one was not asking what was unreasonable. The object of it was that, later on, there might not be so reasonable a Minister of Mines as at present, and it was most desirable, in testing the competency of a man in any given branch of science or engineering, that at least one of the examiners should not be a theorist, but a properly qualified man, able to judge whether a candidate was really fit to be an engine-driver.

**THE COLONIAL SECRETARY:** An engine-driver seldom had any knowledge beyond the actual work of driving an engine, and a man who knew something about engine fitting, and was commonly called an engineer, would be preferable as an examiner. However, he did not propose to amend the clause in this direction, and the question was whether it was desirable to take the discretion away from the Minister. His own opinion was that the appointment of examiners should be left to the Minister, because one presumed that "a qualified engine-driver" meant one of the "amalgamated certificated drivers" alluded to by Mr. Matheson.

**HON. A. P. MATHESON:** Quite so.

**THE COLONIAL SECRETARY:** With some personal knowledge of engine-drivers, he could say they were usually men who could not even do their own repairs. The Minister could be relied on to make appointments of examiners satisfactory to all concerned, whereas the amendment to a certain extent—and this argument applied to the next amendment Mr. Matheson had on the Notice Paper—would bring the matter under the control of the amalgamated certificated drivers, whose object was to prevent an increase of their numbers. They were a trades union, and wanted, to a large extent, to keep the power in their own hands, and act, as trade unions often did, to the detriment of the general public, and in the interests of their particular trade.

**HON. A. P. MATHESON:** The Colonial Secretary had a little misunderstood the motive of the amendment.

**THE COLONIAL SECRETARY:** It was not suggested that these motives were those of the hon. member.

**HON. A. P. MATHESON:** None could be more opposed than himself to these guilds, the operation of which, in excluding other people from earning a livelihood, was very detrimental to business generally; but he was anxious that any man when examined as to his competency should be examined before one properly qualified person. He did not in the least insist on the wording of the amendment, and there was no reason why one of the examiners should not be a qualified engineer, with technical knowledge.

**THE COLONIAL SECRETARY:** The hon. member might rely on the Minister, for his own credit's sake, appointing a properly qualified examiner.

**HON. A. G. JENKINS** suggested that the word "engineer" should be inserted instead of the word "engine-driver" in the amendment.

**HON. A. P. MATHESON:** There was no objection to accepting the suggestion.

Amendment (in amended form) put and passed, and the clause as amended agreed to.

Clause 18—agreed to.

Clause 19—Interim engine drivers' certificates:

**HON. A. P. MATHESON** moved that in line 4, after "any," the word "member" be struck out, and "two members" inserted in lieu thereof. This clause gave the board or any member of it power to grant an interim certificate of the first or second class, to an engine driver holding an equivalent certificate issued elsewhere, in case such applicant had not had opportunity of presenting himself for examination in this colony; and the amendment was moved because one member was not sufficient to constitute a board. In determining the question as to whether an engineer should have a higher certificate than the one he now held, the board, or any member of it, would be practically settling the question whether the engineer was to get a higher rate of pay, and it was most important that two opinions should be passed as to his competency, and the matter not left to one man, who might be actuated by some small prejudice.

**THE COLONIAL SECRETARY:** The practice had been for the chairman of the

board to give certificates to engineers, where he was satisfied as to the applicant's credentials; and in trying to steer clear of one difficulty, the hon. member landed in another, because in the absence of two members of the board, a man might be debarred from obtaining a certificate, and thus from following his employment. There was another difficulty, that one of the two members would be an engine-driver or engineer, whose policy was not to increase the number of qualified men; and as he would probably vote against granting the certificate, the applicant would not achieve his object. It was true that one member might be prejudiced against a man and refuse a certificate; but, in that case, there was an appeal to the full board. It would be much better to leave this matter to the chairman. The board should, whenever possible, consist of at least three members, so as to secure fair consideration of applications. Hitherto the granting of interim certificates had been left in the hands of the chairman, and there had been no dissatisfaction expressed.

