

now in their minds that they were wrong all through in opposing those projects which have so greatly helped us in developing the resources of this country, and in advancing the interests of the people. Let us in the future be bold but cautious—that is a very good motto—and let us remember that “fortune helps the brave.” Let us keep a tight hand on our finances, as that is the secret of all advancement in public as in private business. You may depend upon it that if you do not keep a tight hand on the finances, disaster will come upon you, whether in the affairs of an individual or of a nation. I desire to thank my colleagues for their loyal service during the time they have been associated with me in the Government; I desire to thank hon. members on this side of the House for the support they have given me during so many years; and I further desire also to thank hon. members opposite. The members of this Assembly are not adventurers, here to-day and away to-morrow. We desire to see this colony, which we have made our permanent home—many of us having been born here—prosper and advance. Time is flying from us. In this Parliament of 1897, we miss the faces of many of our old friends who were with us in 1891. The task becomes more onerous as the years roll away; but I believe that the present Parliament is actuated by a deep sense of duty, and is desirous to build up a record of faithful service, which the Parliaments and public men of the future may for ever look back upon with pride and satisfaction.

I beg to move the first item of the Estimates.

On the motion of MR. LEAKE, progress was reported and leave given to sit again.

ADJOURNMENT.

The House adjourned at 9:50 p.m. till the next Thursday.

Legislative Council,

Thursday, 18th November, 1897.

Question: Bathing by Adults in Swan River—Question: Mr. G. D. Simpson and Peak Hill Properties—Question: Fremantle Lunatic Asylum—Criminal Appeal Bill: first reading—Dog Act Amendment Bill: in committee—Excess Bill, 1895-6: third reading—Registration of Firms Bill: in committee; Division on Clause 5—Underground Surveyors Bill: second reading; in committee—Aborigines Bill: second reading; in committee—Suspension of Standing Orders: third reading—Hawkers and Pedlars Act Amendment Bill: second reading; in committee—Cemeteries Bill: second reading—Paper presented—Adjournment.

THE PRESIDENT took the Chair at 4:30 o'clock, p.m.

PRAYERS.

QUESTION—BATHING BY ADULTS IN SWAN RIVER.

HON. H. BRIGGS (for Hon. R. S. Haynes), in accordance with notice, asked the Minister of Mines:—1. If the Government intend to have any steps taken to prevent the bathing by adults on the Brewery and Mill Point Spits; if so, what steps? 2. If the Government will have police protection afforded for the public in the vicinity of Mill Point.

THE MINISTER OF MINES (Hon. E. H. Wittenoom) replied:—1. No; but bathing is controlled by No. 17 of the Swan River jetties and foreshores regulations. 2. A police patrol is established, and the Works Department have asked the police to afford all possible protection to the public. I do not know whether that is the exact information the hon. member wants. If there is anything further, I shall be glad to supply it.

QUESTION—MR. G. D. SIMPSON AND PEAK HILL PROPERTIES.

HON. A. P. MATHESON, in accordance with notice, asked the Minister of Mines:—1. Whether the facilities afforded by the Government to Mr. G. Darlington Simpson, for floating his Peak Hill properties by furnishing him with the reports of the departmental Government engineer and of the warden of the district, and also by permitting the Government engineer, Mr. Frank Reed, to manage the Peak Hill properties, are at the disposal of other speculators, and, if so, on what terms? 2. Whether the Government accept the full responsibility for all

statements made by their officials and placed at the disposal of Mr. Darlington Simpson, for the purpose of obtaining money from the public? 3. What qualifications, if any, are possessed by the warden of the Peak Hill goldfields for reporting on auriferous formations?

THE MINISTER OF MINES (Hon. E. H. Wittenoom): The way the hon. member has asked these questions—they are so involved—renders it almost impossible to answer them. Had the hon. member asked a direct question, I could have replied to him; but he has based these questions on false assumptions. Therefore, it is impossible to give an answer to a false assumption. In these circumstances, I do not know whether I can give him quite the necessary information that he requires.

HON. A. P. MATHESON: Which are the false assumptions?

THE MINISTER OF MINES: I will show the hon. member presently. I am only too glad to give information on this subject, or any other subject; but the way in which the hon. member has put these questions, I may say, is a malicious insinuation on the actions of the Government; and, in these circumstances, I cannot give a direct answer. Had the questions been put in a sensible way, I should have been able to give the hon. member a direct answer; but the questions are so involved that it is really hard to know what the hon. gentleman wants. If the questions had been put clearly, I would have been able to give an answer. The only answers I can give are these:—(1.) The Government did not furnish Mr. G. D. Simpson with the reports of the Government engineer and the warden of the district, nor have they been a party in any way to Mr. Reed managing the Peak Hill properties. No doubt the reports referred to were taken from the *West Australian* of 17th April and the *Morning Herald* of 8th May respectively, in which they were advertised and were available to the public. Mr. Reed is on leave of absence for three months without pay. The department preferred this, rather than accept his resignation, as he is an energetic and valuable officer. (2.) No statement made by the officers of the Government were placed at the disposal of Mr. G. D. Simpson for the purpose of obtaining

money from the public. (3.) I am unable to say. There is other information in connection with the matter which I should have been pleased to give, and no doubt it would be interesting to the public; but the questions are asked in such an extraordinary manner that I am thus precluded from doing so.

HON. A. P. MATHESON: I would like to know which are the false assumptions, which the hon. gentleman said he would indicate.

THE MINISTER OF MINES: "By furnishing him with the reports of the departmental Government engineer and warden of the district."

HON. A. P. MATHESON: I have here Mr. Reed's own letter, in which he says he has the hon. gentleman's instructions to furnish them. I do not know whether that is a false assumption. I cannot go back on the man's own handwriting.

THE PRESIDENT: There can be no debate.

THE MINISTER OF MINES: If the hon. member likes to make a motion, I will soon satisfy him.

QUESTION—FREMANTLE LUNATIC ASYLUM.

HON. A. B. KIDSON, in accordance with notice, asked the Minister of Mines what number of patients are at present confined in the Fremantle Lunatic Asylum.

THE MINISTER OF MINES (Hon. E. H. Wittenoom) replied: Males 126; females 64; total 190.

HON. J. W. HACKETT (*sotto voce*): There is room for all the members of the Legislative Council.

HON. A. B. KIDSON: It is a good place for some of them; especially for the members of the Standing Orders Committee.

THE PRESIDENT: Does the hon. member intend that statement to be made public? Because I am the chairman of the Standing Orders Committee.

HON. A. B. KIDSON: I meant it just as an aside.

CRIMINAL APPEAL BILL.

Introduced by the **HON. A. B. KIDSON**, and read a first time.

DOG ACT AMENDMENT BILL.

IN COMMITTEE.

Consideration in committee resumed.

