Legislative Council,

Wednesday, 11th September, 1901.

Question: Goomalling Railway, Delay in Construction—Question: Railway Freights, Zone System—Question: Railway Passengers, Kalgoorlie Express—Question: Land Dummying, Northampton—Question: Drainage in South-West, Expenditure—Question: Midland Railway, Inspection—Papers presented—First Readings (3): Contractors and Workmen's Payment Bill, Permanent Reserves Amendment Bill, Land Drainage Amendment Bill—Land Act Amendment Bill, in Committee, Clause 2, progress—Bush Fires Amendment Bill, second reading—Summary Jurisdiction (Married Women) Bill, second reading—Adjournment; as to Papers *re* New Parliament Buildings.

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

PRAYERS.

QUESTION—GOOMALLING RAILWAY, DELAY IN CONSTRUCTION.

HON. C. E. DEMPSTER asked the Minister for Lands: 1, Why there has been so much delay in the construction of the Goomalling Railway. 2, If delayed from want of rails, why were rails sold to private contractors at a low price when required for a line of railway in course of construction, the delay of which meant a heavy loss to the Government, and to all the farmers and settlers in that vicinity? 3, By whom were these rails sold? 4, By whom were they purchased?

THE MINISTER FOR LANDS replied: 1, The delay has been caused by the want of rails. 2, To enable certain sleeper contracts in connection with the Menzies-Leonora railway to be fulfilled, rails were sold to the Canning Jarrah Timber Company. The price was not particularly low, viz. £5 14s. per ton at Merriden. 3, Railway Department. 4, Canning Jarrah Timber Company.

QUESTION—RAILWAY FREIGHTS, ZONE SYSTEM.

HON. W. MALEY asked the Minister for Lands: 1, If it is the intention of the Government to introduce the Zone System of railway freights, so as to give effect to the resolution of the Legislative Assembly in favour of every port having the trade to which by geographical position it is entitled? 2, If not, why not?

THE MINISTER FOR LANDS replied: The Zone System of railway freights has not had the serious consideration of the Government.

QUESTION—RAILWAY PASSENGERS, KALGOORLIE EXPRESS.

HON. T. F. O. BRIMAGE asked the Minister for Lands: What is the average number of through passengers carried by the Eastern goldfields express between Kalgoorlie, Hannans street, Golden Gate, Boulder City, and Kamballie?

THE MINISTER FOR LANDS replied: Through booking to and from stations on the Boulder line has only been in force since the 1st instant. The figures asked for are not available.

QUESTION—LAND DUMMYING, NORTHAMPTON.

HON. J. M. DREW asked the Minister for Lands: 1, If the Government proposes, as a remedy against dummying, to submit all applications for land within the agricultural areas at Northampton to the decision of persons appointed by the Minister for Lands, in accordance with Section 17 of the Land Act as amended last session. 2, And, if not, what course does the Government propose to pursue in regard to the method of dealing with such applications?

THE MINISTER FOR LANDS replied: 1, Yes; in cases of simultaneous applications. 2, Answered by No. 1.

QUESTION—DRAINAGE IN SOUTH-WEST, EXPENDITURE.

HON. R. G. BURGES asked the Minister for Lands: 1, What amount of money has been expended by the Government on drainage works in the South-Western district? 2, What amount does the Government intend to spend on drainage works out of the vote of £21,000, as passed in the last Loan Bill for development of agriculture? 3, Has the Government any survey made of a scheme for the drainage of the Harvey River? 4, If so, by whom; and what is the estimated cost? 5, What area of Crown land is available for sale within a radius of four miles of either side of the Harvey River when surveyed for drainage?

THE MINISTER FOR LANDS replied: 1, £3,276 16s. 7d. 2, The amount proposed to be expended next year has not been determined, but will appear on the Estimates. 3, Levels have been taken over the Harvey Plains and along part of the river, but no complete

drainage scheme has yet been formulated. 4, By various surveyors; no estimate has been made as a whole. 5, Approximately, 87,000 acres.

