

to regulate the sale of agricultural fertilisers and feeding stuffs and to ensure that they are what they are really pretended to be. The Bill is designed to protect the public against fraud. Many farmers and others spend large sums of money in the purchase of feed stuffs and fertilisers without having sufficient chemical knowledge to ensure their getting what is represented as being sold to them, and that it contains the necessary fertilising qualities to do the work required of it. In many cases he is only made a dupe, and the Bill will be a means of protecting him against fraud.

Motion put and passed.

Bill read a second time.

MEMBERS OF PARLIAMENT AND PUBLIC TELEGRAMS.

By leave of the House, Mr. MORAN withdrew his notice of motion, that members of Parliament should during session be allowed to send telegraphic messages for public purposes free of charge.

ADJOURNMENT.

The House adjourned 6-35 o'clock, p.m.

Legislative Council,

Wednesday, 31st July, 1896.

Justices Appointment Bill: second reading; adjourned debate—Married Women's Property Act Amendment Bill: second reading; committee—Mines Regulation Bill: second reading—Licensed Surveyors Bill: second reading; committee—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at 4-30 o'clock p.m.

JUSTICES APPOINTMENT BILL.

SECOND READING—ADJOURNED DEBATE.

THE HON. R. G. BURGESS: I think this is a Bill more for the consideration of the legal than for the lay members of the House. My

principal object in moving the adjournment of the debate on the last occasion was that we should have a fuller House, in order that so important a matter as this might have the fullest consideration. I am glad to see that we now have a fuller House. I do not know exactly why this Bill has been brought in, although I was led to believe it had been rendered necessary on account of some case which occurred last year. Under the present law the Government have the same powers that they now wish to take under Clause 5 of this Bill, because they could at any time *Gazette* new commissions, leaving out the names of justices they do not wish to be continued on the roll. Hitherto this has been done in several cases. It has been said that this Bill will degrade people by making them justices for districts only, while others are justices for the whole colony. I can only say, in reply to this, that it is open for anyone when offered the position to decline it. I know if I were offered such a position I should decline it. The Hon. Mr. Parker pointed out that Clause 7 states that no person shall exercise the jurisdiction of a coroner outside his own district, and he has said that such a provision would operate harshly, especially in the gold-fields' districts. I am inclined to agree with him in this respect. It is said that a similar Act is in force in Great Britain, but even there, I believe, it does not give general satisfaction. The clause to which the Hon. Mr. Parker has referred may even be inconvenient to the Government themselves. Then it was pointed out that Clauses 11 and 12 practically do away with the rest of the Bill, but I believe it is not intended that such shall be the case. As I understand Clause 11 it means that an Act done by a justice shall be taken to have been rightly done unless the contrary is shown, and Clause 12 provides that the act of a justice is not to be invalidated merely because he has acted outside his jurisdiction. I admit these clauses are a little difficult to grasp the meaning of, but I hope hon. members will allow the Bill to go into Committee, so that we can make the wording more plain. If we are unable to do so we can then throw the Bill out.

THE HON. F. T. CROWDER: I have gone carefully into the clauses of this Bill. As a layman, so far as the legal points are concerned, I cannot give an opinion. There are five learned members in this House who will, I am sure, see that nothing which is legally