New Clause:

Debate resumed on new clause moved

at the previous sitting, by Hon. C. A. Piesse, as follows:—

Section 5 of the Dog Act Amendment Act, 1885 (49 Vict., No. 10), is repealed, and the following provisions are hereby substituted in lieu thereof:—It shall be lawful for any adult aboriginal native to keep one dog (which shall be registered free of charge); provided always that such dog shall be kept free from mange or other contagious disease. Upon representation being made by any person to a justice of the peace or a chairman of a roads board that such dog is liable to spread disease by reason of its neglected state, such justice or chairman, as the case may be, may order the destruction of such dog.

HON. C. A. PIESSE (resuming the debate): The Act of 1895 allowed each aboriginal to keep a dog unregistered. Aboriginal families were usually large, and as each man, woman, and child could thus have a dog, the result was a vast number of half-starved, mangy animals wandering about.

THE MINISTER OF MINES (Hon. E. H. Wittenoom): The new clause was desirable, as a deal of harm had arisen from aborigines being permitted to own a large number of useless dogs, which were the means of great destruction in country districts.

HON. A. B. KIDSON: Was there any penalty in the principal Act for an aboriginal native keeping more than one dog?

HON. C. A. PIESSE: All unregistered dogs could be destroyed, and an aboriginal could keep only one registered dog.

Put and passed.

New clause:

HON. C. A. PIESSE moved, as a consequential amendment, that the following new clause be added to the Bill:—"Section 13 of the principal Act is hereby amended by striking out the words in line 2, 'not belonging to an aboriginal native.'" At present, natives were exempt from registering dogs.

Put and passed.

New Clause:

HON. C. A. PIESSE moved that the following new clause be added to the Bill:—"That section 25 of the principal Act shall be, and the same is, hereby repealed." His object was to enable the fines and penalties to be paid to the district roads boards.

THE MINISTER OF MINES: The Bill already provided for this. The measure had to be read with the principal Act.

HON. C. A. PIESSE: The Bill did not provide for any officer to receive fines and penalties.

HON. A. P. MATHESON: Clause 6 of the Bill dealt only with money received for registration. There was no provision for paying fines and penalties to anyone except the Colonial Treasurer.

Put and negatived.

New Clause:

HON. A. P. MATHESON moved that the following new clause be added to the Bill:—

Every dog registered under this Act shall be furnished with and wear a metal plate affixed to its neck, which shall bear in plain figures the registered number and the number of its district, to be supplied by the officer registering the same; and any dog found in a public place in any municipality or roads board district, without such metal plate and registered number thereon, shall be deemed to be unregistered, and may be destroyed by any police constable forthwith.

The clause provided that every dog should have affixed to its neck a metal plate, on which should be engraved the registered number on the certificate, and the number of the district in which the dog was registered. The object he had in view was to make Section 12 of the principal Act operative. It had been pointed out that at present it was impossible to identify a registered dog, or to find out its owner. By passing this clause, the difficulty would be overcome.

HON. A. B. KIDSON: Some time should be mentioned within which the metal plates were to be furnished. On or before the 1st of January, 1898, would be a convenient time.

HON. C. A. PIESSE: The hon. member might make the date the 31st of January, as the Act allowed that time in which to register.

HON. A. B. KIDSON moved, as an amendment, that after the word "shall," in the first line, there be inserted the words, "on or before the 31st January, 1898."

HON. A. H. HENNING: This provision was evidently taken from the South Australian Act, which provided that corporations or municipalities, or the Government outside the municipalities, should supply discs, each to be stamped with the registered number of the dog. In this colony there were many municipalities in outlying districts, and

each district would issue numbers starting from the unit, so that the numbers would clash.

HON. C. A. PIESSE: The disc would be supplied by the officer registering the dogs, and the funds for supplying the discs could be provided out of taxes. The country districts had asked, during years past, for some means by which registered dogs could be identified, and the new clause would get over the difficulty.

HON. A. P. MATHESON: It was not intended there should be a disc at all. The clause provided that a metal plate should be supplied on which the registered number of the dog could be stamped. Every owner, on registering a dog, would get a certificate, and he could then have his number stamped on the plate, also the number of the district.

HON. A. H. HENNING: The clause would be inoperative, unless some means were devised for catching every dog to see if its registration number was stamped on the collar.

HON. F. T. CROWDER: Every dog should be compelled to wear a collar, on which could be stamped the registration number.

HON. A. B. KIDSON: There was a difficulty, as stated by the Hon. A. H. Henning.

THE MINISTER OF MINES: Something should be arranged to meet the desire of hon. members. There should be a collar for the metal plate to be affixed to, and it seemed that these plates should be issued by some officer, and the cost should be paid by the public. He would support the clause.

Amendment (Hon. A. B. Kidson's)—to insert the words "on or before the 31st January, 1898"—put and passed.

HON. A. B. KIDSON moved, as a further amendment, that the words "a metal plate affixed to its neck" be struck out, with a view to inserting the words, "a collar with a metal plate affixed thereto."

Further amendment put and passed.

THE MINISTER OF MINES: The metal plate should be supplied by the registering officer under the Dog Act, at the expense of the owner of the dog.

HON. H. BRIGGS moved, as a further amendment, that after the word "district" there be inserted the words "such plate."

Further amendment put and passed, and the new clause, as amended, agreed to.

Preamble and title—agreed to.

Bill reported with amendments, and report adopted.

EXCESS BILL, 1895-6.

On the motion of the MINISTER OF MINES, Bill read a third time and passed.

REGISTRATION OF FIRMS BILL.

IN COMMITTEE.

Consideration in committee resumed.

Clause 5—Registration unnecessary in case of temporary contractors:

HON. G. RANDELL (in charge of the Bill): The Attorney General had informed him that a similar clause was inserted in the Victorian Act by the Legislative Council of that colony, to meet the case of two or more men who took a small contract for fencing or other similar work in the country. He was informed the Act in Victoria worked admirably.

HON. A. H. HENNING moved that the clause be struck out, on the ground that no satisfactory explanation had been given for its inclusion. The result of his inquiries as to the working of the Act in Victoria did not agree with that obtained by Mr. Randell. There was endless confusion on the part of the Registrar in Victoria as to whom the Act applied to and the manner in which it should be complied with. If the explanation as to the object of the clause given by Mr. Randell were correct, the clause as drawn would not attain its object.

HON. W. ALEXANDER: The clause was necessary, if intended only to apply to the class of people referred to by Mr. Randell.

HON. R. S. HAYNES: Under the clause, any firm of builders who did not advertise their business could evade this provision, and he did not know more than two or three building firms out of several hundreds in Perth who did advertise. The clause put no limit on the amount of the contract which might be entered into, but merely provided that a partnership should not exist for more than twelve months without registration. Under such a law, a firm of railway contractors who did not advertise their offices, and did not take

contracts extending for more than twelve months, would not come under the Bill. Men who did take small contracts for fencing and splitting could easily register by sending word to the proper authority, accompanied with the fee of 5s. If need be, the fee could be struck out of the Bill altogether. This clause, if passed, would simply have the effect of defeating the object of the Bill.

HON. G. RANDELL: It was impossible to conceive of a firm of railway contractors or builders who were without a specified place of business, or who did not advertise their name.