QUESTION—MIDLAND RAILWAY, INSPECTION.

HON. J. M. DREW asked the Minister for Lands: 1, If, during the past twelve months, there has been any inspection of the Midland Railway rolling-stock and permanent way by officials in the employment of the Government. 2, If so, who were the officials, and what positions did they hold at the time in the Government service?

THE MINISTER FOR LANDS replied: 1, Yes. 2, The permanent way has been inspected by Mr. W. W. Dartnall, the Chief Engineer for Existing Lines, and the rolling-stock by Mr. T. F. Rotheram, the Chief Mechanical Engineer.

PAPERS PRESENTED.

BY THE MINISTER FOR LANDS: 1, As to Tramway from Coolgardie to Esperance. 2, By-laws of municipalities of Malcolm and Southern Cross. 3, Amended Regulations under the Friendly Societies Act, 1894 (58 Vict., No. 23). 4, Reports of Aborigines Department for 1900-1.

CONTRACTORS AND WORKMEN'S PAYMENT BILL.

Introduced by HON. J. M. SPEED, and read a first time.

PERMANENT RESERVES AMENDMENT BILL.

Introduced by the MINISTER FOR LANDS, and read a first time.

LAND DRAINAGE AMENDMENT BILL.

Introduced by the MINISTER FOR LANDS, and read a first time.

LAND ACT AMENDMENT BILL.

IN COMMITTEE.

Clause 1—agreed to.

Clause 2—Amendment of principal Act:

HON. C. A. PIESSE: The definition of the word "fence" must be opposed by him. There was no end of trouble last session to allow the present provision to be inserted in the Act. That provision, in regard to districts mostly engaged in agriculture, had proved a great success, and he knew the feeling of those concerned was that there should be no alteration. At first the provision was felt to be a hardship, but afterwards owners realised that it really was of advantage to them. They were enabled to engage in mixed farming, and to have sheep from the very start. The alteration proposed was to substitute the word "or" for "and," the meaning of that being, he thought, that the Minister should have the right to decide what would be a sufficient fence. The proposal was a retrograde step, and had the disadvantage that it was not in keeping with the Trespass Act. He moved that Subclause (*a*) be struck out.

HON. C. E. DEMPSTER: The alteration referred to in Sub-clause *(a)* of Clause 2 should be opposed. Everyone with experience knew that where people were good friends there were good fences, and if there was not good fencing there was constantly trespassing on the part of one against the other. If one person fenced against sheep as well as horses, and his neighbour fenced only against horses, there would constantly be trespassing. For his own part he did not like these land regulations, and if he thought he could get sufficient support in the House he would move "that the Bill be read this day six months." The present Land Act was carefully considered by those who were capable of dealing with it in every way, and were most anxious, for the welfare of the State, to encourage settlement in every possible way. We were now called upon to introduce a number of clauses that would upset those regulations in every way, and which would work a good deal of injustice. The boundaries of the State excluded from being taken up as leasehold land, land which was required for cultivation or whatever industry the agriculturist might enter upon. The boundaries were outside what was considered the rainfall area, and were so far away from railways, and from our markets, that it would be utterly useless to think of making payable farms outside those boundaries, therefore those leases to be so affected would in no way interfere with the interests of the selectors. Careful consideration, extend-

ing over months, was devoted to the Land Act by Sir John Forrest, and no one could say that gentleman was not thoroughly interested in the matter. Sir John took every trouble to make the regulations suit the requirements of the country, and advance the settlement of the State as much as possible; the same was also the case with the late Commissioner of Crown Lands (Mr. G. Throssell); yet in spite of all this a number of clauses were now introduced which would entirely upset the whole of those regulations.

HON. R. G. BURGES: This clause should be opposed. The Minister for Lands ought to remember that this fencing was regarded as part of the improvement, and why should one person be allowed to put up a three-wire fence when another put up a seven-wire fence? That would be most unfair, and it would cause endless litigation and dissatisfaction throughout the country.