wrong is allowed to pass. I look at the matter purely from a common-sense point of view, and I cannot see why the Bill was introduced. I shall, therefore, move that it be read a second time this day six months. I have been led to take this stand by the action of the Government. It must have been at least two or three months ago since they knew that it was their intention to bring forward this Bill, and yet, knowing that, they appointed a number of justices for the whole colony. It seems as if the Government, having made all their friends Justices of the Peace, now wish to pass a Bill, the effect of which will be to insult the rest of the community by saying there is not intelligence enough remaining to warrant any others being made justices for the whole colony. I have made enquiries, and I have found that no objection exists to the Act under which justices are now appointed. There has been some slight trouble under the present Act, but there will be trouble under any Act because, I take it, no law can be made which will give absolute satisfaction to the whole of the community. In the discussion which has already taken place on this subject the matter of appointing justices for the goldfields' districts has been referred to. It has been said that the Government cannot know all the different gentlemen they were asked to appoint. I do not think it is necessary that the Government should know. They should have trust and confidence in those who recommend the gentlemen for appointment. It is well known that these small communities are very jealous in their recommendations, and besides this the Government have always the power of getting rid of an undesirable justice. It seems to me that whenever an obnoxious Bill is brought before this House an effort is made to cram down the throats of hon. members the fact that it is the law somewhere else. Admitting that it is the law in England and in some of the Australian Colonies, it does not follow that we have not common-sense enough to know whether we require it here. I hope hon. members will throw this Bill out and show the people that this House is not prepared to allow the Government to cast a slur upon the community—because I take it it means nothing else—by saying that certain people are such objectionable characters that they can only be trusted to carry out the duties appertaining to the office of a Justice of the Peace in certain districts, and are unfit to take any part in the administration of the

law as regards the rest of the colony. The Clauses of the Bill seem to me to be contradictory. Clause 4 states that justices shall be appointed for districts, and then by Clauses 11 and 12 this is completely nullified. If the acts of the justices are not invalidated when they act outside their own district, as is stated in Clause 12, I should like to know what is the reason for this Bill. I ask hon. members not to allow it to go into committee, because it is the principle of the Bill that is objectionable. It will create two classes of justices—one for the whole colony and the other for districts; and I say it is not fair to make this distinction. I know if I were offered the position of justice to a district I should take it as a backhanded compliment. If this Bill provided that on the passing of the Act the present commissions should be cancelled and the present justices, as well as the future ones, made justices for districts only, I would be inclined to pass it; but creating, as it does, two classes of justices, I hope I shall have the support of hon. members in moving that the Bill be read a second time this day six months.

THE HON. S. J. HAYNES: I have gone through this Bill as carefully as time would permit, and I feel bound to second the motion of the Hon. Mr. Crowder that it be read a second time this day six months. The intention of the Bill, as I read it, is to make certain gentleman justices for the whole colony, and others justices for particular districts only. I think also that the benefits that might be gained by the Bill are likely to be much overshadowed by the inconvenience it will cause to the general public. Those who hold a commission of the peace at present have fulfilled their duties well, and in the future, if justices are appointed who are found to be unsuitable, there is a remedy under the present law by which they can be removed. I think this may be called a good lawyer's Bill, because on every possible occasion a question of jurisdiction will be raised, which will mean costs to the parties concerned. I think a wide jurisdiction for justices is greatly in favor of the public, and therefore the present law rather commends itself to my mind than does the Bill now before the House. Clause 7 with respect to coroners will, to my mind, be productive of a great deal of trouble, and Clauses 11 and 12 seem to me to be somewhat contradictory. I shall therefore vote for the amendment.