**HON. A. P. MATHESON:** There was some force in what the Colonial Secretary had said as to the probability of only one member of the board being available, and, with the permission of the Committee, the amendment would be withdrawn.

Amendment by leave withdrawn, and the clause passed.

Clause 20—agreed to.

Clause 21—Saving of certificates issued before this Act comes into operation:

**HON. A. P. MATHESON** moved, as a consequential amendment, that in the fifteenth line, after the word "air," the words "gas, oil" be inserted.

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

Clause 22—Penalty on engine drivers working, or being employed to work, without proper certificates:

**HON. A. P. MATHESON** moved, as a consequential amendment, that in line 10, after "air" the words "gas, oil" be inserted; also that a similar amendment be made in line 13.

Amendments put and passed, and the clause as amended agreed to.

Clauses 23 to 28, inclusive—agreed to.

Preamble and title—agreed to.



Bill reported with amendments, and the report adopted.

#### FREMANTLE HARBOUR WORKS RAILWAY BILL.

Received from the Legislative Assembly, and, on motion by the COLONIAL SECRETARY, read a first time.

#### LOAN BILL, £750,000.

Received from the Legislative Assembly, and, on motion by the COLONIAL SECRETARY, read a first time.

#### COMPANIES ACT AMENDMENT BILL.

##### SECOND READING.

THE COLONIAL SECRETARY (Hon. G. Randell), in moving the second reading, said: The main object of this Bill is to secure to colonial shareholders in foreign companies the opportunity of participating in schemes of reconstruction, the issue of additional shares, amalgamation, and the formation of subsidiary companies. This is effected by Clauses 5, 6, and 7 respectively. It was sought to secure the object aimed at by Section 4 of the Act of last session requiring notice of a meeting to be given to the colonial shareholders; but the provision of Section 4 is found to be unworkable, and counsel in England consider it to be *ultra vires*. It is not within the power of the Parliament to compel a foreign company to alter its constitution; but we are enabled to re-enact that, unless a foreign company complies with the provisions now proposed, the statutes of such company will not be recognisable in this colony. This measure is introduced with the object of enforcing compliance with the provisions of the Act of 1897 as amended by the Act of 1898, requiring every foreign company to keep a colonial register. Clause 3 is inserted to preserve the rights which companies have to refuse to register transfers that are not *bona fide*. Possibly sometimes applications are made for transfers which companies decline to effect, and it would be certainly improper to compel an attorney to do that which the directors of a company would not do. Attorneys ought, at any rate, to have an opportunity of rejecting that which they consider not to be *bona*

*fide*. The measure will not enable the colonial registers to be abused for the purpose of registering transfers which the head office may have legitimately refused to register. The Court would have jurisdiction if a transfer were unreasonably rejected. Clause 4 is a re-enactment of Section 4 of the Act of 1897, but in a better shape. If members read that section they will see that the word "etcetera" occurs, and that there are some other informalities which have bungled the section to some considerable extent. I believe this Bill meets with the approval of Mr. Matheson, who has, I understand, gone carefully into it and thinks it will carry out the objects intended, and be an improvement upon the principal Act. In Clause 9 there will have to be some slight amendment, which I will propose when we are in Committee. I do not know that I need say very much more about this Bill. It is one which has been found imperatively necessary to introduce for the purpose of facilitating the working of companies, and to remove some of the disabilities or anomalies which exist in the present Act. Doubtless Mr. Matheson will speak to the Bill, and place before hon. members many things which I have omitted to state.

HON. A. P. MATHIESON: I do not think I have very much to say in connection with this Bill. As the Colonial Secretary has said, those two amending Acts which have been before the House failed to prove quite workable, and it therefore became necessary that the Government should redraft those portions which were found unworkable. I have gone very carefully through the measure, and I certainly think it meets the objections as far as possible. I notice that an alteration has been made in Sub-clause 2 of Clause 4 since I saw the draft Bill, which I think may lead to difficulties, but on which I do not intend to comment, because I am not prepared to suggest any change in it. I propose to move three technical amendments to the Bill when it goes into Committee. I may call the attention of the hon. member to the fact that in Clause 9 "the last mentioned Act" should be "the principal Act."