HON. W. ALEXANDER: The Bill as a whole was a good one; but, as pointed out, the clause might have the effect of opening a door to evasion of the law. Rather than lose the Bill, however, he would not oppose the clause.

Motion—to strike out the clause—put, and division taken, with the following result:—

Ayes	8
Noes	4

Majority for ... 4

AYES.	NOES.
The Hon. W. Alexander	The Hon. H. Briggs
The Hon. J. W. Hackett	The Hon. J. E. Richardson
The Hon. R. S. Haynes	The Hon. E. H. Wittenoom
The Hon. A. B. Kidson	The Hon. G. Randell
The Hon. A. P. Matheson	(Teller).
The Hon. D. McKay	
The Hon. C. A. Piesse	
The Hon. A. H. Henning	
(Teller).	

Motion thus passed, and the clause struck out.

Clause 6—Manner and particulars of registration:

HON. A. H. HENNING moved, as an amendment, that the words "sending by post or delivering to" be struck out, and the words "filing with" be inserted in lieu thereof. If the particulars were posted, it would never be known whether they had reached the registrar, and the Bill could not be properly administered. He did not object to the particulars being sent by post, but he objected to registration being regarded as effected by the fact that particulars were posted.

HON. C. A. PIESSE: The amendment would necessitate a representative of every small firm of contractors in the country coming to town to effect registration. There was a penalty for misrepresentation.

HON. W. ALEXANDER: In the face of a penalty providing for misrepresentation, the clause might be allowed to remain.

HON. G. RANDELL: There was no reasonable objection to the amendment proposed by Mr. Henning.

Amendment put and passed.

HON. A. H. HENNING moved, as a further amendment, that sub-section (e) (relating to date of commencing a business) be struck out.

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

Clause 7—Particulars to be written by persons registering are to be attested:

HON. A. H. HENNING moved, as an amendment, that the words in sub-section (1), "the persons carrying on, or intending to carry on, any business under a firm-name required to be registered as aforesaid, shall sign or acknowledge a statement of the particulars for registration" be struck out, and the following be inserted in lieu thereof: "Such statement shall be signed or acknowledged."

HON. G. RANDELL: The amendment simplified the clause, and he had no objection to it.

Put and passed.

HON. R. S. HAYNES moved, as a further amendment, that the words "police officer, postmaster, or postmistress" be inserted after the word "solicitor."

HON. G. RANDELL accepted the further amendment.

Put and passed.

HON. A. H. HENNING moved, as a further amendment, that sub-section 2 be struck out. Anyone carrying on a partnership might register the names of persons outside the colony who were not partners, and render them liable under the Bill. Sub-section 3 provided that a statutory declaration should be made by any person, and he thought that a partner should also be required to make a statutory declaration.

HON. G. RANDELL: The hon. member went too far when he said that a member of a firm making a statement committed his partner who lived outside the colony.

HON. A. H. HENNING: The object of the Bill was to give information to the public, who were dealing with the firm, as to who were the partners; and if a man, by claiming to be a partner of certain per-

sous outside the colony, could obtain credit, then he should be required to make a declaration. The mere fact that he said he was a partner would enable him, under Sub-section 2, without a declaration, to file a statement as to who were his partners.

HON. R. S. HAYNES: Unless some further reason was given, he would vote against striking out this sub-section. If a man came to the colony and said he was a member of the firm of Rothschild, and any person was fool enough to believe him, that person deserved to lose. The Bill did not bind a person outside the colony. It would be dangerous to take the sub-section out.

HON. C. A. PIESSE: It would be better to expunge the clause. It would be no trouble to a person, forming one of a company, to sign a declaration, if he did not live in the same town, because his signature could be taken before a postmaster or postmistress or a police magistrate.

HON. A. B. KIDSON supported the contention of the Hon. R. S. Haynes. The clause was put in for the protection of the public, and if a man made a false statement he was liable to a penalty. If a man made a statement that his partners lived outside the colony, and they did not, he could be held responsible for misrepresentation.

HON. G. RANDELL: If the committee expunged the sub-section, it would be taking a good provision out of the Bill.

Amendment—to strike out the sub-section—put and negatived.

HON. A. H. HENNING moved, as a further amendment, that in Sub-section 3, all the words prior to and including the words "firm-name" be struck out. He could not quite understand what the clause meant, but the intention of the clause would be preserved, if these words were struck out.

HON. G. RANDELL accepted the further amendment.

Put and passed.

HON. A. H. HENNING moved, as a further amendment, that Sub-section 4 be struck out. It provided that certain fees should be paid; but by Clause 18 the Governor had power to make regulations, and could fix the fees under regulations. The Bill should not be hampered.

HON. G. RANDELL preferred the sub-section to remain even if it was surplusage. He liked everything definite in an Act of Parliament, and the sub-section might be a guide to the Governor in fixing the fees. Some time might elapse before Clause 18 came into effect.

HON. R. S. HAYNES: The fee of 5s., if applied to every person registering, was too much.

HON. A. H. HENNING asked leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause, as previously amended, put and passed.

Clause 8—Time for registration:

HON. A. H. HENNING moved that the clause be struck out, and the following be inserted in lieu thereof:

(1.) Firms and persons who at the commencement of this Act are carrying on business in Western Australia, shall comply with the provisions of this Act within three months after such commencement. (2.) Other firms and persons required to be registered, as provided by this Act, shall register accordingly before they commence business.

HON. C. A. PIESSE: It would be advisable to allow firms commencing business some time, say a month, in which to register.

HON. W. ALEXANDER: In the other colonies firms had to register before they began business, and it was right that firms here should do so. It would be a good thing to follow the example of New South Wales, and he also believed Victoria and Queensland, by compelling firms starting business to state the amount of capital contributed by each partner.

HON. G. RANDELL said he did not object to the new form of the clause moved by Mr. Henning.

Clause, as substituted, put and passed.

Clause 9—agreed to.

Clause 10—Registration of change of firm-name:

HON. A. H. HENNING moved, as an amendment, that all words after the word "firm," in the second line, be struck out, and the following inserted in lieu thereof:—

By the retirement of any member or the addition of any new member, the firm so reconstituted shall, within three months after such change, file with the Registrar of Companies a statement thereof. Every retiring member of the firm shall be and remain liable for the debts and engagements of the firm

incurred or contracted subsequent to his retirement, unless and until such statement be so filed as hereinbefore provided.

This alteration would extend the time for filing the statement of the change of a firm-name from one month to three months, with the view of meeting the case of foreign companies, which might find it impossible to get the information into the colony within a shorter period. The retiring partner of a firm was made liable for debts and engagements incurred subsequent to his retirement, in order to expedite compliance with the Bill.

At 6-30 p.m. the CHAIRMAN left the Chair.

At 7-30 p.m. the CHAIRMAN resumed the Chair.