THE MINISTER FOR LANDS: Whilst agreeing with Mr. Dempster in regard to the admirable manner in which the Land Act had been drawn up—and he must say that it was a most liberal Act in many respects—yet it was only by experience we were shown the necessity of altering even the best of Acts, and it was with the desire of effecting improvement that this amendment had been introduced. Seeing, however, that it would interfere with the Trespass Act, and that it would not improve the Bill, and his desire being that the Bill should be improved as far as possible, he had no objection to have Sub-section (*a*) struck out.

Sub-clause (*a*) struck out, by consent.

HON. C. A. PIESSE moved that Sub-clause (*d*) be struck out. He proposed dealing with the Act as it stood at present. Section 68, Sub-section 2, of the Act said that the minimum in either case should be 1,000 acres, but the Government sought to insert 300 instead of 1,000. This point was considered by an agricultural conference here two years ago, and the conference was particularly careful to make the reduction of the area conditional upon the land being attached to the applicant's holding. But to give the small holder an opportunity of adding to his holding, they desired the Act amended to permit of selecting 200 acres of second-class and 300 of third-class land. Retain the 1,000 acres, but add a proviso that if the land adjoined his holding the applicant could apply for as little as 300 acres, though if it were not adjoining he must take up the larger area provided in the Act, so that "the eyes" of the country might not be picked out. If 1,000 acres were struck out as proposed, capitalists would select 300-acre blocks throughout the country.

HON. C. E. DEMPSTER: This would apply to all leases in the State.

HON. C. A. PIESSE: In the principal Act, the minimum area was 1,000 acres. The Government sought to make it 300 acres, without restriction, throughout the State. That was not the desire of the public. The minimum of 300 should apply only when the 300 acres adjoined the selector's holding. After the words "one thousand" it was desired to insert, "but if the land applied for adjoins the holding of the applicant, the minimum shall be 300 acres; or if the land applied for is so shut in by the holding." The inability to take a smaller area than 1,000 acres was a great obstacle to mixed farming. Possibly the selector's capital was exhausted in taking up the first-class land; he was not able to take up an extra 1,000 acres; and the Act said he should not take less. He (Mr. Piesse) moved that the words "not more than two leases shall be held by one person, and" be struck out of Sub-section 2 of Section 68 of the Act.

THE CHAIRMAN: Sub-clause (*d*) was now before the Committee. On the Notice Paper there were four amendments to Section 68 of the Act. The question was that Sub-clause (*d*) be struck out with a view of inserting the amendment of the last speaker.

THE MINISTER FOR LANDS: In many cases it had been found a hardship to compel selectors to take up 1,000 acres of this class of land; and the idea was to give relief by reducing the area to 300. The Government would agree to the suggestion of Mr. Piesse that wherever Crown lands of this sort adjoined a conditional purchase, the holder should be allowed to take up 300 acres, with a proviso that if the holding were so shut in as to make it a special case, consideration should be given.

HON. W. MALEY: The clause appeared to strike strongly at a certain worthy class of settlers, the squatters; and especially so were it to operate outside the 14-inch line of rainfall, where there was not likely to be much agricultural settlement, namely in the East and North Divisions.

HON. C. A. PIESSE: But the clauses applied to the South-West Division only.

HON. W. MALEY: If that were so, he would support the granting of 300 acres adjoining a homestead.

Question—that Sub-clause *d* be struck out—put and passed.

Amendment (Mr. Piesse's), that the words "not more than two leases shall be held by one person and" be struck out of Sub-section 2 of Section 68 of the Act, put and passed.

HON. C. A. PIESSE moved that between the words "for" and "is," in Sub section 2 of Section 68, the following be inserted: "adjoins the holding of the applicant, the minimum shall be three hundred acres, or if the land applied for."

Farther amendment put and passed.

