

session, introduce a new Brands Act on similar lines to that at present in force in Queensland.

MR. F. WALLACE (Mount Magnet): I second the motion.

Question put and passed.

PAPERS—KURRAWANG WOOD SYNDICATE.

MR. J. M. HOPKINS (Boulder) moved:

That all papers, reports, documents, etc., bearing on or relating to the concessions and privileges granted to the Kurrawang Wood Syndicate, be laid on the table.

He said he would simply move the motion, to which, he understood, there was no opposition. There was some doubt existing in the minds of hon. members as to the nature of the privileges which had been granted to the Kurrawang Wood Syndicate, and it was therefore desirable the House should be fully informed on the subject.

MR. TEESDALE SMITH (Wellington) seconded.

Question put and passed.

ADJOURNMENT.

The House adjourned at 9:52 o'clock, until the next Tuesday.

Legislative Council,

Tuesday, 16th July, 1901.

Papers presented—Question: Sewerage, Perth and Fremantle, Funds—Question: Dredging at South Perth—Motion: Bush Fires Act, to amend—Roads Act Amendment Bill, postponement—Adjournment.

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

PRAYERS.

PAPERS PRESENTED.

By the MINISTER FOR LANDS (HON. C. Sommers): 1, Mines Regulation No. 26; 2, London Agency, Operations; 3, Royal

Commission on Collie Coal Dispute, Report; 4, Phillips River Goldfields, Mail Service.

Ordered to lie on the table.

QUESTION—SEWERAGE, PERTH AND FREMANTLE, FUNDS.

HON. H. BRIGGS, for Hon. M. L. Moss, asked the Minister for Lands: 1, Whether any portion of the sum of £150,000, appearing in the schedule to "The Loan Act, 1896," for sewerage for Perth and Fremantle, has yet been raised. 2, Has the said amount of £150,000, or any part thereof, been re-appropriated by Parliament, and if so, what amount, and by what Act and for what purpose. 3, Has any part of the work for which the said sum was allocated, and if so, what part, been undertaken. 4, Has the Government advanced or granted to the City Council of Perth any amount, and if so, how much towards drainage works. If any amount has been advanced, what are the terms on which the money has been lent. 5, Have any moneys been granted to the City Council of Perth for drainage works out of General Revenue since 1896. If so, what amount. 6, Have any such grants been sanctioned by Parliament. 7, Have any grants or loans been made out of the said loan moneys or from revenue to the Fremantle Municipality for drainage purposes; and if so, what amounts, the dates of the grants, and the authority for the grants or loans.

THE MINISTER FOR LANDS replied: 1, Yes; £96,943 14s. 1d. 2, £40,000 was re-appropriated by 61 Vict., No. 9, for the purposes set out in the Schedule to the Act. 3, Yes. Contour surveys, collection of data, and various investigations in regard to both Perth and Fremantle. 4, The sum of £40,000 has been advanced to the Perth City Council for expenditure on drainage works; the cost of which is to be debited to the Capital cost of the drainage works as a whole when completed. 5, Yes, £200 as a special grant for the Leederville-Perth drain within the Perth Municipality. This amount was provided on the Estimates, 1900-1901. 6, Part 2 of the Loan Estimates was passed by Parliament, in which reference is made to the nature of works to be undertaken. There does not appear to have been any direct authorisation. 7, No.

QUESTION—DREDGING AT SOUTH PERTH.

HON. G. BELLINGHAM asked the Minister for Lands: 1, How long the "Black Swan" dredge has been employed in making a channel to South Perth. 2, What has been the cost of the work to date. 3, What is the distance and depth dredged to date. 4, Have comparative estimates been taken out for a pump dredge to clear the channel and reclaim the foreshore, as against the present obsolete method.

THE MINISTER FOR LANDS replied: 1, Twelve months. 2, The total cost of the work has been £6,000; but this includes a sum of £1,800 for reconstructing plant, and doing extra work required outside the channel. 3, The length of the channel is 4,500 feet, and it has been dredged to a depth of five feet below low water. 4, No; as, owing to the nature of the material to be dredged, a pump dredge would have been capable of doing only a small portion of the work.

MOTION—BUSH FIRES ACT, TO AMEND.