HON. R. S. HAYNES, referring to the amendment for omitting part of Clause 10 and substituting another form of clause, said he would vote for the clause as it stood. The object of the proposed amendment was to make a person liable for debts through want of registration. That was not the object of the Bill, which was simply to give notice to the public as to who were the alleged members of a firm: not to make a person liable, but to give a creditor, if he wished to make a search, an opportunity of knowing whether or not a certain individual was a partner in a firm, and who were alleged to be members of the firm. Therefore, the only object of the Bill was to give a creditor sufficient information for putting him on inquiry. It was not intended to make a person responsible or liable, but to make the names of the members of a firm public, so that people should know with whom they were dealing. The intention of the Bill could not be to make them liable, because they were already liable by common law. If a man, in an unauthorised manner, put the name of a person on the file as his partner, that person would be liable for the debts of the firm because, if this amendment were passed, he would be made liable; consequently the object of the Bill would be defeated.

HON. G. RANDELL quite agreed with what had been said by the hon. member who had just spoken. It was manifestly unjust to make a person, who retired

from a firm, responsible for debts which that firm had subsequently incurred. The Hon. R. S. Haynes had clearly explained the scope of the Bill. In his opinion, the proposed amendment would be contrary to the spirit of the Act; at any rate, to natural justice.

HON. A. H. HENNING expressed surprise at the hon. member (Mr. Randell) agreeing with the Hon. R. S. Haynes, in saying the Bill was intended to refer only to alleged partnership. If it was not intended to protect the public by the publication of the names of individuals who constituted existing firms—the absolute partnership, not the allegation—for what purpose was it brought before the committee? The interpretation of the word “firm” in Clause 3, as passed, did not mean the allegation that two or three persons were associated together in carrying on business. The word “firm” meant two or more persons lawfully associated—an absolute fact—lawfully associated for the purpose of carrying on business; and if we only wanted people to allege that others were associated in carrying on business, what was the use of the measure?

HON. R. S. HAYNES said the object of the Bill was to give notice to people, to put them on inquiry.

HON. A. H. HENNING: The object was to protect the community from people trading falsely under a firm-name, either as partners or otherwise, and therefore to let the community know who were behind the scenes, and who were responsible for the contracts which might be entered into.

HON. G. RANDELL: The hon. member, in his proposed amendment, went further than that.

HON. A. H. HENNING: The amendment did not go further than the law as it stood. Every retiring member of a firm was responsible to the creditors of that firm, or to the people who had been trading with that firm before his retirement, until he had given personal notice to the creditors of that firm, coupled with a notice in the *Government Gazette*, that he had retired. So long as that firm continued to carry on business, the members of it remained liable until notice of dissolution of partnership was published in the *Gazette*, and until each individual or firm dealing with the firm had received personal notice of the fact.

HON. G. RANDELL: The clause did not say that at all.

HON. A. H. HENNING: The amendment he had moved dealt entirely with that, and the object he had in view was, not to impose any new liability on a member of a firm, but to expedite and hurry him to comply with the Act by notifying to the public—not only to the individuals with whom he had been dealing, but to the public—that he had ceased to be a member of the firm registered.

HON. R. S. HAYNES: The hon. member still said the former partner was liable. Why did he want to make that person liable a second time?

HON. A. H. HENNING: He continued liable until he had given individual notice.

HON. R. S. HAYNES: Why did the hon. member want to make a retired partner liable a second time?

HON. A. H. HENNING: Because he was registered as a member of the firm, and, so long as that registration continued, he should be liable.

HON. R. S. HAYNES: A partner was liable under the Partnership Act.

HON. A. H. HENNING: If facts were to be registered, and not allegations, then a retiring partner should be compelled to remain liable for the engagements of the firm of which he was a partner, till he had registered his retirement, and effaced his name from the record.

HON. R. S. HAYNES: Under the Partnership Act, a partner was liable for the debts of the company, not only after the dissolution, but till an advertisement dissolving the partnership appeared in the *Government Gazette*. Unless he gave notice of the dissolution, he was liable. In consequence of a prior amendment in this clause, moved by the hon. member and passed, every person alleged to be a partner in a firm need not sign. As the Bill originally stood, every person would have had to sign when he was a partner; by the amendment which had been passed, that provision was struck out. The Bill now provided that a statement should be signed by one person—not by everybody—in the presence of a justice of the peace. Anyone might put an allegation on the file of the court that other people were his partners,

and might make them liable under the amendment now proposed. The proposed amendment would enable a person to make someone else a partner against his will, and then, by altering the firm, he could make this other person liable for all the debts. He could retire from the firm, and the other person would be crowded with writs, not because he was a partner of this man's, but because of the wording of the Bill, if this amendment were passed.

HON. A. B. KIDSON agreed with the hon. member (Mr. Haynes) that it would be better not to press the amendment, as it might be importing into the law a new principle.

HON. A. H. HENNING: The principle was the same as that of the common law at present.

HON. A. B. KIDSON: Under certain circumstances it was, but under the circumstances created by the amendment it was not. One difficulty in connection with this amendment was that a retiring partner would be absolutely in the hands of the continuing partner or partners; for as the remaining partner or partners had to register the new firm, therefore if they chose to say "We won't register this firm," then the retiring partner became responsible for the debts of the continuing firm. It would be most dangerous to import a condition of this kind into the Bill. The clause as it stood was quite sufficient, and covered all that was necessary.

Amendment—to strike out the clause and substitute another form of clause—put and negatived.

HON. G. RANDELL moved, as an amendment in the same clause, that the words "send by post or deliver to," in the third line, be struck out, and the words "file with" be inserted in lieu thereof.

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

Clause 11—agreed to.

Clause 12—Penalty for default in registration:

HON. A. H. HENNING moved, as an amendment, that all the words preceding "shall," in the fourth line, be struck out, and the words "any person who shall fail to comply with any provisions of this Act" be inserted in lieu thereof. The amendment was simply verbal, in order to simplify the clause. Every individual

should be compelled to comply with the Bill, without being allowed to allege an excuse.

HON. A. B. KIDSON: How would the amendment affect Clause 14 (making false returns)?

HON. A. H. HENNING: The distinction between the two was the distinction between commission and omission. The one clause dealt with those who failed to comply with its provisions, for which a penalty was imposed, and Clause 14 provided that those who wilfully did certain things should be subject to the penalty. He did not think the two clauses would clash.

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

Clause 13—Persons in default bringing actions shall be ordered by the Court to register:

HON. A. H. HENNING moved that the first sub-section be struck out, and the following be inserted in lieu thereof:

When any firm or person shall fail to comply with the provisions of this Act, and during the default brings, institutes, or commences an action, suit, or proceeding in any Court in the firm-name or otherwise, for a cause of action arising out of any dealing by or with such firm or person in the firm-name, such Court may stay all proceedings in the action until such provisions be duly complied with by such firm or person.

The amendment was practically the same as appeared in the Bill, with the exception that the court might stay all proceedings until certain provisions were complied with. Persons should be compelled, before they could proceed, to comply with the law.

HON. G. RANDELL: The hon. member had altered the wording of the clause from the imperative to the permissive form. It would be well to substitute the word "shall" for "may" in the last line in the amendment. The amendment would prevent anyone from taking a case to the court, unless a firm was properly registered; but that was anticipating a difficulty which was very unlikely to arise.