THE COLONIAL SECRETARY: I have an amendment on that.

HON. A. P. MATHESON: It is a clerical error. I do not think I need detain the House at all at the present stage.

Question put and passed.

Bill read a second time.

#### SEATS FOR SHOP ASSISTANTS BILL.

##### SECOND READING.

HON. F. M. STONE (North): I beg to move the second reading of this Bill. Hon. members will remember that last session an attempt was made to introduce into a Bill a clause somewhat similar to this, for compelling shopkeepers to provide sitting accommodation for female assistants in shops. This clause is taken from the English Act of 62 or 63 Victoria, and is similar in wording to that Act. I feel sure the House will unanimously pass the measure. We know that some shopkeepers do provide seats for the females that work in their establishments, but there are others who will not do so. In reference to those providing seats, this measure will not hurt them in any way, for it will only operate against those who are unwilling, for the sake of humanity, to provide these seats. It will compel those to do so. Under the circumstances, this is a measure I can commend to the consideration of the House. One objection to the clause introduced last session was that it really altered the Early Closing Act, and should come within the province of that Act. I supported the proposal at that time, although, speaking from recollection, I think the Bill went a little farther and provided that female assistants should be allowed at certain times to sit. I am only speaking from recollection, and may be wrong, but I think objection was taken by hon. members to that proposal. This measure does not contain such a provision, but simply provides that sitting accommodation shall be provided—one seat for every three females—and the assistants will only be entitled to sit when they are not serving customers. When they are at work, of course they are obliged to stand. We know that customers are provided with sitting accommodation in shops. Surely we who go into these shops can see that when these female assistants are not at work, sitting accommodation should be provided for them. I therefore strongly recommend

this small measure to the consideration of the House.

HON. F. T. CROWDER (South-East): I have much pleasure in seconding this small Bill, and would like to say a few words regarding it. It will be in the memory of hon. members that some time ago an Early Closing Bill was before the House, in which it was sought to introduce a clause somewhat to the same effect as this. At the time that Bill was before us I ridiculed the idea, because it was clothed with so many different clauses that it placed the employers of labour in such a position that the employees could simply snap their fingers at them. By that Bill, employers had not only to provide seats for employees, but to allow the employees to be seated a certain time each day; and no employers of labour were allowed to dispense with their services if they found them sitting on those chairs. I think that anyone will admit that such clauses would create a good deal of friction between employers and employed. This Bill, however, simply states that chairs shall be provided in an establishment, and I think we all know how tedious it is to ourselves even to stand on our feet for seven or eight hours a day. In most of these establishments the women employed are several hours during each day simply standing about, having nothing to do, and, as has been pointed out by the doctors, continual standing on their feet during that time ruins their health. Coming back from the Convention in Melbourne, I paid a visit to Miller and Anderson's in Adelaide, who had taken the lead in providing seats for their employees in their shops, and they assured me that the fact of doing so led girls to be bright during the whole of the day. They found that without the seats the girls were utterly tired out and without energy towards the end of the afternoon. The mere fact of placing seats in their shop and allowing employees to sit when they were not employed enabled those employees to carry out their duties in a perfect way. There is nothing whatever in this Bill that even I, who object to any legislation showing class preference, can find opposition to, and I recommend the measure to the House.

Question put and passed.

Bill read a second time.

## IN COMMITTEE.

Clause 1—Seats to be provided in shops:

HON. A. P. MATHESON: What was going to happen in the case of shops where only two female assistants were employed? This clause only made it compulsory to provide a seat for every three assistants. He was in favour of making it compulsory on the shopkeeper to provide a seat for each assistant; but, at any rate, it ought to be made clear that seats must be provided in cases where less than three assistants were employed.

HON. F. M. STONE: The clause provided that not less than one seat should be provided, and if there were more than three female assistants there must be two seats.

Clause put and passed.

