

Legislative Assembly,

Tuesday, 1st October, 1912.

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The SPEAKER took the Chair at 4.30 p.m., and read prayers.

PAPERS PRESENTED.

By Hon. W. C. Angwin (Honorary Minister): Amendment to Regulations of Central Board of Health.—Meat branding.

By the Minister for Works: Special by-laws (relating to the system of valuation on the annual value in certain prescribed areas) of Denmark, Serpentine, and Shark Bay Road Boards.

By the Premier: 1, Balance-sheet, report, and returns of Government Savings Bank for year ended 30th June, 1912. 2, Report of the Commissioner of Taxation for year ended 30th June, 1912.

ASSENT TO BILLS.

Messages received notifying assent to the following Bills:—

1. Tramways Purchase.
2. Election of Senators Amendment.
3. Health Amendment.
4. Methodist Church Property Trust.
5. Inter-State Destitute Persons Relief.

PERSONAL EXPLANATION.

Avon Electorate and Mr. P. O'Connor.

Hon. FRANK WILSON (Sussex): If I may claim the privilege of the House for a moment, it will be remembered that about a fortnight ago the Minister for

Lands indignantly denied that a gentleman named Mr. Peter O'Connor had been in his district during the recent elections. I stated that the person who had informed me was willing to make a statutory declaration. I was challenged to produce that statutory declaration, and feeling that it was due, either that the Minister should withdraw the statement or that I should produce the declaration, I have done the latter. I have a statutory declaration here and I wish the privilege of the House to read it—it is very short—and then move that it be laid on the Table.

Statutory declaration, Western Australia. I, Harry Robert Taylor, late secretary of the Eastern District Club, Kellerberrin, and now of Perth, in the State of Western Australia, do solemnly and sincerely declare that during the month of September last (1911) Mr. Peter O'Connor (the present manager of the Dwellingup State hotel) did in the company of a member named Mr. James Tighe, farmer, of Kellerberrin, visit the club premises and that I have many reasons for believing that Mr. O'Connor was instrumental in inducing Mr. Tighe to retire from the electoral contest of Avon district in favour of Mr. Bath. And I make this solemn declaration by virtue of Section 106 of the Evidence Act, 1906. Declared at Perth in the State of Western Australia this 17th day of September, one thousand nine hundred and twelve before me, Chas. A. Saw, J.P., HARRY R. TAYLOR.

I beg to move—

That this declaration do lie upon the Table.

Mr. SPEAKER: I do not think I can accept the motion because notice has not been given in accordance with the Standing Orders.

Hon. FRANK WILSON: What notice is necessary, may I ask?

Mr. SPEAKER: Standing Order 207 states—

No member shall make any motion initiating a subject for discussion but in pursuance of notice openly given at a previous sitting of the House and duly entered on the Notice Paper.

Hon. FRANK WILSON: This is not a subject for discussion, but only to ask the leave of the House to place the declaration on the Table. I certainly asked the privilege of the House to make an explanation in order that members might know what the motion referred to. My motion is simply to allow the paper to lie on the Table.

Mr. SPEAKER: If I allow the motion I must allow a discussion. It would not be fair to allow the motion and then to gag all the rest of the members.

Hon. FRANK WILSON: A subsequent motion can be tabled by any member if necessary. I submit that I have as much right to place a paper on the Table as any other member.

The Premier: The House has the right to say.

Hon. FRANK WILSON: The House can refuse to allow Ministers to do so. A motion to place papers on the Table of the House is never discussed.

The Premier: It can be.

The Attorney General: Every motion put before the Chamber can be discussed.

Mr. George: You would never discuss an affidavit like that.

Mr. SPEAKER: There are occasions when Ministers move that certain papers be laid on the Table, but that is in accordance with statutory requirements. The motion by the hon. member is entirely distinct. Notice must be given of such a motion. A personal explanation is allowed, and the hon. member has made the personal explanation.

Hon. FRANK WILSON: I want the House put into possession of this paper. I do not know yet that there is any Standing Order to prevent the House having a paper which a private member wishes to place on the Table.

The Attorney General: You are questioning the Speaker's ruling.

Hon. FRANK WILSON: Yes. I have simply asked that this paper might be laid on the Table. I see nothing in the Standing Orders which will prevent the House from receiving a paper from any member, and I think it is within the pro-

vince of the House to accept it or reject it.