HON. C. A. PIESSE moved that the following be added to Sub-section 7 of Section 68: "Farther provided that where the lessee erects a rabbit-proof exterior fence, the value of such exterior fencing to be deemed part of the prescribed improvements."

HON. G. RANDELL suggested the addition of the word "also" after provided.

HON. R. G. BURGES: The rabbits were pretty close. A man might put up his rabbit-proof fence, and the rabbits might not be here for years and years. We hoped they would not be. These fences were not going to last for ever, and men would come together four or five years afterwards and want to get concessions from the Government. This thing was premature at present, and there would be plenty of time to bring it in later on. Still he did not want to oppose it. It would, however, lead to fraud. A conditional purchase lease might expire a few days after this Bill was passed, and a man could go on and put up a rabbit-proof fence and claim for improvements. That could be done as easily as possible.

HON. C. A. PIESSE: What would it cost per mile?

HON. R. G. BURGES: The wire part of it would not, he thought, cost £40 a mile. The Royal Commission had information from all over Australia, and those who gave evidence estimated that they could put up the fence at from £55 to £70 per mile. The price of wire netting had gone down considerably. We must read up the matter all through, and we found that in other States there was very little trouble on small holdings in keeping rabbits out. To fence small holdings years before the rabbits got there was not necessary, and, if the proposal made were adopted, it would only lead to dummying.

HON. C. A. PIESSE: We had the threat of the invasion of rabbits before us daily, and the object of the amendment was to encourage as far as possible the erection of rabbit-proof fencing. It would be much better to adopt the procedure he advocated than to have settlers coming by and by and asking the Government to help them, possibly by loan, to erect rabbit-proof fencing. No harm would be done by encouraging this fencing at the present time. It would cost £50 a mile, and if a man was going to erect rabbit-proof fencing at £50 a mile, for the purpose of dummying, that man must be nothing less than a lunatic. It was impossible for a man to adopt such a course, for he could dummy at a much less cost than £50 a mile. Every encouragement should be given to erect rabbit-proof fences.

HON. R. G. BURGES: But what about grazing leases?

THE MINISTER FOR LANDS: Considering that a settler erecting a sheep-proof fence was entitled to half the value of the fence, there was no doubt as to the desirableness of compensating for rabbit-proof fencing, in view of the disastrous effects of rabbit invasion. The ordinary sheep-proof wire netting fence cost about £40 a mile; and if the full value of a rabbit-proof fence could not be allowed, we might allow at least three-fourths.

HON. W. MALEY supported the amendment; but there should be some assurance, provided the Government made advances in the future to assist settlers to enclose their holdings with rabbit-proof fences, that such assistance would not clash with this amendment. Much would be gained if settlers put up rabbit-proof

wire netting fencing instead of the ordinary sheep-proof fences.

THE MINISTER FOR LANDS: It was at present proposed that wire netting should be sold on easy terms to settlers requiring it, repayments extending over about 10 years, at a moderate rate of interest.

HON. G. RANDELL: At the end of that time new netting would be required.

THE MINISTER FOR LANDS: Those were the terms given by the Queensland Government, and apparently they worked satisfactorily; though here the term might not be so long as 10 years. The price of the netting would be a first charge on the land, and improvements would not be allowed for till the loan had been repaid.

HON. D. McD. McKAY: The words "rabbit-proof fencing" were altogether too vague.

HON. C. A. PIESSE: The kind of fencing must be approved by the Minister.

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

Ayes	...	...	11
Noes	...	...	5
Majority for	...	...	6

AYES.	NOES.
Hon. E. M. Clarke	Hon. R. G. Burges
Hon. J. D. Connolly	Hon. C. E. Dempster
Hon. J. M. Drew	Hon. D. McKay
Hon. J. W. Hackett	Hon. J. E. Richardson
Hon. S. J. Haynes	Hon. H. Lukin (*Teller*).
Hon. W. Maley	
Hon. C. A. Piesse	
Hon. G. Randell	
Hon. C. Sommers	
Hon. J. M. Speed	
Hon. G. Bellingham (*Teller*).	