Clauses 2 to 4, inclusive—agreed to.

Preamble and Title—agreed to.

Bill reported without amendment, and the report adopted.

DRAFT COMMONWEALTH BILL—  
ASSEMBLY'S RESOLUTION.MOTION TO DISCHARGE ORDER—  
AMENDMENT.

Order read, for the consideration of resolution transmitted from the Legislative Assembly.

THE COLONIAL SECRETARY (Hon. G. Randell) said: In moving that the order be discharged from the Notice Paper, I would like to make a few remarks. At first sight, I thought that as the resolution had been sent to this House from the Assembly for our consideration, it was only right and proper, and would be treating the other place with the respect to which it is entitled, that a message should be sent back. I find, however, there is no provision for any such course; and I have come to the conclusion, after considerable study of the Standing Orders and of precedents in other places, that the resolution must come under the category of a rejected Bill, in regard to which this House cannot send back a message. How the Legislative Assembly are to be made aware of what has been done in this House, it is not for me to say; but there are various channels by which they can become acquainted with our proceedings. The

same position must, I suppose, arise, not often but occasionally, in the British Parliament, where I believe the House of Commons have gone so far sometimes as to appoint committees to inquire and discover what has become of Bills by tracing up the records and journals of the House of Lords. In the first instance, I felt very strongly that we ought to send back some message, acquainting the Assembly with what we have done in the matter; but I think the position I have taken up, fortified by other opinions than my own, is the proper one. I am not quite sure whether you, Mr. President, are in accord with the motion I have submitted, but no doubt you will give your ruling should my opinion be challenged. After the decision of this House, arrived at the other evening, I feel confident there is no other course open to us but to discharge this order from the Notice Paper, and I move accordingly.

HON. F. T. CROWDER (South-East): Before speaking to the motion, I would like to ask the ruling of the President.

THE PRESIDENT: There is nothing before the House.

HON. F. T. CROWDER: But I desire your ruling on a certain point.

THE PRESIDENT: But there is nothing before the House at the present moment, because the Colonial Secretary's motion has not been seconded.

HON. J. W. HACKETT: Mr. Crowder is rising to a point of order.

THE PRESIDENT: But there must be something before the House before a member can rise to a point of order.

HON. H. J. SAUNDERS (Metropolitan): I second the motion that the order be discharged from the Notice Paper.

## POINT OF ORDER.

HON. F. T. CROWDER: Before speaking to the motion, I would like the ruling of the President as to whether the Colonial Secretary, as leader of the House, is right in the course he is taking?

THE PRESIDENT: This matter falls within the province of the House itself. There is no doubt that in the case of Bills sent from the Assembly and rejected by this House, no message is sent acquainting the other House with the fact of the rejection. No procedure is laid down for dealing with resolutions sent from the Assembly and not dealt

with in this House; and, therefore, I presume they must be treated in the same way as rejected Bills. However, the House is master of its own proceedings.

## DEBATE.

HON. J. W. HACKETT (South-West): I venture with great respect to take exception to the course the Colonial Secretary proposes. This is a very exceptional and peculiar question, sent to us under circumstances which may not be expected to occur frequently; and we ought to be a law unto ourselves; and, if necessary, create a precedent. That the Colonial Secretary is technically right, I have no doubt.

HON. A. P. MATHESON: What about being constitutionally right? You are proposing to create a precedent in opposition to the precedents which already exist.

HON. J. W. HACKETT: There are no precedents whatever.

THE PRESIDENT: I have looked up this matter, and I can find no precedents for the present position; and therefore it seems to me that the resolution must be dealt with in the same way as a rejected Bill, and no notice taken of it. As I said before, on a question of this kind the House is master of its own proceedings, and it is for hon. members to decide what action they will take.