HON. R. S. HAYNES: A case might arise in which the grossest injustice might be done by the judge having to stay proceedings; therefore a discretionary power should be given in such cases.

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

Clause 14—Making false returns under this Act to be misdemeanour:

HON. A. H. HENNING moved, as a consequential amendment, that the words "sends or delivers to," in the second line, be struck out, and the words "files with" be inserted in lieu thereof.

HON. R. S. HAYNES: Supposing a person sent a statement to the registrar by post, for the purpose of filing, and the registrar said he would not file it, he might then prosecute the person right off. It would be better to withdraw the amendment, and insert "or files with" after the words "delivers to." What the hon. member intended was that the person should go and file in court, but the object of the Bill was to allow a person to send a statement by post.

HON. A. H. HENNING consented to withdraw his amendment.

Amendment, by leave, withdrawn.

HON. A. H. HENNING moved, as suggested, that the words "or files with" be inserted after the words "delivers to," in the second line.

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

Clause 15—Registrar to file statement and issue certificate of registration:

HON. A. H. HENNING moved, as an amendment, that the word "receiving," in the first line, be struck out, and the words "the filing of" be inserted in lieu thereof.

After objection stated,

Amendment, by leave, withdrawn.

Clause put and passed.

Clause 16—agreed to.

Clause 17—Inspection of statements registered:

HON. A. H. HENNING and HON. A. B. KIDSON moved a series of verbal amendments in sub-section 2, making it read as follows:—

Any person may require from the registrar of companies a certified copy of the certificate of registration of any firm or person, or of the whole or any portion of any registered statement, to be certified by the registrar of companies, and there shall be paid for every such certificate of registration a fee of five shillings, and for each folio of 72 words a fee of sixpence, or such other fees as may be prescribed by the Government.

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

Clause 18—Power for Governor to make regulations:

HON. A. B. KIDSON moved, as an amendment, that the words "repeal or alter" be inserted after the word "make," in line 1. It was right that the Governor and the Executive Council should not only have power to make regulations, but to repeal or alter them.

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

Clause 19—Regulations to be laid before Parliament:

HON. A. B. KIDSON moved that the clause be struck out, and the following inserted in lieu thereof:—

All regulations when made by the Governor shall be published in the *Government Gazette*, and shall, within one month after the making thereof, be laid before both Houses of Parliament, if Parliament be then in session, or, if not, then within fourteen days after the commencement of the next session of Parliament; and all such regulations when so published shall have the force of law, and shall continue in force unless repealed or altered as aforesaid, or disallowed by both Houses of Parliament.

According to the clause as it stood, immediately after the regulations were published in the *Government Gazette* they became valid and had the force of law, without giving power to the Houses of Parliament to repeal, amend, or alter them. The clause he proposed gave power to Parliament to repeal, alter, or disallow the regulations.

HON. G. RANDELL asked whether the word "published" referred to the laying of the regulations before Parliament, or to their publication in the *Government Gazette*.

HON. A. B. KIDSON: The word "published" meant the publication in the *Gazette*, and an opportunity was given to alter the regulations when they were laid before Parliament.

HON. A. H. HENNING: The words "not inconsistent with this Act" should be inserted after the word "regulations." It was unconstitutional for Parliament to delegate its legislative authority to the Governor-in-Council. In one or two instances in the past, in this colony, and particularly in connection with the Goldfields Act, that power had been given to the Governor-in-Council for a particular reason. In the Goldfields Act of 1895, power to make by-laws was given to the Governor, but

conditionally on those by-laws being consistent with the Act. Hon. members would remember the Londonderry case, in which a Bill was passed validating by-laws already made, and giving the Governor-in-Council power to frame whatever by-laws he wished, whether consistent or inconsistent with the Act. Such provisions must be strongly protested against.

Clause, in the substituted form, put and adopted.

HON. A. H. HENNING moved, as an amendment in the clause, that the words "not inconsistent with this Act" be inserted between the word "regulation" and the words "when so published."

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

Clause 20—agreed to.

Schedule—agreed to.

Preamble and title—agreed to.

Bill reported with amendments, and report adopted.

UNDERGROUND SURVEYORS BILL.

SECOND READING.

THE MINISTER OF MINES (Hon. E. H. Wittenoom), in moving the second reading, said: The object of this measure, which I regard as a very sensible one, is to qualify surveyors for underground surveying. The Bill is on similar lines to those of the present Licensed Surveyors Act. It is of the utmost importance that underground surveys of mines should be carried out accurately. We wish to avoid mistakes that have been made in other colonies, and to have accurate records of the underground workings of the mines, so that our successors may be able to find out exactly what has been done. The Bill provides that candidates may be examined and licensed to carry out the work of underground surveying. For this purpose, a board of six members, one of whom will be the Under-Secretary of Mines, will be appointed by the Governor-in-Council. Examinations will take place in January and July of each year, and at such other times as may be necessary. Clause 4 provides that three members of the board will form a quorum for the conduct of business, and Clause 5 sets out the duties and powers of the board. A secretary will be appointed to assist the board in carrying out those duties. Clause 5 also empowers the

board to issue certificates of competency and licenses. Sub-clause 4 of this clause reads as follows:—

The board may, subject to regulations, issue a license to practise as an underground mining surveyor to any person,—(a) To whom it has granted a certificate of competency in underground mining surveying, or (b) Who has received a certificate of competency in underground surveying from (1) Any legally constituted board of examiners for underground mining surveyors in any of the Australasian colonies, or from (2) Any authority by whom an examination (equivalent to that required by the board) to test the qualifications of candidates is required prior to the granting of such certificate; and (c) Who is still entitled to practise as an underground mining surveyor in the colony or country wherein he obtained such certificate.

Surveyors, who come to this colony with certificates from any recognised institution elsewhere, will be admitted to practise here. A list of licensed surveyors will be published in the *Gazette* in December of each year; and licenses granted or forfeited will also be gazetted. Penalties are provided for unlicensed surveyors who carry out underground surveying work. Any person who “falsely pretends that he is such surveyor, or takes or “uses the name or title of a licensed underground surveyor,” or “practises, charges, “or receives a fee for work done as an “underground mining surveyor,” will be guilty of an offence for which he is liable to a penalty not exceeding £100. Clause 11 provides:—“The board may, “with the approval of the Governor, from “time to time, make, alter, and revoke “regulations for all or any of the under-“mentioned purposes,” which are set out. Clause 12 provides that members of the board may receive from the fees received by them, such fees as the Governor may approve. The fees paid by candidates are to be received by the secretary of the board and applied in the manner set forth. In Clause 14, power is given to a licensed surveyor to enter on any particular lands for the purpose of surveying. I do not think it is necessary for me to say more, in moving the second reading of the Bill.