Amendment thus passed.

HON. C. E. DEMPSTER: Regarding Sub-clause (*e*) he must certainly object to the repeal of Section 69, which would seriously injure the pastoral interests by doing away with the privilege of the lessee to take a homestead selection. Most pastoral leases were beyond the limits in which arable land was found in this State; they were beyond the Eastern boundary; yet if the sub-clause were carried a selector could step on to the pastoralist's holding, and take 1,000 acres of good land over the head of the pastoralist. The unfortunate lessee would have no privilege whatever. There would be no objection to repealing the section as regarded the South-West Division, where we looked forward to the whole of the land being taken up for farming; but the East and the North Divisions could never become great agricultural areas; and therefore to do away with the prior right of the lessee would seriously injure pastoral interests. Pastoralists perhaps had done more towards building up the industries of the State than any other class, and it would be a great discredit to the House to overlook that industry, and allow a section of this kind to be repealed. The present land regulations were all that could be desired in the interests of settlers, and their interests were protected as far as possible. He therefore proposed that this section be not excluded, but he would be quite willing to have the South-West Division excluded from the operation of the section. Section 72 was not of very great importance. It simply dealt with poison land; but even in this matter he did not see why a selector should have a better opportunity of making a selection than a man who was in possession and was paying for his lease annually. The present amendments would completely upset the land regulations and lead to no end of difficulties.

HON. J. W. HACKETT suggested that progress be reported, in order that time might be given to have the amendments put into proper form. It was an unfair tax upon the Chairman of Committee to ask him to draft amendments as well as sit in the Chair. Amendments should be put in order with the assistance of the Clerk of Parliaments.

HON. R. S. HAYNES: Drafting amendments at the table whilst the House was sitting would lead to nothing but ruin and trouble, and if he were leader of the House he would insist on amendments to an important Bill like this being in print. Members should know what they were called on to pass. In this very Act, last session an amendment was moved which had had a very bad effect, and he was going to try later on to remedy the error. Drafting was an important thing. He hoped progress would be reported.

HON. C. A. PIESSE protested against the remarks made by the hon. member (Hon. R. S. Haynes). His amendments had been on the table for over a week.

HON. R. S. HAYNES said he was not referring to the hon. member.

HON. C. A. PIESSE: Why not postpone this particular clause, and go on with the Bill in Committee?

HON. G. RANDELL: A member who saw that amendment of a Bill was desirable whilst it was passing through Committee should have an opportunity of explaining himself, even although the Committee might arrive subsequently at the conclusion that it would be better to report progress. Very often mistakes were made in drafting alterations in the House. In Clause 2 of this Bill several sections of the original Act were embodied and amended, and it was very unfortunate that in this one clause there were two sets of clauses. Mr. Dempster was willing for one section of the Act to be repealed, and he wanted the other one altered. This clause might very well have been divided into three or four short clauses, which would have removed the difficulty now being experienced.

HON. D. McKAY said he would like to see the feeling of the House tested as to the direct issue. It had been proposed to strike out Sections 69 and 72.

HON. C. E. DEMPSTER: Section 69 should be extended to all those who held any leases in any part of the State except in the South-West Division. If the proposal at present made were passed, great injustice would be inflicted upon the holders of leaseholds.

HON. C. A. PIESSE: The object of the Government was very laudable, and it did not matter in what form the alteration was passed so long as we could abolish Section 69. That section was more roundly abused than anything else in the Act. He pointed out yesterday that for fifteen shillings a man could lock up three thousand acres, or if he liked to pay thirty shillings, six thousand acres, for six months. We wanted to put it outside the power of these men to take advantage of the Act in that manner. On the 1st October in each year a pastoral lessee could take up 3,000 acres by paying one quarter's rent—he could make the areas much larger if he liked, and any person wishing to select inside that area must do so with the approval of the man who had paid the 15s., the latter having the first right to such land, and being entitled to three months' notice.