HON. J. W. HACKETT: I am sure that ruling will be approved and accepted by the House generally. This is a very serious matter. The Legislative Assembly, if I may use the name in this Chamber, adopted a motion approving of both Bills—which I need not particularise more fully, because they are in the knowledge of the House—being sent to a vote of the electors; and the Assembly not only sent that resolution up to us, and desired our concurrence therein, but asked us to hold ourselves ready to pass the necessary legislation to give effect to the resolution. The Legislative Assembly are no doubt waiting, in the first place, to know what has become of their resolution; in the second place, to know what steps we have taken; and in the third place, to know whether they should take steps to pass an Enabling Bill, at all events through their own House.

A MEMBER: They should read the *West Australian*.

HON. J. W. HACKETT: Precisely. There is no conceivable way of the Legislative Assembly knowing what has become of their resolution, except through the course the Colonial Secretary has mentioned, of appointing a committee to search the journals of the Legislative Council. Courtesy has its rights, which are older than, and I dare say will survive, standing orders or precedents; and as a mere matter of courtesy to the Legislative Assembly, who have sent up an all-important and significant resolution in which they ask our concurrence in order that they may introduce the necessary legislation to give it effect, we ought to send some reply. Are we to ignore the Assembly altogether, and treat them as if the resolution had never been passed and never presented to us? To do so would place the Legislative Council in an unfortunate position.

HON. F. T. CROWDER: A message will open up the whole question.

HON. J. W. HACKETT: I simply desire that a message should be sent back, pointing out that by the rules of the House we are unable to deal with the Assembly's message No. 42, because the question has already been disposed of; and I ask hon. members to consider for a moment in what position this Chamber will be placed if that course be not taken. We have plenty of enemies, and there are numbers of persons who will misrepresent us in the matter; and it will be said that after this resolution had been sent from the Assembly, with a request for our concurrence in view of the need of passing enabling legislation to give it effect, this Council not only did not consider the resolution, but never returned any message to the Assembly.

HON. R. G. BURGESS: The Council did consider it.

HON. J. W. HACKETT: We never considered the Assembly's message.

HON. R. G. BURGESS: It is on record that we did.

HON. J. W. HACKETT: We never considered the Assembly's message. In any case, the Assembly do not get our records; and it would be much safer for this House, not only to deal courteously in the matter, but to put ourselves on a sound foundation, by explaining why it is we have not taken the message into consideration. Otherwise we shall be exposed

to retorts to the effect that we not only ignored the message, but ignored the House who sent it; and, therefore, I move as an amendment to the motion of the Colonial Secretary:

In reference to message No. 42 of the Legislative Assembly, the Legislative Council acquaints the Legislative Assembly that, according to the rules of the House, it is unable to consider message No. 42, the Legislative Council having previously considered the question, and decided that it was inexpedient to refer the two Bills mentioned in the message to the vote of the electors.

I venture to submit that amendment in order to set ourselves right with the public, and to courteously place our position before the Assembly; and I think the Colonial Secretary will approve of the course now proposed.

**THE COLONIAL SECRETARY:** I am quite at one with Mr. Hackett in the desire to show proper courtesy to the other branch of the Legislature. I felt very strongly about the matter, but, as I have already stated, after thinking it over, I could not see my way to move in the direction now suggested, simply because I thought it would possibly open the whole question of federation. Mr. Hackett has put his proposal in a way that to some extent obviates that danger; and as the reply is certainly a courteous acknowledgment to the other branch of the Legislature, I shall not oppose the amendment. My only object and desire were to conform to the rules and regulations of assemblies of this kind which exist in other parts of the world; but, as the President has told us, there are no precedents, and we are establishing one. I still think, however, that the resolution of the Assembly ought to be treated in the same way as a rejected Bill in regard to which we never take the trouble to notify the other branch of the Legislature; but I leave the question entirely to the House. It is a matter, to some extent, of taste and of the courtesy due from one branch of the Legislature to another, and, so far as I can see, Mr. Hackett's amendment will not open the question in the way I feared.

**HON. A. P. MATHESON (North-East):** This is a very important matter to spring on hon. members at a moment's notice, and I move that the debate be adjourned.