HON. R. S. HAYNES: I should like to know whether this Bill has been before the Institute of Surveyors. At the present time, there are no underground surveyors in the colony; and I, myself, do not know whether there is much

difference between underground surveyors and ordinary licensed surveyors. If there be a distinction, the Minister might point out what qualifications the board will have in order to decide that candidates are fit and proper persons to practise as underground surveyors. Are we to understand that the board will rely on the knowledge of the Under Secretary of Mines? The silence as to the qualifications of the board is the weak spot in the Bill, which, as it now stands, proposes to appoint persons of whose qualifications nothing is known, to examine people on a subject about which nobody knows anything.

A MEMBER: We know the qualifications of the Under Secretary of Mines.

HON. R. S. HAYNES: The Bill does not even say that the board shall consist of licensed surveyors. The board may consist of the Minister of Mines and others of the same capacity, or it may not. I should, however, like to know whether an appeal will be allowed from the decision of the board. There have been boards in the past who have improperly refused certificates, and I do not want to see a repetition of that state of things. The appeal, if given, should not be to the Minister, who could always shelter himself behind the board. I would never be a party to allowing a board to have the power to refuse a license, when the members of that board may have no more qualifications than the men they are examining.

THE MINISTER OF MINES: The Under Secretary of Mines has nothing to do with the board, except that he will be a continuing member.

HON. R. S. HAYNES: What more could he have to do with the board? I suppose he will have a vote.

THE MINISTER OF MINES: I understood you to say that the Under Secretary of Mines would have something to do with the appointment of the board.

HON. R. S. HAYNES: I desire to know what will be the qualifications of the board, and who will decide what those qualifications shall be. Will the other members of the board have the same opportunity as the Minister of judging of the qualifications of candidates?

THE MINISTER OF MINES: Sub-section 2 of Clause 3 states:—

Except as hereinafter mentioned, all members of the board, except the Under Secretary

for Mines, shall be nominated for appointment by the Minister, and appointed by the Governor.

HON. R. S. HAYNES: What qualifications have they?

THE MINISTER OF MINES: The qualifications will be arranged under Clause 11:—"The board may, with the approval of the Governor, from time to time make, alter, and revoke regulations for all or any of the under-mentioned purposes," etc. The qualifications will appear in the regulations.

HON. R. S. HAYNES: But who will decide the qualifications of the members of the board in the first instance?

THE MINISTER OF MINES: The board will be nominated by the Minister, who is really responsible for the whole thing.

HON. R. S. HAYNES: Will the board be composed of licensed surveyors in the first instance, or will the board be composed of a lot of ex-Secretaries of Mines?

THE MINISTER OF MINES: What reason is there for supposing that any but really good men will be placed on the board?

HON. R. S. HAYNES: Plenty of men, who are not good men, have been placed at the head of departments.

THE MINISTER OF MINES: When? Name them.

HON. R. S. HAYNES: It would take me all night to name them.

HON. A. B. KIDSON: I agree with the hon. member (Mr. Haynes) that there is some little difficulty about the constitution of the board. Some provision should be made for describing the class of men who shall compose the board. It seems rather an absurdity to appoint men, who are not really qualified themselves, to hold an examination on technical matters. Clause 11 does not provide for the constitution of the board, but merely for fixing details of examinations and so forth. The last sub-clause of Clause 11—"For such purposes as are necessary for the discharge of the duties of the board"—refers to a period after the board is appointed, and not to its first constitution. I cannot agree that there should be an appeal from the decision of the board. No doubt such a provision would be very much in the interests of the profession to which

Mr. Haynes and myself belong; but a man when he goes up for an examination either passes or does not pass, and the decision is final.

HON. R. S. HAYNES: I do not mean an appeal at law.

HON. A. B. KIDSON: There can be no appeal from an examination. At least I never heard of such an appeal. The board should undoubtedly be composed of qualified persons. The Under Secretary of Mines is, no doubt, a very desirable person to have as a member of the board.

THE MINISTER OF MINES: The Under Secretary would be only one of six.

HON. A. B. KIDSON: At the same time it would be just as well to make certain that the other five members of the board were qualified. The principal duty of the board would be holding examinations and granting certificates to persons to enable them to practise; and it is essential that the Bill provide that the members of the board should be thoroughly qualified.

HON. C. A. PIESSE: Under the Licensed Surveyors Act, the examining board consists of the Surveyor General and five other members.

HON. A. B. KIDSON: That means five other surveyors.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clauses 1 and 2 inclusive—agreed to.

Clause 3—Constitution of board:

HON. R. S. HAYNES moved, as an amendment, that the words "being licensed surveyors of the colony of Western Australia" be added to sub-clause 1.

THE MINISTER OF MINES: The amendment would hardly meet the desire of the hon. member. A good surveyor above ground was not necessarily a good surveyor underground, and great care must be taken in the appointment of this board. The greatest care was taken by the Mines Department in the appointment of the board to examine engine-drivers. If the department were tied down to one section, in appointing the board under this Bill, it would probably mean the best men would not be obtained. If licensed surveyors under the Bill were the same as underground surveyors, there

would of course be no necessity for this Bill. But there were no underground surveyors in the country, and the particular class of work rendered the Bill necessary.

HON. R. S. HAYNES: What qualifications would be necessary in the members of the board? The Minister had said that licensed surveyors were not good enough to be on the board.

THE MINISTER OF MINES: It was not suggested that surveyors were not good enough to be on the board, but that underground surveying was a different class of work from that done by licensed surveyors.

HON. R. S. HAYNES: Then what kind of men would be appointed to the board? If the board were not thoroughly qualified, their certificates would be the laughing-stock of other colonies. He suggested that the clause might be passed, and recommended for consideration.

HON. A. P. MATHESON: This Bill would be most valuable, if properly carried out. It was absolutely essential that the board which was to give certificates should be competent to express an opinion. For underground surveying, a very large experience was required as compared with the experience necessary for surface surveying. In nearly every case, a first-class mine manager was thoroughly posted up in underground surveying. It was desirable that the members of the licensing board should be composed of mine managers, who would be thoroughly competent to carry out that sort of work. He felt strongly on the point, because these boards ought not to be constituted of people who did not understand the subjects on which they were to express an opinion. He recollected a recent case in which a gentleman was appointed on the Mining Commission, whose only qualification was that he was a member of the Stock Exchange. That was not the class of men wanted on that Commission.

THE MINISTER OF MINES said he had been specially asked that that gentleman should be appointed on the Commission.

HON. A. P. MATHESON: It was the opinion all over the fields where he came from that the gentleman referred to was not the sort of person required to sit on the Mining Commission. He did not think the Minister received any communi-

cation from that portion of the fields which he (Mr. Matheson) represented, to the effect that the appointment of a stock-broker was desired.

THE MINISTER OF MINES: The hon. member was quite out of order in making these remarks.

HON. A. P. MATHESON said he had been compelled, by the interjection of the Minister, to defend the statement he had made. It was extremely desirable that the qualifications of members of the proposed board should be defined by the Act.