Mr. SPEAKER: The Standing Orders are perfectly clear, and I have to rule in accordance with them. Standing Order 207 provides—

No member shall make any motion initiating a subject for discussion but in pursuance of notice openly given at a previous sitting of the House and duly entered on the Notice Paper.

I rule, therefore, that the motion moved by the hon. member is out of order. The Standing Order to which the hon. member has referred does not apply. It provides that—

Accounts and papers may be ordered to be laid before the House, and the Clerk shall communicate to the Colonial Secretary all orders for papers made by the House; and such papers shall be laid on the Table by any member of the House, being also a member of the Government.

The hon. member is not correct in his interpretation, because he must be a member of the Government to have that privilege. I therefore have to rule that his motion is out of order.

Hon. FRANK WILSON: I must bow to your ruling, but I will give notice that to-morrow I will move that the paper be laid on the Table of the House.

QUESTION—LEPROSY IN NORTH-WEST.

Mr. GARDINER asked the Premier: 1, In view of further cases of leprosy having been reported in the North-West, will he take steps to segregate all native contacts of the affected persons? 2, Have any steps been taken to comply with the wishes of Parliament in the direction of segregating all natives on Mardie, Cherita, and Karratha stations? 3, If not, will he appoint officers competent to deal with this serious matter?

The PREMIER replied: 1, Instructions have been issued to take all necessary precautions to prevent the spread of the disease. 2, The matter is under consideration. 3, Answered by No. 2.

QUESTION—RAILWAY AMBULANCE CORPS.

Mr. LEWIS asked the Minister for Railways: 1, Is the present Railway Ambulance Corps sufficiently well organised and equipped to deal effectively with any serious railway accident that may arise in connection with our railway system? 2, If not, will he take steps to bring same up to date, and thus provide the means whereby many lives can be saved, and much suffering relieved?

The MINISTER FOR RAILWAYS replied: 1, The Ambulance Corps receives every assistance and encouragement from the Department, and everything possible is being done to render the corps effective in case of necessity. 2, Answered by No. 1.

QUESTION—RAILWAY TRAFFIC, BELMONT.

Mr. LEWIS asked the Minister for Railways: 1, What is the present number of trains running to and from Belmont per week after 5.20 p.m.? 2, What is the total amount of revenue received for tickets from Belmont to Perth and *vice versa* for year ending June, 1912; such amount to include race traffic? 3, Has any request been received from the local authorities asking for increased facilities? 4, Is it the intention of the Commissioner to comply with the request? 5, If not, why not?

The MINISTER FOR RAILWAYS replied: 1, Ten. 2, £4,188 15s. 5d. £3,569 15s. 9d. represents earnings of race traffic. 3, Yes. 4, No. 5, Exclusive of race traffic, the revenue received equals about 3s. 3d. per train mile, while our expenses per train mile for the year ended 30th June last were almost 5s. 2d. The traffic at present is not sufficient to warrant any additional service.

BILI.—RIGHTS IN WATER AND IRRIGATION.

Second Reading.

Debate resumed from the 26th September.

Hon. J. MITCHELL (Northam): I listened to the remarks of the Minister for Works when he introduced this Bill, but I am sorry that he departed from the usual practice of making clear the intentions of the Government in regard to the measure. On this occasion, whilst he told us a good deal about the possibilities of irrigation, the Minister said very little about the Bill. I agree with the Minister that the State should produce all it requires in the way of food-stuffs, and that it is a scandal that so much money should be sent to the Eastern States for dairy produce, but I venture to say that this difficulty will best be overcome by population. I am entirely with the Minister in any endeavour he may make to develop any portion of the State, particularly that great portion which lies to the south-west of Perth, a great country which is deserving of every consideration. It is true that hitherto men have preferred to turn their attention to the great wheat-growing belts, and to the pastoral and mining industries, but the time has now come when opportunities are being sought in the better watered parts of the State, and where the climate is more suitable than it is on the goldfields. The opportunity came some years ago for experimental work in connection with irrigation, and advantage was taken of it to irrigate plots through the State. Whilst I agree that this question is of the utmost importance, I would point out to the Minister that irrigation moves slowly everywhere. In the Eastern States it has been tried for many years. It is more than twenty years since Victoria began to encourage people to take up irrigated land for intense cultivation. Irrigation, however, means the expenditure of enormous sums of money, and in Western Australia, facing the question in the way the Minister desires, there are two or three things which must be taken into consideration. The first of course is the question of cost, and another important matter is that suitable settlers must be obtained to run on these areas that are to be supplied with water. Irrigation is practised in densely populated countries.