**SEVERAL MEMBERS:** No, no.

**HON. H. BRIGGS (West):** I second the motion that the debate be adjourned.

**HON. J. W. HACKETT:** There is no debate, and the question is not important, but merely formal.

Motion—that the debate be adjourned—put and negatived.

**HON. E. McLARTY (South-West):** I have much pleasure in supporting the amendment of Mr. Hackett, which only shows proper courtesy to the other Chamber, and I am sure it is the desire of hon. members that should be done.

**HON. R. G. BURGESS (East):** This is an important question, and I wish to support the amendment of Mr. Hackett. My own opinion is that this order should not have appeared on the Notice Paper at all, and I think that is the general view; because this question has been considered by the House, as our records will show.

**HON. A. P. MATHESON:** What I feel personally about the matter is that the other place certainly deserves the most courteous treatment at our hands. I am quite with Mr. Hackett in that respect, and if his amendment had stopped at the word "question," and left out the last paragraph, I should not have had any objection whatever.

**HON. F. T. CROWDER:** What is the last paragraph?

**HON. A. P. MATHESON:** It is this: "Decided that it was inexpedient to refer the two Bills mentioned in the message to the vote of the electors."

**HON. F. T. CROWDER:** It is a fact.

**HON. J. W. HACKETT:** There would be no sense in the amendment without that sentence.

**HON. A. P. MATHESON:** It may or may not be a fact, but it opens up the whole question of the debate again, as the Colonial Secretary pointed out. If you are prepared to retain that last sentence, I am prepared to go on discussing it at some considerable length, and to maintain that the House did not give a vote in that direction, and that the House was led to believe—

**HON. F. T. CROWDER:** Thirteen to four.

**HON. A. P. MATHESON:** Quite so. The hon. member may be quite right in saying 13 to four. The House was led to believe that the amendment proposed by

Mr. Hackett would be carried. It was an alternative suggestion to the resolution contained in the message from the other place. There is no doubt that if that amendment had not been brought forward, a number of members who voted against the motion of the Colonial Secretary would not have done so. In fact I have very little doubt that Mr. Hackett himself, in the absence of his own amendment, would have supported the Colonial Secretary if we had been voting on the clear message sent up from the other place.

HON. J. W. HACKETT: I should most certainly not have done so.

HON. A. P. MATHESON: I maintain that the House did not decide on the merits of the question, that it was inexpedient to refer to the electors the two Bills mentioned in the message. I take exception to that portion of the hon. member's amendment. At that stage the House wished to vote on the amendment of Mr. Hackett, but I maintain again that if members had had any idea that the hon. member's amendment would be struck out, and that the House would be left practically negating any form of reference to the people, he would not have received the support he did. I repeat, I think that this is a matter which should receive most careful attention before we give a vote on the question, and that is why I suggested the debate should be adjourned. I do not think that a most important precedent like this should be set up on a chance snap vote of the House.

HON. R. G. BURGESS: The Order of the Day might have been discharged, and there would have been nothing more said about it.

HON. A. P. MATHESON: That might have been done, but it would have been most discourteous to hon. gentlemen, and I have no desire for discourtesy to be shown to them. All I desired was to have time to reflect on the question, and that members might have time to weigh what they were doing. If the hon. member would move part of his amendment—

HON. J. W. HACKETT: It does not make sense.

HON. A. P. MATHESON: It says, "in reference to message No. 42 of the Legislative Assembly, the Legislative

Council acquaints the Legislative Assembly that, according to the rules of the House, it is unable to consider message No. 42, the Legislative Council having previously considered the question." It is unable to consider the message, having previously considered the question. That is absolute sense to me, but perhaps I am more brilliant than the hon. member. It is English and grammar, and reflects credit on that gentleman as far as that portion goes, but there the amendment should stop. It continues, however, thus: "and decided that it was inexpedient to refer the two Bills mentioned in the message to the vote of the electors." I say the last part is most misleading.

HON. F. T. CROWDER: The records of the Council will prove you are wrong.

