

pity to destroy it. We should regulation and that would give the need an opportunity to enter and law to this House which would by every member. If members opportunity of perusing the they would come to no other at this House could not approve drafted. Many of the city council. They know it is not their allocate the boundaries without sell. I support the resolution.

TON (East Torrens)—I have supporting the motion. I am as local governing bodies, because it deal of faith in them as a and hesitate to interfere with consider the City Council has made this matter. Some years ago the council made a certain regulation allowed by this House, causing g. At that time I adopted the the council was the best judge conditions and I opposed the is case, however, the Adelaide appears to have overshot the mark not join in the hue and cry of recently accused the council of the city with regulations, in council entered a field where a ght. If the sale of newspaper y conducted, or if the public properly served, there might be m for the action of the council interfere, but that cannot be the dictum that the streets and not for trade may be in eral sense, if it were to be a rigid manner no one would gage a cab or taxi or any the street. Some years ago drafted regulations to prevent g in the streets. I must ex- sympathy with that attempt oys from making such a noise hat time. They usually yelled their voices so that sometimes like myself, not blessed with aring, was nearly deafened. ter was discussed in the City to recollection of a regulation control that noise. However, gulation, but for all that for boys have not been nearly so law is to limit the area over

which certain persons have the right to sell newspapers. That I regard as an infringement on private enterprise which is thoroughly unjustified. I am inclined to think that the Adelaide City Council will be glad the regulation is disagreed with. When by-laws are allowed to remain in abeyance it is clear evidence they are not needed, and I hope this House will disallow them, although without any disrespect to the council, which does a lot of good work.

Motion carried.

BRANDS BILL.

Second reading.

The Hon. M. McINTOSH (Albert—Commis- sioner of Crown Lands)—This Bill is substantially similar to that introduced at the end of last session. It passed the Legislative Council, but owing to the prorogation of Parliament, lapsed in the Assembly. The Bill repeals the Brands Act, 1913, and the two amending Acts passed in 1923 and 1927, re-enacts the provisions of those Acts, and in addition incorporates certain amendments which will permit of the further registration of different kinds of brands, and make various important administrative amendments which should have the effect of cheapening the cost of the administration of the Brands Department. Its provisions have been considered by the executive of the Stockowners' Association of South Australia, which is, of course, very much interested in the effect of legislation of this nature, and the council of that association has unanimously approved of the Bill. In large measure it is only a consolidation of the existing law. Parts I. and II. deal with interpretation and the appointment of officers, and do not differ in any material manner from the present Act. Part III. deals with the registration of horse and cattle brands, and in this part no material change is made from the present provisions. Under this part any owner of horses or cattle may obtain the registration of a brand, and is then entitled to the exclusive right to use that brand. Only one brand can be registered in the name of one person, unless he owns more runs than one, in which case he may register separate brands for each run. Provisions dealing with the size of brands and the position in which they are placed on the animals are identical with existing law, and the owner of a registered brand is also given the right to register under clause 15 a distinctive

brand or mark to denote his ownership, or the age, class, or description of any or his horses and cattle. This is also identical with existing legislation. The provisions relating to registered brands for export are also similar to those now contained in the Brands Act, and provide that a person may obtain a special brand for use on horses for export. Part IV. deals with sheep brands, and in this part some alterations in the law have been made. Under the present Act the State is divided into four sheep brand districts. The same brands may be registered in different districts, but not in the same district. It is proposed by clause 22 of the Eleventh Schedule to add a fifth district, which will comprise the land vested in the Metropolitan Abattoirs Board at the Abattoirs. In this limited area various brands are used by the Board on sheep, which are almost immediately slaughtered, and in no case released from the Abattoirs. It is proposed to make this part of the State a separate district so as to enable the brands used at the Abattoirs to be released for use elsewhere, as no brand can be registered twice in the same district. Under the present law the only brands which are registered for sheep are paint brands and tattoo marks, and each of these is registered in respect of the particular sheep brand district concerned. With the exception already discussed of the metropolitan abattoirs district, these provisions are re-enacted in almost the same form as the present law, and the right of the registered paint brand owner to use numerals as distinctive brands for his sheep is also retained. Division IV. of Part IV. is new, and deals with the registration of earmarks and firebrands. Districts will be established for the purpose of these brands. The districts may be the same as the existing sheep brands districts or any such district may be subdivided, but there will be no overlapping as between the two kinds of districts. Clause 33 provides that the owner of a registered paint brand may obtain the registration of an earmark or firebrand. This right will only obtain so long as the owner is the proprietor of a run. Upon ceasing to be such proprietor the registration will cease, so that a brand will for all practical purposes be identified with the particular run. There is power to transfer the right to a successor as proprietor. Registration of an earmark or firebrand will entitle the holder to the exclusive use thereof, and only one of these brands or marks will be