HON. H. LUKIN (East) moved :

That, in the opinion of this House, the time has arrived when the Government should so amend the existing Bush Fires Act as to afford efficient protection to country settlers against wilful, careless, or malicious burning. Owing to clearing, ringbarking, and closer settlement in the eastern districts, especially in his province, the position with regard to bush fires was different from what it was formerly. Years ago, when there was broken country and a fire started, by united efforts it could nearly always be controlled. But that was not to-day; for if a fire occurred in the Avon Valley during harvest time or in summer, it was almost impossible to cope with the danger, and a large area of country was devastated. Speaking only of the Avon Valley, the loss annually by fires—of course, some might be avoided—amounted to many thousands of pounds. If there were similar loss by fires in the towns and cities, there would have been an outcry long ago. The Bush Fires Act afforded no protection to settlers against malicious burning. At the present time a man might maliciously tell you "I am going to burn you out to-morrow," and go and do it. If that man was brought to court, and it was proved he only set fire to

the grass and not to a haystack or a house—although the grass might burn and destroy a haystack or a house—the maximum penalty was £50. The man could pay the fine, snap his fingers, and say he would do the same thing to-morrow. That was not a just Act, and it should be amended. If members looked at the laws of other States it would be seen that grass was a crop within the meaning of the Act, and if a man wilfully set fire to a crop he could be sent to gaol for 15 years and receive a flogging. In this State the offender would get out of the trouble by a fine. If the Government had any desire to help the country settlers they would bring in a Bill this session to amend the Bush Fires Act.

HON. R. G. BURGESS (East) : Only one or two words needed to be altered in the Bush Fires Act to provide for incendiarism. This motion referred not only to bush fires, but it stated "wilful, careless or malicious burning." That would include the railways, and if we had not some law to protect the settlers from the scandalous way in which the Railway Department had treated farmers during the last few years, it would be better to give up farming altogether. Collie coal was used on the engines, and in the Eastern district the country was being set on fire night and day: it was almost miserable to live along the Eastern Railway line. Not only in the Avon Valley was this trouble experienced, but in the Southern districts and along the gold-fields line it was the same. The Railway Department were now allowed to burn any fuel they liked on the locomotives; therefore it was useless to sue them; it was only throwing money away. The settlers should have some guarantee or protection now that the Railway Department used Collie coal. It was nonsense to settle people on the land, and then burn them out again. Along the Yilgarn railway last year, not only was the grass burnt, but the crops also. This question would be brought forward again in another form, when he had obtained certain information. The Railway Department owned one chain on each side of the railway lines, and while Newcastle coal was used on the locomotives the settlers were safe, but with the use of Collie coal it was useless to go on farming. Anyone

during the summer time could go along the line at night and see the sparks being blown from the engines fully two chains into the cornfields. All along the Eastern line and the Yilgarn line, the Government last year kept two men following the trains on tricycles, with bushes, to see that the fires which were started were put out. The men would call in the aid of the settlers to assist them in putting out the fires if necessary. The same thing occurred along the Southern railway. Only six or eight months ago the Government had to pay damages and costs in regard to a fire which occurred at the Blackwood. People were told that if they did not utilise the country they would be taxed, but as soon as people did go in for farming, the Government sent a railway through the country, and in consequence of Collie coal being used the farmers were burnt out. What was the use on the one hand of settling people on the land, and then burning them out through the wilful neglect of the Government? If some alteration were made in the Bush Fires Act the settlers might be enabled to bring the Railway Department to book. We might be told that the Railway Department had a new invention, a bell-shaped funnel; but if the engine-drivers did not get enough draught, they would open the spark arrester, because the engine-drivers had to run the trains to time; they received a bonus for doing so. The Government should resume more land, pay the settlers certain compensation, or assist in protecting them against fires started by the locomotives. These fires not only occurred in the day time, but the settlers had to watch for them at night time. As soon as the hay was cut it was burnt by these fires. The same trouble was experienced right along the Great Southern railway, and now that people farmed nearer to the railway line, greater trouble arose. Unless some protection were afforded it was useless to settle people on the land.

HON. WESLEY MALEY (South-East): As this subject had been pretty well debated in this House on a previous occasion, it was not necessary to go fully into the question. The 1st of March was too early for bush fires to be allowed in this State. During last session he brought this matter prominently before the House, and was successful in carrying

a motion. As late as 22nd March a bush fire occurred in the neighbourhood of his (Mr. Maley's) property, and it extended to his property, burning grass which he had been saving for the whole year. This left him short of feed for his stock. A neighbour decided to clear some country, and it being grass country, the fires which were started in the trees naturally spread to his (Mr. Maley's) land. When in South Australia he made inquiries in regard to this question, and found that there was an Act in force there which he would commend to the Government. It was known as the Bush Fires Act of 1864. One section provided :

No fire shall be lighted for the burning of stubble, hay, or grass between the 1st day of November and the 15th day of April, unless between the hours of 4 and 10 in the afternoon.