HON. A. P. MATHESON: The records of the Council would prove that such a number of different amendments were showered on my unfortunate motion that no member, especially Mr. Crowder, knew on which side he was voting. Mr. Crowder voted contrary to his own convictions on several occasions, or at least on one he voted contrary to the way he thought he was doing.

HON. F. T. CROWDER: That was not on your motion.

HON. A. P. MATHESON: It was on my original motion. The whole debate took place on my original motion. I do not wonder the hon. gentleman was confused. It required someone thoroughly versed in parliamentary procedure to follow the course of events.

HON. F. T. CROWDER: There was no confusion about the motion of the Colonial Secretary.

HON. A. P. MATHESON: The hon. member says so, but I differ from him. I am sure I may say, with all due respect, that Mr. Saunders would never have voted for no reference to the people at all.

HON. H. J. SAUNDERS: Excuse me, I made no mistake. I voted exactly as I intended.

HON. A. P. MATHESON: He would not have voted as he did unless he thought that Mr. Hackett's amendment would be carried, and I am sure Mr. Stone would not have voted as he did against any referendum, if it had been a straight-out vote. I am satisfied on that score. I am sure that Mr. Saunders,

sitting in this House, will not say he is opposed to a referendum.

HON. H. J. SAUNDERS: That has nothing to do with what is before the House.

THE CHAIRMAN: The time for adjournment is past. Is it your wish that I shall remain in the Chair?

TWO OR THREE MEMBERS: Yes.

HON. A. P. MATHESON: It is very unfortunate, because I do not wish to detain members who had counted upon going away, but I appeal to Mr. Hackett to strike out the last two lines of that amendment, so that there may be no contentious matter about this at all, and that we may be unanimous. I shall certainly divide the House on the amendment.

HON. F. WHITCOMBE: I think I shall support Mr. Matheson in this matter, because the last portion of that amendment does not express the decision of this House on the subject. [MR. MATHESON: Hear, hear.] If the amendment moved by myself had been carried, the last portion of Mr. Hackett's present amendment would have expressed what was done; but the last portion of that was distinctly negated on division by 9 votes to 7. The House committed itself to no particular phase of the federal question. [MR. MATHESON: Hear.] Members would not take the amended Bill of the Premiers, nor the Bill as amended by the Select Committee, and they would not take the two Bills and send them to the people. They would not say that at the present time it is inexpedient to submit the question of federation to the electors of Western Australia. They distinctly negated that, and I think under those circumstances Mr. Hackett should withdraw the last portion of the proposed amendment. Whilst this matter is in progress, I may say I do not think the course proposed to be followed is a proper one. The Speaker of the Assembly, a gentleman who is well versed in the proper procedure of these matters, has informed me that the proper action for us to adopt was to strike the order off the Notice Paper, that being all that was required. There was no necessity to send a message to the Assembly. I say the proper course to follow was to simply drop the matter from the Notice Paper.

HON. F. T. CROWDER: Mr. Hackett desires to go further than that, and to be courteous to the other House.

HON. F. WHITCOMBE: There would be no discourtesy in following the other method of procedure. If a measure is dropped, there is no necessity to send an official return to the Assembly, and I do not see why we should follow a different course in this matter. I shall oppose the amendment of Mr. Hackett and support the motion of the Colonial Secretary.

HON. J. W. HACKETT: I have only to say this —

HON. A. P. MATHESON: Is the hon. member in order in speaking a second time on the amendment?

THE PRESIDENT: No.

HON. J. W. HACKETT: Except by leave of the House. I may explain my amendment.

THE PRESIDENT: You cannot make a speech, but you may make an explanation.

HON. J. W. HACKETT: I will not make a speech, except just to remark that I certainly would have consulted Mr. Matheson as to the form of this amendment if I had known there would be any discussion whatever. I certainly wished to do a courteous thing to the other House. The Colonial Secretary having moved that the Order of the Day be discharged, all I asked was that a reason should be given why it should be discharged, and that reason I found supplied to me by the rules of our House, the Standing Orders, which state that a question, having been decided, cannot be again discussed; and I appeal to the Colonial Secretary to say whether that was not the reason why he moved that the order be discharged.