In India, where they have an enormous population, there are something like ten million acres of country irrigated, and it is now some time since a commission was appointed to investigate this question in the hope of famines being overcome in the future, and the commission recommended the expenditure of £45,000,000 on irrigation works. Then, again, we know that irrigation is largely practised in Egypt. Java also goes in for a big system of irrigation, channels being constructed in all directions, but there again they have a dense population, and it is important that there should be these irrigation works in order to enable the people to live. Then again, the countries to which I have referred can boast of cheap labour. In the United States there are something like eight million acres of land under irrigation, and there the question is a very important one. France, too, is encouraging irrigation, and during the past twenty or thirty years has spent a good deal of money with, I believe, entirely satisfactory results. Coming nearer home, however, we find that Victoria has invested three millions on irrigation works, and in that State the interest on the whole of the capital expended is borne by the State. The work is treated as a national one, and those who practise irrigation are not called upon to pay a penny towards the interest on the enormous sum expended.

Mr. Foley: What scheme is that?

Hon. J. MITCHELL: The whole of the Government work in Victoria, the interest on which is not charged to the users of the water. It should be borne in mind that notwithstanding the fact that such an enormous amount of money has been spent, only 142,000 acres are under irrigation in that State to-day.

The Minister for Works: Do you mean to say that the users are not charged for water?

Hon. J. MITCHELL: I said that the interest on the work was paid by the State.

The Minister for Works: It is added to the price of the water.

Hon. J. MITCHELL: Other charges are, but not the interest on the capital ex-

penditure. There are 142,000 acres under irrigation in Victoria, and something like £20 per acre has been expended up to date. The Minister will agree with me that when we talk irrigation in a large way in Western Australia, where we have only a sparse population, we know that the expenditure of £20 on every acre which has been irrigated in Victoria means that water will be provided for a great deal more land than that, but that State has found it impossible to get settlers to go in for small holdings. They have been found too expensive to purchase and to work. That State sent commissioners to America and around the world not long ago in order to obtain settlers for their irrigation country, and I believe they have met with some success, but not with the success which one would imagine. When we talk irrigation we talk of high costs naturally, and it is necessary that the man who farms and irrigates should have a market for his produce handy, particularly if he be a dairy farmer. The Minister for Works said that dairying was largely carried on with the aid of irrigation. That is true in certain parts, but it is also true that dairying can be carried on and successfully too without irrigation.

The Minister for Works: I said that dairying can only be carried on in Western Australia with irrigation.

Hon. J. MITCHELL: That shows the Minister knows very little about it.

The Minister for Works: You had a fair go at it and made a nice mess of it.

Hon. J. MITCHELL: No, I did not, but I will make a mess of the Minister and his Bill before I have finished with it. The Minister knows that the best butter which is produced comes from a dry district.

The Minister for Works: I was born on a dairy farm in New Zealand where they did not practise irrigation.

Hon. J. MITCHELL: Then the Minister is a very bad advertisement for that dairy farm. In South Australia dairying is carried on without irrigation, and in fact it is done everywhere without irrigation, and I venture to say that the

best dairy farms of any magnitude will later to be found in the eastern districts of this State, where irrigation will not be practised. In New South Wales there is at Wentworth 1,500 acres under irrigation for fruit growing, and at Hay there is 900 acres for irrigation purposes, and it appears that the irrigation by private people in New South Wales is confined to 670 acres. That, I understand, is the area, roughly, irrigated, and it is used for the fattening of stock. In connection with the Burrenjack irrigation scheme, in New South Wales, I believe it is possible that the irrigation there will extend over 560,000 acres. In this State we have managed for the last few years to bring as much land under irrigation, without a large expenditure of money, as is irrigated in Wentworth and Hay, and which are the only Government irrigation schemes I can find any record of in New South Wales. The conservation of water here is right, and the Government should do all they can to increase the flow of water in the watercourses. There is the irrigation scheme at Harvey, which the late Government, before they left office, set in motion, and the scheme which is to supply Bunbury with water. There is a water scheme needed at Bunbury and it can be carried on over a great area of land between Collie and Bunbury. This scheme can be pushed on with, but in connection with irrigation generally the Government should move slowly, because it is difficult to get men to take up the work. At Harvey the work has already been done, but in Bunbury the water scheme has scarcely been commenced. Irrigation of any magnitude in this State was first undertaken by Mr. Barrett-Lennard on the Swan. He has done, and is doing, as good work as any men who have carried out irrigation in any part of Australia have done. He has something like 90 acres under irrigation, and this country is watered without any aid from the Government. Mr. Lennard has his own scheme, and I believe he has been very successful. It is said, and I believe with truth, that Mr. Barrett-Lennard has made a fortune out of growing grapes. We know that the grapes grown by Mr. Len-