THE CHAIRMAN: The question was that section 69 of the principal Act be repealed.

HON. R. S. HAYNES: Evidently the amendment proposed was that pastoral lessees outside the South-West Division should be entitled to take up grazing leases.

HON. J. W. HACKETT: Why did the Government propose to strike out the whole section? The Government should reconsider this matter before attempting any amendment. It was one of the principles of the Bill that these large rights should be given to grazing lease selectors as well as to anybody else.

THE MINISTER FOR LANDS: The idea was that, particularly in the South-West Division, the pastoralist should not be allowed to lock up the land by reason of his paying a small annual premium. Time after time applications had been made for lands on pastoral leases in the South-West Division; and, by existing regulations, three months' notice had to be given the lessee, who might himself take up the land applied for. To such special protection the pastoral lessee had no right.

HON. J. W. HACKETT: But the subclause under discussion applied to the whole of the State.

THE MINISTER FOR LANDS: The Government would be satisfied were it made to apply to the South-West Division only, where the hardship was felt.

HON. J. W. HACKETT: The discussion justified the relation of an anecdote. When the first of these Land Bills was before the old Legislative Council, the gentleman who then led the pastoral lessee party, a man who had stood by the country when others had deserted it, was interviewed by one of his brother squatters, who said, "We want to make an amendment here." "No," said his leader; "it is going beautifully. The squatters have it all their own way."

HON. C. E. DEMPSTER: The force of the hon. member's anecdote was apparent; nevertheless, the squatter had as yet received little consideration. The leases now being dealt with comprised land outside the area of the 14-inch rainfall, land which no reasonable man would take up for agricultural purposes. In such leases there might, however, be

small patches of good land; and would it be reasonable to allow any land-jobber to purchase the few hundred acres of such good land on those blocks?

HON. R. G. BURGES: He could not take the best, but only second and third class land.

HON. C. E. DEMPSTER: He could take the land on which were the improvements; and the squatter must shift. It would be most unjust to strike out Section 69 of the Act.

HON. J. W. HACKETT: By the Act now in force, agriculture, except under almost impossible conditions, was excluded from any part of the State, save in the South-West Division. Now it was proposed to exclude the right of taking up grazing leases also in the rest of the State. Against this he protested.

HON. W. MALEY: For some time there had, undoubtedly, been a cry of "put the squatter off the lands of the State." In South Australia, when the Labour party had attained sufficient power, they had insisted on their peculiar creed becoming the law of the country, with the result that large stations west of Port Augusta and in the North, with insufficient rainfall, had been taken up for grazing and for agriculture, notwithstanding that the settlers had been warned they could not grow wheat in those parts. The squatters had been driven off the runs and ruined, and ultimately the new settlers had had to fly the country, which had been abandoned to wild dogs and rabbits. Unless we took warning we should have similar experiences here. It would be most unreasonable to allow anyone to select a few hundred acres on a squatter's lease with a view to such selection becoming available at some future time, as might be done under these proposed weak-kneed regulations.

HON. C. A. PIESSE: Mr. Hackett was entirely wrong in stating there was an endeavour to exclude the right to take up grazing leases in these pastoral lands. The pastoral lessee would have prior right.

HON. J. W. HACKETT: That was effectually upset by the twelve-months proviso.

HON. C. A. PIESSE: Regarding the South-West Division, all were agreed the pastoralist should not have the right to three months' notice. Mr. Hackett had said the provisions of the Land Act did not apply to pastoral leases outside of the South-West Division, except under conditions nearly unworkable.

HON. J. W. HACKETT: "Practically inoperative." His desire was to see a yeomanry of small farming lessees, who would be more valuable because more numerous than a smaller number of large pastoral lessees. Give rights to the whole community to select where they pleased leaseholds as well as agricultural freeholds. The agriculturist had gained great legislative victories in the past; but now the small pastoral lessee had come into the field, and would undoubtedly make his presence felt.