THE HON. F. M. STONE: I was not present

during the previous debate upon this Bill, but I have read what are the objections of hon. members, and it seems to me that many of them can be overcome when we get into committee. The main thing for us to consider now is whether the principle of the Bill is a good one or not. We are now looking to the future. This colony is going to be a large and thickly-populated one, and that being so, it will be necessary to have it divided into magisterial districts. In England a similar course has been pursued, which has worked well for many years. If it had not worked well it would have been done away with long ago. In Victoria and Queensland similar provisions have been found necessary, and in these colonies no one ever heard it said that a slur, or an insult, had been passed on the community because the justices appointed were given jurisdiction in particular districts only. To use such an argument here seems to me to be absurd. The idea of this Bill is to appoint certain people to the commission of the peace who may have a knowledge of particular matters within their own districts. In a pastoral district, for instance, a justice may be appointed who has a particular knowledge of pastoral matters; but if the same gentleman came to Fremantle to try a shipping case he would be out of his element as compared with a local justice who had more knowledge of shipping. In the same way gentlemen having a knowledge of mining would be especially suitable to try cases on the goldfields, while they might, perhaps, not be equal to trying the class of case which comes before the Court in Perth. I do not see any insult in this. Of course, the present justices who have been appointed for the whole colony have a kind of vested right, but if any hon. member objects to a continuance of their general commission, he can move, when the Bill is in committee, to strike out the Clause which relates to it. Because hon. members object to having two clauses of justices, it is no reason why we should throw the whole Bill out, especially when we can make what alterations we like in committee. There are certain clauses in the Bill which recommend themselves to most hon. members. For instance, by Clause 9 the Governor-in-Council may remove any justice. It is true the Government have a similar power under the present Act, but it is rather difficult to work, because, if an objectionable justice will not resign, the Government have to issue a new

commission for the whole of the colony in order to get rid of the person objected to. Under Clause 8 the judges and members of the Executive Council are *ex officio* justices, and Clause 9 provides that these persons may be struck off the roll. I think we might amend this clause in committee, because I do not consider it right that power should be left in the hands of the Executive to remove a judge from the commission of the peace, nor should the members of the Executive have power to remove one of their own number. With regard to Clause 12 there seems to be a difference of opinion. I must admit that when I first read it it seemed to me to undo the rest of the Bill, but on looking at it more closely I do not think it does. For instance, if a justice having jurisdiction at Coolgardie were in Perth and a crime was committed, the police could go to that justice and get a warrant which would be good if the offences were such that the justice originally would have jurisdiction to deal with. At the same time I should like to see the wording of the clause altered so as to make the intention more clear. It is a clause taken from the Queensland Act, and it has been found to work well there. With reference to the use of the words "Clerk of Petty Sessions" in Clause 14, I think a mistake has crept in in copying the Bill. In England a Clerk of Petty Sessions issues summonses, but of course he does not here. However, we can strike these words out in committee, and there is no necessity to throw the whole Bill out simply because these words are in the clause.

THE HON. J. W. HACKETT: I have listened to this debate, and I have not heard any reason why this Bill should not be taken a step further, so that we may have the difficulties which have been raised threshed out. It seems to me that none of the arguments which have been used go to the root of the Bill. Certain verbal exceptions have been taken to two or three clauses which seem to me to be more or less well founded, but this does not warrant us in throwing out the Bill at this stage. I hope we shall go into committee, and that then the gentleman who represents the Government will be prepared with some amendment which will put the Bill in a better shape than it is in now. As far as the arguments go, the complaint seems to be that the Bill does not go far enough, and that the desire of some hon. members is that the justices, in future, shall all be confined to a

jurisdiction within certain districts. This is a matter which of course can easily be effected in committee. At the same time it seems to me that the colony is too large for justices in the future to be appointed having a general jurisdiction. In Perth and Fremantle and the larger towns it is the ambition of some persons to be appointed justices, and, as a rule, only those who have, after many years, won the respect and confidence of the community that are given the commission. On the other hand we know that in some of the country districts many gentlemen are appointed to the commission of the peace who, had they lived in Perth or Fremantle, would not have been appointed. It seems to me that we need not cavil at the number of gentlemen who will hold appointments for the whole of the colony, because it is only a matter of time when they must die, and the appointments will go with them.

THE HON. F. T. CROWDER: About forty were appointed last month.