HON. A. B. KIDSON: One of the strongest arguments used by the Minister of Mines was that underground surveying was of a different kind from ordinary surveying, and that therefore these proposed examinations were required. There was all the more reason, therefore, that the persons who composed the board should have the necessary qualifications to carry out the examinations and give the licenses. Who would appoint a person on the Marine Board to examine candidates for a chief officer's certificate or for a master mariner's certificate, who was not acquainted with the sea? It seemed to be precisely the same in this case. The board in question had to hold examinations for the purpose of qualifying persons for the very difficult occupation of underground surveying, while there was nothing to show of what class of men the board was to be composed. He thought the Minister should say what class of men he proposed to appoint. The Minister had already told the committee that he did not believe there was a single licensed surveyor in the colony.

THE MINISTER OF MINES said he had made no such statement. What he had said was that there were no surveyors here licensed under the laws of this colony, as such laws did not exist.

HON. A. B. KIDSON: Were there any surveyors here licensed from the other colonies?

THE MINISTER OF MINES: There might be, and probably there were a good many.

HON. A. B. KIDSON: The committee should be careful in dealing with this question, and have some assurance as to what sort of members were to be appointed on the board.

THE MINISTER OF MINES: The only reply he could make was that the

Minister of Mines would be solely responsible for the board, and would have to take all the onus of whether it was a good board or not. Considering the various boards the Government had to appoint in the past, it was hardly to be conceived that they would appoint a board that was not efficient. The hon. member (Mr. Haynes) had asked, why could we not appoint the ordinary licensed surveyors? The answer was that underground surveying was so different from surface surveying that they would not be the proper men for the work. If he were asked whom he would appoint, he would say, the very best possible men to be obtained who had a knowledge of underground surveying. He could suggest the managers of the Great Boulder and the Lake View Mines. The other day they had to appoint a board to examine the qualifications of a manager of public batteries, and the managers of the Boulder and of some other first-class mines were selected to conduct the necessary examination. Nothing could have been better. The committee might safely leave it in the hands of the Minister of Mines to appoint the members of the board, since the Minister would have all the credit or all the discredit of having the matter carried out. The Minister generally had a fair knowledge of the class of men required. If hon. members would leave the matter as it stood, he did not think there would be any difficulty. A number of other boards had been appointed by the Minister—boards for the examination of engine-drivers and others. Why then should he not use the same discretion in regard to the present board? They might depend upon it that the Minister would make the best use of the talent at his command. If the committee wished to introduce any amendment, he would meet their views with the greatest pleasure.

HON. R. S. HAYNES: As the Minister was to take the responsibility of the Bill, he would withdraw his amendment.

HON. G. RANDELL: It would be extremely unwise to limit the choice of the Minister of Mines, for the board which was to be constituted under the Bill. So far as he knew, with very few exceptions, the boards appointed in the same way had given general satisfaction; and the responsibility must rest on the Minister for making the proper selection.

Amendment, by leave, withdrawn.

Clause put and passed.

Clauses 4 to 17, inclusive — agreed to.

Preamble and title—agreed to.

Bill reported without amendment, and report adopted.

ABORIGINES BILL.

SECOND READING.

THE MINISTER OF MINES (Hon. E. H. Wittenoom): It is important to get this Bill passed through its various stages in order to transmit it to the Secretary of State as soon as possible. Hon. members are aware that this Bill is for the purpose of handing over the aborigines of the colony to the control of the Government. It is a matter that has interested the inhabitants of this colony for some time past; and I feel sure the advent of the Bill will be hailed with satisfaction, particularly when we remember that there is every chance of its being approved of by the Imperial Government. The Bill proposes that the Aborigines Board shall be abolished. The Bill is prepared generally on the terms of the despatch of the Secretary of State for the Colonies, the Right Hon. Joseph Chamberlain; in fact, these terms are pretty well set out in this Bill. It contains, amongst other things, conditions for creating a sub-department under the control of a Minister, which department shall have the entire control of the aborigines of the colony. A sum of money has been appointed in this Bill to be set apart—namely, the sum of £5,000 per annum—for the use of these aborigines; and, should this amount, in any year, not be spent, the balance is to be carried on to subsequent years. The duties of the department are set out in full in Clause 7. Clause 8 provides that an exact account shall be made of what the aborigines are costing the country. The Bill also empowers the Minister of Mines to cancel the agreement in any case where a contract is entered into by an employer with an aboriginal, if it is shown that the employer is not a proper and fit person to be entrusted with the aboriginal. The Bill also provides that the Act shall be proclaimed in Western Australia within three months after the official notification of the approval of Her Majesty has been

received. With these remarks I will move the second reading of the Bill.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clauses 1 to 6, inclusive—agreed to.

Clause 7—Duty of department:

HON. A. P. MATHESON: Was there any particular reason why the word "aboriginal" should be used in subsections 3 and 4, whereas in other parts of the Bill the word "aborigines" was used.

THE CHAIRMAN: It was probably a printer's error, which could be corrected without sending the Bill to the other House.

Put and passed.

Clauses 8 to 13, inclusive—agreed to.

Preamble and title—agreed to.

Bill reported without amendment, and report adopted.

SUSPENSION OF STANDING ORDERS.

The Standing Orders having been suspended, the Bill was read a third time and *passed*.

HAWKERS AND PEDLARS ACT AMENDMENT BILL.

SECOND READING.

THE MINISTER OF MINES (Hon. E. H. Wittenoom): This is a Bill which I am sure will commend itself to hon. members, if for nothing else than its extreme brevity. The present definition of the word hawker does not include the man who goes to a private house soliciting orders; and, in consequence, it does not reach the Afghan and Indian pedlars, who are generally looked upon as rather a nuisance. The words introduced in this Bill as an amendment will include the canvasser who goes round and asks for orders from house to house; and that is an object with which all will be in sympathy. The real commercial traveller will not be interfered with in any way by this Bill.

HON. R. S. HAYNES: How about the butcher and the baker?

THE MINISTER OF MINES: It will not touch them. Under the original Act there is a definition of a "commercial traveller" as a man who canvasses the trade; therefore this Bill will not inter-

fere with him, but only with the person who solicits orders from place to place. I do not think the butcher would come within the meaning of the Bill, because I do not think he goes round to solicit orders. [HON. R. S. HAYNES: Yes, he does.] But he represents a business, and orders to him are usually sent by telephone. The hawkers have tried to get out of this Act by saying they represented a business. I do not think the butchers will be interfered with by the Bill. I can commend the Bill to hon. members, particularly as complaints have been made as to hawkers and pedlars trying to get orders from house to house. With these remarks I move the second reading.

HON. A. B. KIDSON: I think the Minister is to be congratulated for bringing in this Bill, because a measure of such a nature is an absolute necessity. I myself, in carrying on my profession, have had numbers of cases before me which show that these Asiatic hawkers come round under the guise of commercial travellers and cause a great nuisance and annoyance, and I may almost say, fright, amongst the women folk. At the same time we must be careful how we deal with the Bill, and be careful that we do not stand in the way of the butchers and bakers and that class of persons who, we know, do send round for orders. The Minister said that most of this kind of business was done by telephone, but we all know that there are places in this colony where no telephone exists, and in these circumstances people could not telephone for their supplies, and persons would have to go round for orders. All of us who keep houses in town and out of town know that tradesmen do send round for orders, and this Bill may cause complications if care is not taken in the wording of the Bill. I would suggest something in the way of excluding tradesmen, such as dairymen, grocers, and butchers from the provisions of the Bill.