nard rank first in our market, and they take a high place in the world's market. Mr. Lennard's example might be followed by many in this State, and it will be if an opportunity is given. We have at Brunswick, as the Minister for Works knows, a very good object lesson. The experimental work there has been very successful, with the result that the irrigationist, Mr. Scott, was able to induce 200 people to apply water to their holdings. At Brunswick five years ago it was determined to irrigate so that we might provide for our dairy cows during the summer months. We obtained the services of Mr. Scott, who had had experience at Renmark, and in a short time we had the water flowing over the land, and the growth there of the green crops has been phenomenal. The land responds very readily to the application of the water. We were followed by 200 other people who had the assistance of the irrigation expert at very small cost indeed. We have to-day 200 people with their places irrigated. The only expenditure to the Government was part of Mr. Scott's salary and his travelling expenses. One of the 200 men, Mr. Fawcett, of Pinjarra, who applies the water from the Murray river to a fair area of lucerne, is doing well, and those hon. members who have travelled along the South-West railway line must have been struck by the beautiful green crops which Mr. Fawcett grows. This scheme is cheaply put down, the water costing little. It is said at Brunswick the water costs something like 1d. per 1,000 gallons. It must be remembered these places are irrigated from streams that people have under their control. That makes a very considerable difference to the cost of the work that the people are doing and enables them to spread out, as they are doing, quietly, and without a large capital outlay. The pioneering has been done over various parts of the South-West of the State. Many streams have not yet been touched, however, and if the Minister can increase the flow of the various streams he will be doing good work. There are many streams in the South-West that need attention, and irrigation should be practised by the people living along the banks.

Then, apart from the South-West we have the north of the State, where Mr. Despeissis, the tropical commissioner, whose services have been dispensed with by the Government, made a report in which he sets out what is possible there. At Carnarvon, as the Minister knows, the land is irrigated from wells with very satisfactory results. Under a system of irrigation there we can be supplied down here with fresh fruit weeks before it can be grown in the southern part of the State. Then I would remind the Minister that private enterprise has done more than provide food for cows. Mr. Clarke has grown a good crop of potatoes and I understand that he has grown 16 acres of potatoes yielding six tons per acre. There is room for development in that direction also. Whilst I agree that irrigation will do much to improve the conditions of the farms in the south-west of the State, and whilst I agree that water running to waste should be used, I wish the Minister to believe that he is not going to overcome the difficulty by bringing down a Bill and expecting that from that Bill will drop gallons of cream and tons of butter. The Minister will have to give way, in his policy of production, to a policy of immigration if he is desirous of settling any appreciable area in this country. The Minister for Works has told us that this Bill is largely taken from the New South Wales and Victorian Acts and the marginal references show that many of the clauses are culled from those Acts, but I think it would be well for members to compare the clauses with the parent Acts closely. Mixed with these clauses are the desires and wishes of the Minister and the Government. Taken as a whole I think the Bill is not at all a satisfactory one. I have already pointed out that in Victoria the result has been expensive. Large sums of money have been provided and the result has not been quite what was hoped by Mr. Deakin, who first fathered the scheme. It does seem strange that the Minister has provided that every watercourse, lake, lagoon, swamp, marsh, or artesian well, every supply, in fact, is to pass into the