THE COLONIAL SECRETARY: No; not altogether.

HON. J. W. HACKETT: What is the reason?

THE COLONIAL SECRETARY: That is one reason.

HON. J. W. HACKETT: That is the main reason, surely; otherwise we ought to go on.

THE COLONIAL SECRETARY: The principal reason is that the resolution of another place must come under the category of a Bill, and we never think of sending back a message when a Bill is dropped.

HON. J. W. HACKETT: I am talking about the message. I am asking why you moved that the order be discharged.

THE COLONIAL SECRETARY: Because there was no longer any necessity that it should remain.

HON. J. W. HACKETT: Why?

HON. A. P. MATHESON: Is not the hon. member making another speech? Is not a new question being put to the Colonial Secretary?

HON. J. W. HACKETT: I simply put these words in to give a reason why the order was discharged, namely that it had been dealt with, and according to the Standing Orders of the House could not be dealt with again.

HON. A. P. MATHESON: Then let us stop at that. It is exactly what I said. It has been already dealt with, and then you go on with reasons.

HON. J. W. HACKETT: No; that is the very part you want to strike out—that it has been dealt with.

HON. A. P. MATHESON: No; I do not. May I be allowed to read the amendment again?

HON. F. T. CROWDER: I want my dinner.

HON. H. LUKIN: I cannot help thinking the whole discussion seems *infra dig.* to this honourable House. We decided this question last week, and we are making a mistake in even letting it be reopened thus far. That message as sent down ought to have been rejected straight away without discussion. [HON. A. P. MATHESON: Hear, hear.]

Question put, and a division taken with the following result:—

Ayes ... .. 9

Noes ... .. 5

Majority for ... .. 4

AYES.  
Hon. R. G. Burges  
Hon. F. T. Crowder  
Hon. C. E. Dempster  
Hon. J. W. Hackett  
Hon. W. T. Loton  
Hon. E. McLarty  
Hon. J. E. Richardson  
Hon. F. M. Stone  
Hon. H. J. Saunders  
(Teller).

NOES.  
Hon. A. G. Jenkins  
Hon. H. Lukin  
Hon. A. P. Matheson  
Hon. H. F. Whitcombe  
Hon. H. Briggs (Teller).

Amendment thus passed.

THE PRESIDENT: Does the Colonial Secretary propose to move that a message be sent to the Assembly?

THE COLONIAL SECRETARY: I think Mr. Hackett ought to move that.

HON. J. W. HACKETT: The Colonial Secretary having abdicated his functions, I suppose I must take them up; but the hon. member seems to be getting in the habit of abdicating his functions. I beg to move that a message, embodying the resolution just carried, be transmitted to the Legislative Assembly.

Question put and passed, and the message transmitted accordingly.

#### ADJOURNMENT.

THE COLONIAL SECRETARY moved that the House do now adjourn.

HON. R. G. BURGESS: Country members had attended the House two days this week, at great inconvenience, and ought to receive some consideration. There could not be much business to do before next week, and under the circumstances it would be better to adjourn until the next Tuesday.

THE PRESIDENT: By resolution, the House could meet on Monday.

HON. R. G. BURGESS moved, as an amendment, that the House do adjourn until the next Tuesday.

THE PRESIDENT: The original motion meant an adjournment of the House until the usual hour of meeting on the following day.

THE COLONIAL SECRETARY: There was some important business to transact in connection with the Constitution Bill, and if the House did adjourn over the following day, it was very desirable that hon. members should meet on Monday, and, if necessary, on the Friday following. Would half-past 7 o'clock on Monday night suit hon. members?

Amendment, by leave, withdrawn.

THE COLONIAL SECRETARY moved that the House at its rising do adjourn until 7-30 on Monday evening. It might be advisable to include in the motion words to the effect that the House do meet on the Friday following if necessary.

THE PRESIDENT: The advisability of meeting on the Friday following could be considered, if necessity arose.

Question put and passed.

The House adjourned at seven o'clock until the next Monday evening.