There was no better time than between 4 o'clock and 10 o'clock at night to light a fire for the purpose of clearing country, the fire was not likely to spread, and it could be kept under control better. If fires were lighted before 4 o'clock, they were dangerous to neighbours. According to another section of the South Australian Act :

Every person who shall at any time during the months of November, December, January, February, March, and April, smoke in the open air within 20 yards of any stable, or of any rick or field of hay, corn, straw, or stubble, unless within a town, shall be liable to a penalty of not less than ten shillings nor more than £2.

Farmers required protection by the Acts of Parliament being brought up to date. In the old time, when there were only a few settlers, each man was a law unto himself. Now the Government had to protect the settlers, and the Government should rise to the occasion and see that an amending law was passed.

HON. R. S. HAYNES (Central): The present Act contemplated only malicious injury to growing crops. He was of opinion that grass for stock was a growing crop; but this point had not been judicially determined, and the Act should be amended so as to include grass or anything growing on the land. Moreover it was at present an offence to set fire maliciously to crops, and surely no punishment short of capital could be too great for incendiarism; but why make a distinction between negligently setting

fire to a crop and negligently injuring the person? A man killing another by negligence was liable to punishment, but there was no punishment for negligently setting fire to property, though a person leaving a lighted fire unattended deserved punishment as much as he who left on a road an obstacle over which another man might fall. Provision should, therefore, be made in a separate section for the adequate punishment of anyone negligently causing a bush-fire. As suggested by Mr. Burges, something should be done to protect persons owning land in proximity to railway lines.

HON. R. G. BURGESS: Such persons were now ignored by the railway authorities.

HON. R. S. HAYNES: Last year the ravages caused by sparks from engines, especially in the Avon district, were tremendous, and sufficient to dishearten the settlers.

HON. G. RANDELL (Metropolitan) supported the motion. Few words should be needed to enlist the sympathies of the House and the Government, last year having witnessed many fires exceedingly injurious and disheartening. No doubt Mr. Lukin and Mr. Burges would assist the Government with their advice; those hon. members fully understanding the difficulty surrounding this much-debated question, which difficulty had not yet been overcome by legislation. In the now thickly-populated Eastern district, it was not so easy as it had been a few years ago to prevent the spreading of fires. The Government should give some promise to introduce an amendment of the present Act which would, as far as possible, obviate losses, which losses, not only in the country but in towns, were largely due to carelessness, as, for instance, when men threw lighted matches into or near combustible material. By this means one of the jetties in Perth had been set on fire; and how much greater was the danger in the country, where all the material for a large fire was constantly at hand. In reference to sparks from Collie coal burned by locomotives, the Government were endeavouring to develop the coal industry, and some improvements in funnels had, he believed, been made by the railway officials. But if, during the hot weather, it was found sparks were still dangerous,

the department should arrange for engines to burn Newcastle instead of Collie coal when passing through agricultural districts, so as to prevent injury to the settlers, who were among the department's best customers.

THE MINISTER FOR LANDS (Hon. C. Sommers): The Government had no desire to create hardships for settlers who had quite enough of their own. Having been in the past a sufferer from bush fires, he was thoroughly in accord with the sentiment of the mover. No legislation could abolish fires; but it was the duty of the Government to pass such measures as would prevent them as far as possible. Regarding Collie coal, the valuable suggestion of Mr. Randell might well be adopted. If proper spark arresters were not procurable, then refrain from burning that coal during the summer months on lines in proximity to inflammable crops. The recess, he trusted, would afford an opportunity for drafting a Bill which would meet the views of hon. members.

Question put and passed.

ROADS ACT AMENDMENT BILL.

POSTPONEMENT.

Order read, for the second reading.

THE MINISTER FOR LANDS (Hon. C. Sommers) moved that the order be postponed until the first sitting day after the House adjourned for the holidays.

Question put and passed, and the order postponed.

ADJOURNMENT.

The House adjourned at 5·10 o'clock, until the next day.