control of the Government. Not only is the water to be controlled, but the bed and banks of every stream and brook are to come into the possession of the Crown. It is true water may be had for domestic services and for the watering of stock, and the Minister very generously says that a man may water three acres of garden, but there are many men, like Mr. Fawcett, who is irrigating from the river and has been irrigating for some time, and why should his supply be cut off? If a man has been using water for two years the Bill says that he may get a permit to continue to use it. But why does the Minister say two years? If a man is irrigating to-day, why should he not have a right to continue to supply the water to his holding? I think these men should be protected, but the Government say that only men of two years' standing are to be protected. In Committee we may deal with that matter and I hope the Minister will see that as little disturbance as possible will obtain. Where the Public Works Department increases the flow of water the Bill has determined that 4,000 gallons shall be the maximum used for stock, and that 200,000 cubic feet of water may be used for every mile of frontage to a stream. Is the Minister to make provision for anything less than a mile? A man may have a frontage of 200 yards or 300 yards, is the Minister going to cut him down to less than 200,000 cubic feet? If he is to be cut down then the land will get a very small sprinkling of water indeed, altogether too little to apply to a decent irrigation block such as Mr. Fawcett has at Pinjarra. I hope that such men as Mr. Barrett-Lennard and Mr. Fawcett, and others, will receive some consideration at the hands of the House, if not of the Government, for private enterprise should be protected, and I think the Minister will find there will be a sufficient number of members who will agree with me when we come to the clause in the Bill which does mean confiscation as far as those men who have spent their money is concerned. Artesian wells come in for consideration. An

owner may have spent many thousands of pounds yet he is to lose control of his artesian well. The Minister is to take charge of the present wells in the North-West. This Bill gives the Minister power to say that a meter shall be put on the well and that all beyond a certain quantity of water the Crown are to be paid for. The Minister fixes the price, in fact the Minister is vested with very great powers indeed. The Minister says that the farmer for watering his sheep in the South has to pay 6s. per thousand gallons for water, but when it comes to water from artesian wells I hope the Minister will tell us what he proposes to charge there. I know it is a mistaken idea with many people that the man on the land can stand any amount of taxation.

The Minister for Works: The man on the land is the best judge and he says he can pay 6s.

Hon. J. MITCHELL: I know the men on the land and I say they do object to pay that amount. The Minister is a man on the land, and I would like to apply the 4d. per acre, the £5 home-stead tax, and the 6s. per 1,000 gallons of water to him. Fortunately he is so situated that he will not have to pay this high rate. If the men who draw water from artesian wells are to be dealt with by the Minister, and he taxes them for the water at the rate he charges the farmer, it will be all up with the stations in the North, so far as artesian water is concerned. The Minister should remember that artesian wells supply water over vast distances through channels cut for the purpose. In country with a carrying capacity of one sheep to 10 or 15 acres, it is impossible to cut off the flow of water, and get much benefit from the artesian supply; the great benefit comes from allowing the water to flow over a vast area. The Bill also provides a rating scheme, and again it is at the will of the Minister: there is no amount specified. The Minister can spend any amount he pleases upon irrigation, and unlike the Government of Victoria, he will charge the district with the expenditure connected with the work,

and will collect interest and sinking fund.

Hon. W. C. Angwin (Honorary Minister): Did you expect them to get it for nothing?

Hon. J. MITCHELL: I am aware that the man on the land will get nothing from the Minister who has just interjected. I think that the Victorian idea is the correct one. In that State the interest is borne by the people, and the people get the benefit from the resultant productiveness of the land.

The Minister for Works: Where would you get your interest from?

Hon. J. MITCHELL: From where we got it before.

The Minister for Works: By more land taxes.

Hon. J. MITCHELL: We determined to remove the land tax.

The Premier: Who determined to do that?

Hon. J. MITCHELL: The previous Government; it was stated in the late Premier's policy speech. Our operations during our last year of office showed a credit balance of £115,000, and therefore there was a chance to do without a land tax. Now, however, a change has come over the scene, and I suppose increased taxation will have to be imposed by the Premier in order to meet the deficit that is being piled up by him. However, in addition to the other rates, there is a rate proposed in this Bill, and the Minister is to have power to determine what that rate shall be. The Minister's intentions in this regard are certainly very important to the measure, and I hope that when he is replying, he will tell the House something of his intentions, and also what the probable expenditure in connection with irrigation will be. I would like to point out that, under the provisions of this measure, all the land in a district that can be irrigated will be rated, whether the land benefits by the public work or not. It may be that only a small portion of the land will benefit by the actual work done; notwithstanding that, the whole of the land in the district that is capable of irrigation will be taxed. That is a monstrous proposal. It is suggested by the Bill that, if there

