

test, rather than that the whole shipment should be subjected to an inspection. He thought it would involve considerable hardship and inconvenience if kerosene, which had been passed, could not be kept in larger quantities than 10lbs. He thought the bill must have been intended to apply to more dangerous explosives, such as dynamite; nor did he think that the granting of a license would remove the inconvenience which householders would feel in town and country.

THE COMMISSIONER OF RAILWAYS (Hon. J. A. Wright) pointed out that according to the interpretation clause kerosene would only be regarded as an explosive when it gave off an inflammable vapour at a temperature of less than 100° of Fahrenheit's thermometer. If it did that it would no longer be regarded as kerosene, such as that ordinarily used for domestic purposes, but a dangerous explosive.

MR. STEERE thought it would have been better if the clause dealing with kerosene had been put into a separate Act, but he still considered it absolutely necessary that all kerosene introduced into the colony should be tested before landing. A case recently occurred in Brisbane, where a shipment of 20,000 cases was condemned by the Queensland authorities, although to all outward appearances the shipment was a good one. It was accompanied with a certificate from the United States officials, testifying to its being good sound kerosene, but when it was submitted to a test it was found to be inferior, and highly dangerous stuff. Under our present law, there was nothing to prevent that shipment of oil being landed in this colony, after its being condemned by the Queensland Government as unfit to be landed.

MR. MARMION said that the bulk of the kerosene introduced into this colony would not come under the definition of "petroleum," as defined in the interpretation clause, and therefore it could not be regarded as a dangerous explosive.

MR. RANDELL said it was bound to be treated as petroleum until it was tested, and proved to be kerosene.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) asked whether it was the opinion of the committee that any mineral oil brought into the colony which would not pass the standard test should

be confiscated? They might have an honest, *bona fide* shipment of inflammable oil.

MR. CROWTHER thought the test ought to be made compulsory at the port of landing. Such a test would not only protect the public, but also the importer.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said, having now further elicited the views of the committee on the subject, he would suggest that progress be again reported, so that he might endeavor to frame an amendment which would meet with the approval of the committee. In the meantime he thought he might move to strike out the words "Inspector of weights and measures," at the beginning of the clause, and insert the words "officer duly appointed by the Governor for that purpose." He did not know that an inspector of weights and measures need necessarily be an officer capable of applying a test to mineral oils, and there might not be an inspector of weights and measures at every port where mineral oils were landed.

Progress was then reported, and leave given to sit again.

The House adjourned at a quarter past ten o'clock.

LEGISLATIVE COUNCIL,

Tuesday, 11th August, 1885.

Sir John Coode's instructions—Destruction of Rabbits Amendment Bill: first reading—Law and Parliamentary Library Amendment Bill: first reading—Extra Sidings and Station Buildings at York, Clackline, and Spencer's Brook—Bush Fires Bill: further considered in committee—Northern District Special Revenue Bill—Adjournment.

THE SPEAKER took the Chair at noon.

PRAYERS.

SIR JOHN COODE'S INSTRUCTIONS.

MR. BROWN, in accordance with notice, asked the Colonial Secretary whether the arrangements made by the Government with Sir John Coode, to advise as to the

best means of providing at or near Fremantle a harbor suitable for the chief port of Western Australia, embraced the consideration by him of Jervoise Bay, Cockburn Sound, and Rocky Bay, in addition to that portion of the Fremantle harbor immediately contiguous to the town; the examination of which latter locality alone seemed to be contemplated by the terms of the agreement with that gentleman which had been laid upon the table of the House.

THE COLONIAL SECRETARY (Hon. M. Fraser), replying a few days afterwards, stated that Sir John Coode's report would deal generally with the whole subject of harbor accommodation in connection with Fremantle, including among other points those referred to in the question of the hon. member.

LAW AND PARLIAMENTARY LIBRARY AMENDMENT (REPEAL) BILL.

MR. STEERE introduced and moved the first reading of a bill to repeal the Law and Parliamentary Library Amendment Act, 1881, and to make other provisions in lieu thereof.

Motion agreed to.

Bill read a first time.

DESTRUCTION OF RABBITS AMENDMENT BILL.

MR. STEERE introduced and moved the first reading of a bill to amend "The Destruction of Rabbits Act, 1883."

Motion agreed to.

Bill read a first time.

EXTRA SIDINGS AND STATION BUILDINGS, YORK, CLACKLINE, AND SPENCER'S BROOK.