registered for any person unless he holds more runs than one. It is provided by clause 35 that the registered earmark in the case of a male sheep must be placed on the off ear, and in the case of a female sheep be placed on the near ear. Registered earmarks consisting of a single earmark will, so far as possible, be reserved for owners of 5,000 sheep or more. A registered firebrand is to be placed on the face or horn of a sheep. It is provided by clause 39 that if a sheep has once been earmarked with a registered earmark no person shall place any other earmark on the ear on which a registered earmark is placed, except a registered tattoo mark or registered stud stock brand. Part V. deals with stud stock brands, and makes no change in the existing law. Any member of an association which is formed for the purpose of encouraging the breeding of pure bred stock may apply for registration of a brand to be used for the purpose of branding his stock. The brand must only be used for branding stock belonging to the registered owner which is registered by the association as pure bred stock. Part VI. makes no change in the existing law, and provides that the Registrar of Brands must allot a pound brand to every public pound, and imposes upon the keepers of public pounds the duty to notify persons whose brands appear on the cattle, of the fact of the impoundment. Part VII. deals with transfers and cancellations of brands and makes no change in the existing law. Clause 46 gives the right to transfer a registered brand or earmark, and clause 47 deals with the case of the death of the owner of a registered brand. Clauses 49 and 50 deal with the cancellation of a brand and clause 51 gives the Registrar power to cancel registration to avoid abuse. Clause 54 is new and should do much to reduce the cost of administration of the Brands Act. At the present time the Register of Brands comprises some fifty or sixty thousand brands, and the department is of the opinion that a large proportion of these brands is now not used, but no expeditious or convenient way is provided under the Act for the cancellation of these disused brands. The Registrar may, under clause 50, cause notice to be given to the owner of a registered brand or mark calling upon him to show cause why the registration should not be cancelled, and after the lapse of two months may cancel the registration. This of course, involves a consider-

able amount of clerical work, and, in addition, the Registrar must have some evidence to go upon before he can act, and it is apparent that it would take a very long time to clear the Register of disused brands if this were the only means available. Clause 54 therefore proposes that the Registrar may, by notice published in the "Government Gazette," and at least twice in a daily newspaper, declare that after a day fixed in the notice the registration of all registered brands and marks of the kind specified in the notice, which were registered before the date specified in the notice, shall be cancelled unless the owner complies with the requirements of the clause. It is provided that the day fixed in the notice shall not be less than three months after the day of the first publication of the notice. It will then be incumbent upon any registered owner who desires to retain the registration of his brand or earmark, to give notice to the Registrar that he retains the use of the brand or mark. This notice may be given in any manner so long as it is in writing, and no fee will be required. After the expiration of the time fixed in the notice the Registrar may proceed to cancel brands and marks for which no claim for their retention has been made, although of course it does not follow that the Registrar will be required to cancel in a case in which he is satisfied that the brand is still in use. It is provided that this procedure shall not be brought into operation with respect to any kind of brand or mark more often than once in ten years. It is apparent that by this means a cheap and expeditious method of clearing out from the register the unused brands will be provided, and it is one to which the Stockowners Association has no objection. Part VIII. deals with the Brands Register and the Brands Directory. The Registrar of Brands is required to keep a register of all brands and marks, and under clause 56 it is provided that directories are to be published in alternate years. In one year a directory is published called the Horses and Cattle Brands Directory, which includes the horses and cattle brands, and in the subsequent year the Sheep Brands Directory is published, including all sheep, paint brands, registered earmarks, and fire brands. Owing to the cost involved in the publication of the directory it has been suspended for the last two years, but with the great clearing up of the register contemplated under clause 54, it is expected that this cost will be considerably