THE HON. J. W. HACKETT: I agree that it would have been better had the Government held their hand and have allowed this Bill to pass before making further appointments. Then there is another reason why a Bill of this kind is necessary. We have not arrived at that pitch in this colony when what is known as Bench packing is practised. It has prevailed in the other colonies, and unless we have some such measure as this we shall find a similar system prevail here. Another reason for this Bill is that if gentlemen find themselves appointed to a particular district, they will feel it their duty to sit on the Bench more often than they would if their jurisdiction extended throughout the colony. I am firmly persuaded that when the magistracy of a particular district is confined to a few persons, they will find it incumbent upon them to attend to the duties of their office more so than if a wider sphere of jurisdiction were given to them. On all these grounds I think the Bill is entitled to have a fair trial. We should certainly go into committee upon it, and if, when it emerges from that stage, it is still unsatisfactory, we can throw it out on the third reading. I myself, do not think some of the Clauses are satisfactory, but we can alter them. The Hon. Mr. Stone endeavored to explain Clause 12, but I think it goes rather further than he said it does. I am inclined to think that it validates the act of a justice whether he acts in

his own district or not. But these are really matters which the process of committee is intended to get over. I shall, therefore, vote for the second reading of the Bill.

THE HON. E. McLARTY: I think it wiser for us to leave the consideration of the details of this Bill to the legal members of the House, although I am personally in favor of the principle of it. The colony is becoming thickly populated, and it is necessary to appoint justices in the outlying districts. Although it is necessary to make these appointments, it is not necessary that when the persons appointed remove from one district to another they should carry with them their jurisdiction as justices unless re-appointed. It is said that gentlemen will not accept the office under the conditions named in the Bill, but that is a matter which each individual concerned must decide for himself. If any person is offered the position, and he considers it a degradation, he is not forced to accept it. I have long thought that something of this kind is necessary, and I shall support the Bill.

THE HON. D. K. CONGDON: At first I was inclined to support the amendment, but I do not think I shall do so now after the trouble and expense which have been incurred in bringing the matter before the House. I think we may go into committee, and if then we cannot make a good Bill of it, we can afterwards throw it out.

THE HON. A. B. KIDSON: I have listened carefully to arguments on both sides of this question. With regard to the argument of the Hon. Mr. Hackett, he said that the reasons in favor of this Bill far outweighed those against it. But on listening to him carefully he only gave one reason, which was that the colony was getting too large to continue the present practice. I do not know that the colony is any larger now than it has been during the last five years, and it seems to me, therefore, that the argument he used was a very weak one. The great objection I have to the Bill is that it will create two classes of justices, which, in my opinion, is an undesirable thing to do. The Hon. Mr. Stone said we must look to the future, but I submit that we must not look too far into the future or be guided to too great an extent by the legislation of the old country, or of the other colonies, and for this reason: We do not know whether in England or the other colonies there were ever justices having a general jurisdiction, and probably the chances are there were not.

I think one good object we shall gain by throwing out the Bill is that it will enable the Ministry to re-draft it. I do not know that we sit here to act as Parliamentary draftsmen; I rather think we should have submitted to us measures drafted in proper form and not be compelled to waste time in re-casting the bulk of the clauses of any Bill. For these reasons I shall support the amendment.

THE HON. C. A. PIESSE: I shall support the second reading of this Bill, and I hope, with the amendments that are made in committee, to be able to support the third reading also. Before sitting down, I should like to draw attention to what I consider the uncalled for remarks of the Hon. Mr. Parker during the last debate which took place on this subject. I refer to his remarks on the appointment of justices. He was a member of the Ministry which appointed them, and therefore I consider his remarks both uncalled for and in very bad taste. I may say, as one of the justices appointed, that I feel indignant at these remarks, and I think it is only right that I should publicly draw attention to the matter, considering that the hon. gentleman was a member of the Ministry which made the appointments.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I hope hon. members will pause before they take steps to throw out this Bill. It is a Bill which has been thought over very carefully by the Government, and it has been considered a useful measure in the old country and in some of the other colonies. If we do not pass it I am sure it will cause great inconvenience in some districts where justices are required. In almost every district there is a demand for justices, and they are necessary if only for the purpose of witnessing signatures, issuing summonses and search warrants. In many cases a request is made to the Government that a justice should be appointed. On considering the matter, it is found very often that the person whose name is suggested is unknown to the Government, and the consequence is that there is a degree of hesitancy as to appointing them when the jurisdiction which has to be given under the present law, is a general one. Under this Bill, when a request is made for a justice, the same difficulty will not arise, because if the people of a particular district are satisfied to have certain people appointed, the Government can more readily