THE COMMISSIONER OF RAILWAYS (Hon. J. A. Wright), in accordance with notice, moved, That a sum of £1,482—being the estimated cost of the extra sidings and station buildings required at York, Clackline, and Spencer's Brook, consequent upon the extension of the Eastern Railway to Beverley and from Spencer's Brook northwards—be a charge against the sum of £160,000, provided for the said railways in the Schedule to "The Loan Act, 1884." The hon. gentleman said he was obliged to do this, in order to avoid delay in the construction of these works, pending the question of the erection of the works in-

cluded in the Loan Schedule being settled.

The motion was agreed to, without opposition.

BUSH FIRES BILL.

The House went into committee for the further consideration of this bill.

The new clause moved by Mr. WITTE-NOOM on August 4 (to stand as clause 7) was by leave withdrawn.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said that since the committee had met before, he had prepared a new clause in accordance with the opinions expressed by the committee on that occasion. It would be in the recollection of the committee that several points were then considered; first, as to whether the clause should apply to the whole colony, or whether different provisions should be made for different parts of the colony, and the majority of the committee agreed that it should apply to the whole colony. The second point was, whether the notice to be given should state that the bush would be set fire to on one particular day to be specified, or upon one out of several days between certain fixed dates, and it was agreed that the dates should be changeable. The third point was that the notice should be in writing, and that there should be a provision made defining what should constitute a due service of the notice. He thought it would be impossible to make one clause apply with equal effect to all parts of the colony, and all they could do was to give such a margin of time as would substantially meet the requirements of the various districts of the colony. He therefore begged to move the following new clause, to stand as clause 7:—"Every person who shall wilfully or negligently set fire to the bush within any district or part of the colony during the prohibited times for that district or part shall be liable, on conviction thereof before any two or more Justices of the Peace, to a penalty not exceeding Fifty pounds. Provided that any lawful occupier of land may set fire to the bush on the land in his occupation if he shall have previously given to all the occupiers of the lands next adjacent to his said land, not less than seven days before he shall set fire to the

"bush as aforesaid, notice in writing that he intends to set fire to the bush on the land in his occupation on some day between the seventh day and the twenty-first day after giving the said notice as aforesaid; and if he shall also take all such precautions as shall prevent the fire from extending to any of the lands adjacent, or from damaging the crops, grass, trees, houses or buildings on any of the lands adjacent."

MR. BROWN said when the draft of this new clause was shown to him he expressed his warm approval of it, and he thought it would have answered the purpose. But it had struck him since that a fire might go out, perhaps at night, and that it would be necessary to set fire to the bush again. The clause as now worded only provided for setting fire to the bush on some particular day between the dates given in the notice, and, if the fire went out, it was doubtful whether it could be set going again without another notice. He thought the difficulty might be met by inserting the words "or days" between the words "day" and "between" in the 18th line.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) said he had no objection to the proposed amendment, though he thought it was scarcely necessary. The date referred to in the notice would be the date when the bush was originally set on fire, but there was nothing to prevent a man renewing the fire if it went out within the time mentioned in the notice.

MR. VENN said that so far as the South was concerned it would be no use giving notice at all, unless some specified day for doing so was fixed.

MR. MARMION said a man's neighbors might fancy, if a fire went out, that the burning was over, and they would not be on the alert for its being rekindled.

MR. WITTENOOM said there was nothing in the clause preventing the Southern people to mention a specific day in the notice, if they liked. There would be no great difficulty in doing so, in the Southern districts, but it was quite a different thing at the North.

MR. STEERE proposed that the word "twenty-first," in the 19th line, be struck out, and the word "tenth" inserted in lieu of it. If a man was allowed to burn on

any day he liked within a fortnight, they might as well have no Act at all.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) suggested, as a compromise, that the word "fourteenth" be inserted in lieu of "twenty-first," which would limit the time for burning to a week.

This was agreed to, and the clause as amended put and passed.

Preamble and title agreed to, and bill reported.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) moved that the bill be recommitted, with a view to amend the 4th clause.

Agreed to.

THE ATTORNEY GENERAL (Hon. A. P. Hensman) moved that the following words be added to the clause, defining the person upon whom the required notice might be served: "'Occupier of land' shall include any person residing on the land and having charge or control thereof, whether such person shall be the owner or tenant, or a bailiff, servant, caretaker, or other person residing and having charge or control as aforesaid."

This was agreed to, without comment, and the bill again reported.

NORTHERN DISTRICTS SPECIAL REVENUE BILL.

This bill passed through committee *sub silentio*.

The House adjourned at three o'clock, p.m.