is failure to pay any portion of the interest due to the Crown, the funds of the local authority in the hands of the Government may be retained; so that, for instance, the Brunswick roads board, having a subsidy to collect from the Crown, might lose that money if one irrigation area within the boundaries of the roads board made default. At the present time, irrigation is being practised at Hamel over a limited area, and there are many other districts which will be irrigated later on; but if any one of them makes default, the funds of the local authority, within whose boundaries such district is situated, may be attached by the Minister. The appointment of the board is also left in the hands of the Minister, and it is possible for persons other than ratepayers to become members. The Minister may nominate as members of the board persons other than those who pay. Is it a fair suggestion that a man who has no interest in the district, and does not pay anything by way of taxes, should be appointed to one of these boards? That is a proposal that will be resented by every man in the irrigable areas. Why should a man, in Fremantle for instance, be appointed to an irrigation board at Hamel or Harvey? I think it is well that the public should understand that these provisions are contained in the measure, and that the rating power is given to the Minister who has also the power to nominate the boards. I suppose it will be hardly understood by those who read the speeches that have been delivered on this Bill, that land suitable for irrigation may be taken by compulsory purchase. Not satisfied with confiscating riparian rights, the Minister takes power to resume any land suitable for irrigation, and not for a limited period, but for all time. If this Bill becomes law, Mr. Barrett-Lennard may be given notice that 24 hours later his land will be taken for sub-division, notwithstanding that he is using it. There is nothing to limit the operations of the Minister in this regard. He may resume any land if he pleases, and do with it just what he pleases. That is a monstrous suggestion, and one which I venture to say will have a deterrent effect. The

Minister may tell us that he has no intention of doing that, he will not always be Minister. His successor—perhaps the Honorary Minister when he is appointed to that portfolio, or acts in the Minister's stead as he has done before—may desire to act in this way, and there is nothing to prevent it. Will members on the Government side agree to this suggestion?

The Minister for Works: I would compensate the owner.

Hon. J. MITCHELL: The Minister would never get his Bill through unless he provided for compensation. But what sort of compensation is it? The Minister will take away the land, and the owner will go to court, and after being messed about for a year or so, probably get less than the land is worth.

The Minister for Works: That is a reflection on your Supreme Court judges.

Hon. J. MITCHELL: Take the case of Mr. Barrett-Lennard. Suppose the present Minister, or some future Minister, determined that Mr. Barrett-Lennard should go; that he was making too much money, and that his holding was too large; the Minister can, under this Bill, give that gentleman notice of compulsory resumption, and call for applications for the resumed holding. It is true that the Minister will pay compensation, but even in that regard the Bill is badly drafted, because it says that compensation shall be paid for the land with due regard to severance, but nothing is said in regard to compensation for improvements. I want the people of the South-West to know that the Minister proposes to take what he pleases of the land the people occupy, if it suits him to do so. Crown land may be dedicated for the purpose of irrigation under this measure by the Minister for Lands, and when it is dedicated it comes under the control of the Minister for Works. Under the Land Act, agricultural land can only be alienated by sale; it cannot be leased, but under this measure the land may only be leased. So that we will then have two systems, one under the Minister for Works, and the other under the Minister for Lands. Is it right that

the Minister should avail himself of the clause in this Bill to put into operation a part of the Labour party's platform, the non-alienation of Crown lands and the nationalisation of land? Did the Minister tell us that was his intention when he introduced the measure? Will not the people be surprised to know this power is not sought under the Land Act, but under this measure which is to be administered by the Minister for Works? I hope the Minister will tell us exactly what his desire is in this regard also. This Bill gives the right to tax, to confiscate, and to lease—all privileges dear to the Minister and those who support him. They are taking the right to do all these things in this measure. When dealing with riparian rights, we are dealing with something that has come to the owner, from the Crown in some cases, and in others by purchase. I think that the owners of riparian rights should be given every consideration. Whilst I realise that it is necessary to have water for irrigation, it certainly is not necessary for the Minister to take all the streams. Under this Bill, small streams in the Northam district will pass under the control of the Minister. Is that necessary? Are the brooks about York which cannot be used for irrigation, necessary to the Government? Should not the Bill provide that only streams necessary for irrigation may be controlled? Surely that would be enough. Even in the South-West, it is not necessary to take control of many small streams which are not to be used for irrigation purposes. In Committee, I will move an amendment—

Hon. W. C. Angwin (Honorary Minister): Are you going to move an amendment giving the State the land on the side of the streams?