accede to their wishes than they could if the jurisdiction were to extend all over the colony. I do not think any one can grumble at that. Objection has been made that it will be very awkward where justices are appointed in one district, and are unable to exercise jurisdiction in another district which may be near at hand; but by Clause 6 the Government can appoint, in a case like this, justices who will have jurisdiction in both districts. If the Bill is not passed, a certain amount of inconvenience will be caused to the residents of outlying districts, as the Government must hesitate to appoint persons they do not know. The Hon. Mr. Kidson referred to the Bill as a piece of useless legislation. I am afraid I cannot agree with that, especially when we consider that similar legislation is in force in England, in Queensland, and in Victoria. The Hon. Mr. Crowder said the Bill should be thrown out, and that it was no argument that because the measure was in force in other parts of the world it should be in force here also. I do not say it is an argument, but experience is worth something, although it may be only the experience of such unenlightened places as England, Queensland and Victoria. This is not a great political matter, but a question of the convenience of the people of the outlying districts of the colony. It has been said that this Bill would meet with the views of hon. members if all the justices were reduced so that they might have jurisdiction only in particular districts. Retrospective legislation is always unfair and dangerous and I do not think we can fairly resort to that in this instance. I think the thanks of the House are due to the Hon. Mr. Stone for the lucid explanation he has given as to some of the Clauses of this Bill. No doubt the objections brought forward by the Hon. Mr. Parker in connection with Clause 7 are worthy of consideration, but we must remember that we cannot make any Bill which will not act harshly in some cases. If this House thinks it necessary to extend the jurisdiction of justices, when acting as coroners, to the whole of the colony, I do not think the Government will object to it. Clause 11, if read carefully, seems to me to be fairly plain.

THE HON. J. C. FOULKES: It will not be to the ordinary J. P.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): It means that in anything he does it is not necessary there should be an allegation that he is acting within his juris-

diction. Then Clause 12 says that no act shall be invalid because the justice is out of his district; but then the matter over which he is exercising jurisdiction must be something over which he would have had jurisdiction if he were in his own district.

THE HON. A. B. KIDSON: It does not say so. THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I will admit that the clause is not as plain as it might be, but we can amend it in committee. I have come prepared with amendments to Clauses 9, 12 and 14 which will meet, I think, the objections that have been brought forward. The Hon. Mr. Crowder thought it necessary to impute unworthy motives to the Government, but I feel sure when he stated what he did, he knew the Government never intended to cast a slur upon any justice, and, moreover, he knew the reasons why this Bill is being brought forward. Therefore I hardly think it fair, or in good taste, that he should import these remarks into the debate and attribute unworthy motives to the Government. I hope when it is necessary to resort to the course he suggested that the Hon. Mr. Crowder and some of his friends will take the places of the present Government.

The House divided on the question "That the words proposed to be struck out stand part of the question," with the following result:—

Ayes	12
Noes	4

Majority for	8
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AYES.
 Hon. K. McLarty
 Hon. J. W. Hackett
 Hon. C. A. Piesse
 Hon. R. G. Burges
 Hon. E. Robinson
 Hon. E. Richardson
 Hon. F. M. Stone
 Hon. H. J. Saunders
 Hon. E. W. Davies
 Hon. D. K. Congdon
 Hon. J. C. Foulkes
 Hon. E. H. Wittenoom

NOES.
 Hon. A. B. Kidson
 Hon. S. J. Haynes
 Hon. H. McKernan
 Hon. F. T. Crowder

(Teller.)

Question put and passed.
 Bill read a second time.