HON. G. RANDELL: And the green-grocer.

HON. A. B. KIDSON: The green-grocer is generally a man of Asiatic extraction, and I think members might leave him out of the question, and let people who want vegetables go and fetch them. At the same time for safety's sake, if for nothing else, we should exclude the

butcher and baker and grocer from the operations of the measure. There is no doubt that if we do not, it may cause trouble, and we ought to avoid that as far as possible in an Act of Parliament.

HON. C. A. PIESSE: I would like to point out that the interpretation clause in the Hawkers Act does away with all danger in regard to butchers and bakers and other tradesmen.

HON. W. ALEXANDER: In the original Act, care is taken so that butchers and other tradesmen can call for orders. The section in the original Act states that "going to any man's house carrying for sale or exposing for sale," but there is nothing in reference to butchers or commercial travellers soliciting orders from people's houses.

HON. A. B. KINSON: That does not touch the point.

THE MINISTER OF MINES: I would like to point out that in the original Act, Section 6, it will be found that there is a prohibition not to apply to "sellers of vegetables, fish, fruit, newspapers, brooms, matches, game, poultry, butter, eggs, milk, or any victuals."

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Bill passed through committee without debate, reported without amendment, and record adopted.

CEMETERIES BILL.

SECOND READING.

THE MINISTER OF MINES (Hon. E. H. Wittenoom): This is really a formal Bill, and provides for the Governor declaring cemeteries in certain places for the purpose of burying the dead. There is also a provision that people who live within a mile or a certain distance of these cemeteries must bury their dead in these cemeteries—they are not allowed to bury them in any other ground except at a certain distance from the cemeteries. There is a provision for vesting the management of these cemeteries in trustees, so that this Bill may be carried out, and its provisions attended to. Provision is made for the preservation of monuments and inscriptions in connection with these cemeteries. The Bill does not apply to

any private burial grounds. The Governor is given power to close cemeteries and to arrange for certain conditions in connection with them. Clause 6 says that when a public cemetery has been appointed in any townsite, and is not closed, every person who is in or within a mile from the townsite, who shall assist at the burial of any dead body in any other place than such public cemetery, shall be liable to a fine of not more than £50. There is power also given to the trustees to divide any cemetery, so that portions may be set apart for various religious denominations who desire to have any portion of it. Permission may be given by the trustees for the building of mortuary chapels by any particular denominations. Grants may also be given for the exclusive right of burial to persons who desire them. These grants can be given in perpetuity, inasmuch as people may leave them in their wills to their descendants as long as they desire. It says, in Clause 27, the Governor may authorise a salary to be paid to trustees, each of them not exceeding £100 a year. The Governor may also allow a certain sum of money to be divided for the purpose of keeping up the cemetery out of moneys voted by Parliament. I may point out that if, at the present moment, any members of this House happen to be trustees of cemeteries, they must not forget that it may be considered an office of profit under the Crown. The trustees who have money handed over to them in connection with the cemeteries are required to render an account of those moneys to Parliament each year, so that the representatives of the people may see how the money is being expended. There is a penalty for malicious damage to any portion of the cemetery or anything inside its fences, or any monuments or anything of that description. The penalty is a fine not exceeding £20, or imprisonment for not more than three months, with or without hard labour, and compensation may be awarded to a person for damage done. The rest of the Bill provides the methods for carrying out the objects of the measure. The clauses are of no material importance for me to take up the time of the House at present.

Question put and passed.

Bill read a second time.

PAPER PRESENTED.

By the MINISTER OF MINES: Report of the Public Works Department for 1896-7.

Ordered to lie on the table.

ADJOURNMENT.

The House adjourned at 9.43 p.m. until the next Tuesday.

Legislative Assembly,

Thursday, 18th November, 1897.

Absence of Mr. Speaker (Deputy named)—Papers Presented—Question: Registration, &c., of Voters for North Murchison—Noxious Weeds Bill (No. 2): first reading—Motion—Agricultural Bureau to be a Government Department: Amendment, Select Committee—Adjournment.

ABSENCE OF MR. SPEAKER.

The Clerk of the House reported that he had received a letter from the hon. the Speaker, which he read as follows:—

November 18th, 1897.

SIR,—In accordance with Standing Order No. 21 I have to inform you that I am unable to be present at this day's meeting of the Legislative Assembly, and the Chairman of Committees will act as Deputy Speaker until the next meeting of the House.—I remain, yours faithfully, JAS. G. LEE STEERE, Speaker.

MR. HARPER accordingly took the Chair.

PAPERS PRESENTED.

By the PREMIER: Amended Regulations under Defence Forces Act; Municipal by-laws, Fremantle.

By the DIRECTOR OF PUBLIC WORKS: Report of Public Works Department, 1896-7.

Ordered to lie on the table.

QUESTION—REGISTRATION, &c., OF VOTERS FOR NORTH MURCHISON.

MR. KENNY, in accordance with notice, asked the Premier:—1. Whether the names of those persons on the Nannine municipal roll entitled to be transferred to the electoral roll for the North Murchison district were so transferred by the court held at Nannine on June 4th last. If not, why not? 2. Whether the names of those persons residing at Peak Hill, and making application to be registered as voters for the North Murchison district, were received and placed upon the electoral roll by the court held at Nannine on the 4th June last, in accordance with Section 44 of the Act. If not, why not? 3. What names of electors had been struck off the North Murchison electoral lists since May 1st last, and for what cause? 4. Whether notice was given to electors so struck off, in accordance with Section 30, sub-section 2, of the Act? If so, when and where the said notices were posted? 5. Whether the electoral list, when compiled, was publicly exhibited as provided by Section 25, sub-section 1, of the Act? If so, when and where?

THE PREMIER (Right Hon. Sir J. Forrest) replied:—1. Yes. 2. Yes. 3. The following persons have been struck off the roll for North Murchison since 1st May last:—Patrick Dunne, Hugh Fraser, Arthur Henry, Joseph Hopkins, Patrick Hayden, Charles Hannan, Oscar J. Jones, Charles Jessop, William Lewis, Edward Lillas, Arthur Macey, Henry Marshall, John Matthews, Chas. McCarthy, J. E. McDonald, Donald McGillivray, H. S. Molyneaux, Dennis Mahon, M. O'Brien, Alfred Liftwich, and Abraham L. Evans. The causes for striking these persons off the roll were in every case (except that of Liftwich and Evans) that, their qualification being that of residence, they had left the district, and it is believed the colony. Liftwich had died, and as regards Evans, his qualification referred to property which entitled him to be on the roll for the Central Murchison, and he was therefore struck off the roll for North Murchison and placed on the roll for Central Murchison. 4. Notice was not given. The registrar reports that the time between the compiling of the rolls for the general election and the holding of the Revision Court was so brief that he