HON. C. A. PIESSE: We provided for him in these conditions.

HON. J. W. HACKETT: Oh, no! It was these conditions which made almost impossible what one desired to see. He strongly suggested to the Minister for Lands to consent now to progress being reported, and the Minister should consult his colleagues. He moved that progress be reported.

Motion put and passed.

Progress reported, and leave given to sit again.

BUSH FIRES AMENDMENT BILL.

SECOND READING.

Debate resumed from 3rd September, on the motion by the Minister for Lands.

HON. W. MALEY (South-East): I shall not detain the House at any great length, but I moved the adjournment of this debate so that we could have time to farther consider the Bill. A number of country members were of opinion that the Bill was too severe, and apparently they were not impressed in its favour. However, I am pleased to say that from what I can learn a better impression now prevails in respect of the Bill, and I am sanguine that the measure will be passed almost as it stands at present. We are aware of the devastating effects of bush fires in this country, particularly in the silver grass country, and also of the acts of many people in the bush, sometimes through ignorance and sometimes through carelessness. There are millions of pounds worth of property at the mercy of bush firers in this State. The Agricultural Bank alone holds securities

for money invested to the extent of £140,000, and, in order to protect those securities and the property of the settlers, it is very desirable that a measure, even though it may be somewhat drastic, should be passed. The Bill insists upon very necessary precautions being taken with regard to persons smoking pipes in the vicinity of hay-stacks and crops, and also burning portions of the bush. I apprehend that if the Bill become law as it stands, it will not be severely administered. Many of the penalties included in the Bill are more of a deterrent effect than otherwise, and only in cases of frequent breach of the Act will any proceedings whatever be taken. The measure certainly gives the owner or manager of property more power with his men; for he may say to them, "Do not burn my haystack, because there is an Act of Parliament against it, which makes you liable to a certain penalty." If it were not so, and the owner or master gave a peremptory order that a man was to leave the stack alone, the man might be so mentally constituted as to resent it, and the result would be continued indiscretion and perhaps conflagration, and serious loss to the settlers and to the State. I would say, too, that owing to the great risk that has always been so apparent in the bush, persons are not able to stock the silver-grass country as they should be able to do, because the grass, which is as carefully conserved and protected as is a hay-stack, is sometimes ruthlessly destroyed owing to the carelessness in regard to fires. I believe that if the Bill become law it will have such a deterrent effect that persons will feel more secure in their property in grass, and also crops and other things; and the carrying capacity of the country, particularly in the agricultural districts which are being now closely settled, will be very considerably increased, so that not only directly but indirectly the Bill if passed as it stands will be very beneficial. I believe similar measures have been passed in the other States, and they have evidently worked smoothly, for, so far as I have been able to read up the law on the matter, there have been very few amendments in any of those States. We are rather late here in bringing in this measure, and there was perhaps some reason. Bush fires helped to clear the country, and there were times in this State when a bush fire was not only a great purifier and cleanser of the soil, but it helped to a great extent to keep down the forest growth in the State. With these few remarks, I leave the Bill in the hands of the House.

Question put and passed.

Bill read a second time.

SUMMARY JURISDICTION (MARRIED WOMEN) BILL.

SECOND READING.