MARRIED WOMEN'S PROPERTY ACT AMENDMENT BILL.

SECOND READING.

THE HON. S. H. PARKER: The object of this Bill is to bring the law with regard to married women's property up to date and in

accord with the law as it exists in England at the present time. I have no doubt hon. members are aware that the Married Women's Property Act we now have in force is similar to that which was passed in England in 1882. In 1893 it was deemed advisable by the Imperial Parliament to amend that Act by a Statute of which this Bill is virtually a copy. By this Bill sub-sections 3 and 4 of section 1 of the Act of 1892 are repealed, and the following substituted for them:—"1. Every contract hereafter entered into by a married woman, otherwise than as agent,—
 (a) Shall be deemed to be a contract entered into by her with respect to and to bind her separate property whether she is or is not in fact possessed of or entitled to any separate property at the time when she enters into such contract; (b) Shall bind all separate property which she may at that time or thereafter be possessed of or entitled to; and (c) Shall be enforceable by process of law against all property which she may thereafter, while discoverd, be possessed of or entitled to." The reason for this amendment is, that it has been decided by the courts of law at Home, that if a married woman enters into a contract and at the time she enters into it she has no separate property there is no separate property to bind, and if she subsequently obtains separate property, no process of law can recover against it. Consequently in England they altered the law so that if a woman enters into a contract and she has no separate property when the contract was made, and she afterwards becomes possessed of separate property, the contract could be enforceable by process of law against it while discoverd. There is a proviso to this clause which reads that nothing in this section contained shall render available to satisfy any liability or obligation arising out of such contract any separate property which at that time or thereafter she may be restrained from anticipating. That is, presuming a married woman had separate property which she is restrained from anticipating or alienating, no judgment against her, or contract she enters into, can affect it; but as regards costs, Clause 2 of the Bill provides that the Court may, if it thinks proper, order that the costs of any action a married woman is concerned in may be paid out of the separate property which she is restrained from anticipating. In other words if a married woman has settled upon her certain real property as to which she is entitled to the rents and profits

for life, the Court may appoint a receiver to collect the rents and profits and appropriate them to the costs of the action. Clause 3 of the Bill refers to the wills of married women. It is proposed that section 24 of the Wills Act of 1837, which is in force here, shall apply to married women. The section referred to enacts that a will shall be construed to speak and take effect as if executed immediately before the death of the testator; so that the will of a married woman, whether possessed of separate property or not, or whether at the time she made the will she had no separate property to devise or bequeath, will take effect as if made immediately before her decease. Consequently, if she acquires any property after making the will, such property will pass. Then it is further provided that a woman need not re-execute or republish her will after the death of her husband; that is, the will of a married woman will remain good whether her husband dies or not. These are the simple provisions of this Bill. I may add that the reason I have brought it forward is that I introduced the Married Women's Property Act, and I considered it my duty to see that the law was kept up to date, and also to see that the decisions which have been given on the English Act by the Courts at Home, are met. I move the second reading of the Bill.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clauses 1 to 3 put and passed.

Clause 4. "Repeal."

THE HON. F. M. STONE: I move that progress be reported. I do so with the view to bringing in a clause dealing with the incomes of married women.

Question put and passed.

Progress reported.

MINES REGULATION BILL.

SECOND READING.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): Hon. gentlemen who have read this Bill will, I am sure, recognise that it is one of the most important measures that will be introduced this session. It is well known that as our goldfields are being opened up, the mines are being taken to such depths that they require a certain amount of supervision. At present there is no supervision, and the consequence is that we do not know whether the mines are opened up properly; whether proper