reduced and that the directories will be again published. Power is given to the Registrar to postpone the compiling of any directory for such period as he thinks fit. Under clause 57 the directories must be distributed to all the deputy registrars and inspectors and to members of the police force, to which, in the Registrar's opinion, the directory should be sent. Under clause 58 poundkeepers and other persons supplied with directories must make them available for public survey. Part IX. deals with miscellaneous matters in connection with the powers of inspectors and other matters. It is provided by clause 61 that earmarks must only be made with pliers, this being the existing law. In addition to the requirements now provided for, it is set out that in the case of cattle, if a registered earmark is placed on the ear of cattle no further earmark or cut shall be placed on either ear of such cattle. It is provided that this provision is not to apply to anything done before the passing of the Bill. The purpose of this provision is, of course, to prevent an earmark being obliterated by a larger earmark being placed over it, or fraud from taking place. The remaining clauses of this part make no change in the law and do not require any special comment. The same remarks apply to Part X., which deals with the making of regulations. Part XI. provides for penalties for various offences. Clauses 70 to 72 are the same as the existing law. Clause 73 provides for the necessary penalties consequent upon the provisions dealing with the registration of earmarks, and provides that if any person is in possession, of any sheep which has a registered earmark on its ear, also any other mark placed upon that ear, both he and the person placing the mark will be liable to penalties. It is provided that it shall be a defence to show that the cut or mark was caused by accidental cause or that the sheep was in that condition when it was imported into the State, or that the mark or cut was made before the passing of the Bill. The remaining clauses of the Bill make no material change from the existing law and do not require special comment. This is a comprehensive measure designed to assist and not harass stockowners. It will make it safer for men to retain property in their stock and easier for the Government to check evasions. It is entirely a non-party measure. I am sure the House will deal with it in that way and turn out a really good working scheme.

Mr. Morphet—Has the Stockowners' Association seen the Bill?

The Hon. M. McINTOSH—Yes, it has seen and approved it. I moved the second reading.

Mr. LACEY secured the adjournment of the debate.

CROWN LANDS ACT AMENDMENT BILL.

Second reading.

The Hon. M. McINTOSH (Albert—Commissioner of Crown Lands)—The objective of this Bill is to liberalise the land laws, and probably the most important clause in it is the power to extend the term of Crown agreements. Under existing conditions, many landholders have incurred substantial arrears with the department, and on these arrears interest is being debited. Under leases and agreements it is also provided that the lease or agreement is forfeitable on non-payment of arrears. It, therefore, follows that a lessee has to make payment of arrears or run the risk of cancellation. This affects his title and his consequent borrowing powers. Because of a succession of poor seasons the arrears in many cases are very appreciable, and if payment is insisted upon out of subsequent returns producers would have little funds available for distribution amongst his other creditors; therefore the power to capitalise arrears and extend the agreements not only affects the lessee, but also his mortgagee and other creditors, and each may look forward to obtaining some benefit from any increased returns, which would not be made available to them if the Crown insisted on payment of its arrears. Further, in many cases the annual commitments under agreements, in view of the diminished returns for produce, are beyond the capacity of the property to meet and the power to extend the payment of purchase money over a much longer period will therefore work advantageously to the lessee. Let me deal with a case in point in relation to extension of term. The commitments of a purchaser under an agreement from the Crown for half-yearly instalments of purchase money and interest at 4 per cent. is £168 under a 30-year period. His arrears now total £507 15s. 3d. By the capitalisation of arrears and extension of term to 55 years the arrears are automatically wiped off by being incorporated in the new agreement, and his yearly instalment amounts to £88. His position