HON. M. L. MOSS (West), in moving the second reading, said: This Bill is to cure a small defect in the Summary Jurisdiction (Married Women) Act of 1896. By that Act power is given to resident magistrates throughout this State to grant what is equivalent to a decree of judicial separation in certain instances named in Section 2, which provides that an order may be applied for by a married woman whose husband has been convicted of an aggravated assault upon her, or has been convicted of an assault upon her and fined more than five pounds or sentenced to a term of imprisonment exceeding two months, or has been guilty of persistent cruelty to her or wilful neglect to provide reasonable maintenance, by which means she has been obliged to leave him and live separately from him. That Act has been of very great advantage to this State, and has been very largely availed of by many women who would not have had the means of obtaining the same amount of relief had they been obliged to go to the Supreme Court. The Act is a copy of a similar measure passed in England in 1895. I am responsible for its having been introduced to Parliament here in 1896. But, through some mistake or other, these words were omitted from Section 2. This Bill provides that desertion by the husband shall be a ground for relief, and members will see plainly it is necessary that where a man deserts his wife and children there should be some means of her getting an order of maintenance against him, and also an order entitling her to the legal custody of her children. In fact all the powers mentioned in Section 3 of the original Act could be vested in a justice in the case of desertion, as in the case of a man having

committed an aggravated assault or been guilty of persistent cruelty. I am sure the House will be willing that this small amendment shall be made to the Act, which will then be precisely the same as the Act in England. I am sure the legal members of the House who have had occasion to work under the Act will confirm me in the assertion that the omission of what it is now proposed to add has been productive of some amount of inconvenience.

Question put and passed.

Bill read a second time.

ADJOURNMENT

AS TO PAPERS *re* MR. PENNEFATHER.

THE MINISTER FOR LANDS (HON. C. Sommers): I think we might adjourn till Tuesday next, in view of the dinner to be given by the Governor to-night, and of the fact that there will be nothing very particular on for to-morrow. There are amendments which we want to think over, and we desire to bring them forward in proper order. Hon. members will have opportunity of seeing the matter dealt with thoroughly. It is an important subject. I move that the House at its rising do adjourn until Tuesday next.

Question put and passed.

THE MINISTER FOR LANDS farther moved that the House do now adjourn.

HON. J. M. SPEED: One would like to ask the Minister whether he was going to give his statement, promised yesterday afternoon, in relation to the motion for the adjournment of the House which was moved by Mr. Brimage.

THE MINISTER FOR LANDS said he had made it quite clear that there was no definite promise by him. What he stated was that probably the matter relating to Mr. Pennefather would be dealt with in the afternoon, and probably he would bring some statement before the Council to-day. That matter was not discussed in another place yesterday, but he believed it was very probable information would be obtainable by hon. members.

AS TO PAPERS *re* NEW PARLIAMENT BUILDINGS.

HON. J. W. HACKETT (South-West): An important report of a Joint Committee of both Houses had, he believed, been laid on the table of another place. He saw no signs of its presence in this Chamber. That report had reference to the new Parliament Buildings. Perhaps the Minister for Lands would have such report distributed.

THE MINISTER FOR LANDS said he would certainly take that course.

Question (adjournment) put and passed.

The House adjourned at half-past 6 o'clock until the next Tuesday.

Legislative Assembly,

Wednesday, 11th September, 1901.

Papers presented — Question: Railways, Baldwin Engines, purchase — Question: Civil Servants, Espionage during office hours—Question: Judge's Appointment, Medical Certificate—Question: Railway Administration, Mr. J. T. Short's Leave—Question: Education, Mr. Jackson's Leave, etc.—Question: Railway Administration, Charges and Delay—Hampton Plains Railway Bill (private), Report presented—Motion: Winery and Storage Cellars, State Aid, debate resumed (adjourned)—Customs Duties (Reimposition) Bill, first reading—Brands Act Amendment Bill, first reading—Registration of Industrial and Provident Societies Bill, first reading—Papers: Judges, a Dismissal and an Appointment (debate)—Motion: Appointment of Judge, not to Confirm; Notice, how altered; debate (negative)—Newspaper Libel and Registration Amendment Bill, second reading (adjourned)—Adjournment.

THE SPEAKER took the Chair at 4·30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the COLONIAL TREASURER: By-laws of the Municipalities of Malcolm and Southern Cross.

By the PREMIER: 1, Annual Report of Aborigines Department; 2, Return (on motion by Mr. Daglish) showing rates paid to Messrs. Morden & McIvor for articles of clothing; 3, Amended