precautions are taken for the safety of the lives and the health of the workmen, or whether the machinery is good or bad. Therefore the Government thought it necessary to introduce this Bill giving them powers to inspect the mines throughout the Colony. When it becomes law, as I hope it will, mining inspectors will be appointed to inspect and control the mines and to see that the work is carried out in an efficient manner, not only for the safety of the men employed, but also with a view of having the mines developed in the most effective way possible. It may be said that they are worked well now, but it is difficult to find that out. We know that if a miner were to complain he would not only be branded by his own manager as an officious man who caused trouble, but other managers would get to hear of it and they would not employ him. Under these circumstances it is not to be expected that the men would complain, no matter how the mine might be worked. It is therefore necessary for the Government to appoint inspectors to see that everything is carried on as it should be. Hon. members will see that the Government anticipate that the coal mines of this Colony will turn out satisfactorily and they are, therefore, making use of the present opportunity to include coal mines as well as gold mines within the scope of the Bill, so that it may not be necessary in the future to deal with the matter again. At present it is not necessary that there should be a manager for a mine and, as the law stands, the responsibility may be shifted from one to another, and in the end we may find that no one is absolutely responsible for anything that may occur. This Bill contemplates that a mine shall have a manager nominated by the owners who shall be responsible for carrying out the rules and regulations which this Bill provides for. Clause 1 provides that the Act shall apply only to such goldfields and mineral districts as the Governor-in-Council may from time to time direct. The next provision of importance is contained in Clause 4. This Clause sets out the penalties for offences against the Act where penalties are not otherwise provided. In the case of an owner the penalty is £50, and in the case of any other person it is £10 for each offence. The Bill is divided into two parts—General and Collieries. The general portion relates to gold mines and the other to collieries. The general portion is divided into three heads—general, general rules and engine-drivers. Under the head of

"general," provision is made for the appointment of inspectors and for their duties. It states that miners may complain to the Inspectors. If anything is wrong or dangerous, two miners may be appointed by the workmen to inspect the mine and make a report and the Mining Manager may accompany them. Another important clause is that the persons in charge of machinery shall only be worked for a term of eight hours. All hon. members will see the importance of a clause of this kind. Men in charge of machinery have to be careful and vigilant, for they hold the lives of their fellow men in their hands when lowering or raising the cages and working the machinery, and eight hours, exclusive of the time occupied in lighting fires or in taking their meals, is sufficiently long for them to work. The general rules provide for the handling and the storage of powder, and for the proper working of the mine. These rules are of some length. They deal with ventilation, blasting, spaces in horse roads, keeping spaces clear, fencing of entrance to shafts, securing of shafts, protection of drives, signalling and other matters. Thus every precaution is taken to see that the mines will be effectively worked. If any workman receives an injury, compensation is to be awarded by the employers, provided the employee has not received the injury through his own carelessness. Clause 31 is an important one. It provides that where a mine is abandoned the plans of the workings shall be deposited with the Minister. This information will often be availed of because it will enable persons who are thinking of again taking up a mine to see what has been done. Then we come to the important part of the Bill which deals with the engine-drivers. It is provided that the Government shall appoint a board consisting of two people who shall have power to issue certificates. This is a necessary provision because, as we know, on the goldfields' certificated drivers are scarce. It is considered right and proper, bearing in mind the nature of the work, that competent men should be employed. So that the Bill shall not interfere unduly, or work an injustice to those at present employed, it is provided that men who have been driving engines for 12 months previous to the passing of the Act shall be granted certificates, and it is further provided, so as not to operate against the interests of the mine owners, that the provision as to having certificated drivers shall not come into

force until the Bill has been in operation for six months. In the part dealing with collieries it will be found that miners have the power to appoint two of their number to inspect the mine and report. If men who have to work in these mines do not feel safe, it is only right that they should have some opportunity to protect their lives and limbs. Clause 42 provides that special rules shall be framed and a copy sent to the Minister of Mines for approval. Clause 48 provides that where payment is made by weight, proper weighing materials shall be provided, and the clause goes on to say that the men, at their own expense, may appoint someone to check the weighing. Clause 50 provides that where a manager neglects to provide rules he is liable to a penalty not exceeding £50. These are the principal provisions of the Bill. Our gold-mining industry is assuming world-wide dimensions, and therefore it is necessary that we should take steps at the present moment to see that the mines are opened up properly. If this Bill passes I can assure hon. members that I, in my position as Minister for Mines, will exercise the greatest care to see that only first-class men are employed as inspectors. The object of the Bill is to ensure that the mines are worked in a thorough and workman-like manner, having regard to the safety of the men employed and the interests of the owners. With these remarks I now move that the Bill be read a second time.

THE HON. F. T. CROWDER moved that the debate be adjourned.

Question put and passed.

LICENSED SURVEYOR'S BILL.

SECOND READING.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I move that this Bill be read a second time. Hon. members will see that it repeals to the Act of 1886. That Act does not provide for a quorum of the Board, and there has been a good deal of difficulty in consequence. This Bill provides that three shall form a quorum. Again in the existing Act there is no power given to the Board to suspend a surveyor. The Board could cancel a license, but in some cases that might be too severe a punishment, and we propose now to give power to suspend a certificate as well as to cancel it. This is really a Bill to facilitate the working of the department. Clause 2 states that no license under the existing Act shall be affected, and Clause 4 provides for the constitution of the Board which is to expire in December of every

year. Clause 5 provides for the quorum and Clause 6 sets out the duties and powers of the Board. Clause 10 gives the Board power to suspend any person for three years if he has committed any of the offences set out in subsections *a* to *d*. Clause 11 provides that if a license granted elsewhere is cancelled or suspended, it may be cancelled or suspended here. Clause 12 gives power to make and alter regulations with the approval of the Governor. Clause 15 gives power to licensed surveyors to enter upon lands to determine the boundaries, but they must not commit any damage. Clause 17 provides that if any person falsely pretends he is a licensed surveyor, he is liable to a fine not exceeding £100. That penalty will, I think, deter anyone from acting without a license. Hon. members will see this is a very useful Bill, and I now move that it be read a second time.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clauses 1 to 3 put and passed.

Clause 4. "Constitution of Board."

THE HON. A. B. KIDSON: This clause states that the licensing board is to consist of the Surveyor General and five other members. I move that "five" be struck out and "four" be inserted in lieu thereof. As the Bill stands there might be three members voting on each side, and this might be awkward considering that there is no provision by which the Surveyor-General is to have a casting vote.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I might explain that this Bill has been before a conference of surveyors in Melbourne. I am not prepared to say that five members would not be better than six, but I cannot accept the amendment without reference. If the hon. member presses it I must move to report progress.

THE HON. A. B. KIDSON: I do press it.

THE HON. R. G. BURGESS moved that progress be reported.

Question put and passed.

Progress reported.

ADJOURNMENT.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I move that the House do now adjourn.

THE HON. S. H. PARKER: This House adjourned for a week so that we might have something by this time to go on with,

but it seems that there is no particular hurry on the part of another place to get their Bills passed. Why then should we be continually meeting for a short time to do nothing? I suggest that we should adjourn for a fortnight so that when we do meet again we shall have something to do. The Government knew this House was going to sit to-day and they, having charge of the business in another place, did not consider it worth while to call the House together to-day so that messages might be sent to us. Why then should we trouble? We often meet to suit the convenience of the other House, but they do not seem to study us in any way. Perhaps we might meet to-morrow to get some of the messages down and then we might adjourn for a fortnight.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): Now that country members are here we might meet to-morrow and get through some of the first readings. We can then decide when we shall adjourn to. There is no desire to bring hon. members here more than is necessary, and as far as I am concerned, I shall be willing to adjourn for as long a time as possible consistent with doing the business of the country.

THE HON. F. T. CROWDER moved that the debate be adjourned.

Question put and passed.

The House at 6:30 o'clock p.m. adjourned until Thursday, 1st August, 1895, at 4:30 o'clock p.m.