Hon. J. MITCHELL: The hon. member does not know his own Bill. The Minister already has power to confiscate a man's holding. What more does he want? It is quite clear, and I venture to say that when it is put into operation some of the Minister's friends will know what it means.

The Premier: From the way the land resumed in Perth by your Government

was confiscated, I would like some of mine confiscated; take Bunning Brothers for instance.

Hon. J. MITCHELL: Some of these riparian holders are already irrigating, and the Minister must treat them more generously than this Bill proposes. In introducing the Bill, the Minister said nothing had been done for the South-West. He inferred that the South-West had been altogether neglected. He is wrong; the South-West received more help from the past Government in six months than it will get from this Government in six years. The Minister said that the Labour Government had had to institute the system of agricultural railway lines, and that, just as they had had to introduce that system, now an irrigation scheme had to find its place on the statute-book at their hands. He said also that they had left their successors a sum of money with which to build agricultural railways. I know the Minister was responsible for building a line to Jandakot which was seldom used until we extended it, and I know there was about £48,000 left as a legacy to us, but that was not very helpful to railway building. I hope they will do better with this irrigation scheme than they did with regard to agricultural railways. The member for Bunbury (Mr. Thomas) waxed eloquent; I believe he said that it almost intoxicated one's imagination to think what could be done in Western Australia by a vigorous irrigation scheme. I commend the hon. member for that statement, and I admire his eloquence although I cannot admire the ideas that induced it. The hon. member claimed that nothing had been done. It is very easy to criticise a great work, but on the other hand, it is often not very easy to put in hand the smallest possible operations. Will the hon. member not give the past Government credit for instituting irrigation throughout the South-West? Why, we were responsible for it.

The Premier: Where?

Hon. J. MITCHELL: At Brunswick, on those farms that were irrigated under Mr. Scott. Irrigation is no new thing. There the system is in operation now, and

it was instituted at very little cost, and the people who are irrigating are not being taxed for the privilege of doing it. Then, too, in the South-West the past Government started the system of land-clearing by traction engines. Again, notwithstanding that the Minister who now professes so much concern for the South-West was in power for twelve months, it was necessary for us to make the money in the Agricultural Bank available for the farmers in the South-West; and we built railways and cleared roads and carried out drainage and experimental irrigating, and we appointed a Commissioner for the South-West, who is carrying out his duties very satisfactorily, and the fruit expert (Mr. Moody) and an irrigation expert (Mr. Scott) and a small army of experts and inspectors. All this was largely the work of the last Administration, and it is because of the work that was done that we now have this Bill before us to consider. The work the past Government did made a Water Rights Bill necessary, but not this Bill that we have before us containing provisions that I have mentioned this afternoon. Like many other Bills the Government have introduced, it will retard enterprise and will probably result in throwing out of work more men than the irrigation works it is proposed to establish will employ. It behoves the House to see to it that when proposals are put before the Chamber they are at least reasonable. We want things done in this State, we want to fill up the empty spaces, and we want people willing to do it; we do not wish to retard those who are engaged on the work of developing the South-West, neither do we wish to interfere with them in any way. I believe good work has been done under the encouragement given by Mr. Scott. The Minister should be reasonable. He should make this Bill more reasonable. There are many things in it that will be objectionable to the great majority of the people of the State, and, I believe, to the great majority of the House. We do not wish to prevent the passing of a measure for the control of water needed for irrigation or a measure that will make irrigation possible, but

we do object to a Bill containing provisions more harmful than helpful, one that will do more harm than good to the cause which the Minister professes to have at heart.

Mr. S. STUBBS (Wagin): The principles involved in this Bill require a great deal of consideration. I yield to no man in my desire to see the agricultural industry, so far as it relates to the manufacture of butter, bacon, and cheese, put on a more satisfactory basis than it has ever been in the past. Anything I can possibly do to help the House to pass measures that have in view the assistance of those persons who desire to embark on the raising of butter and dairy produce will be done by me and, I am certain will meet with the approval of the majority of the people in this State. It is deplorable the enormous amount of money that goes out from this State yearly to pay for bacon, butter, and cheese imported from other States.

Mr. Harper: Federation is responsible for that.

Mr. S. STUBBS: I do not quite follow the hon. member. Long before Federation we were paying large sums of money in this direction, and we are sending out equally large sums to-day. Anyone who studies the question must agree with me. It is well within the mark to say it costs this State £1,000 a day for butter alone, and that the huge sums we have to pay in addition for bacon and cheese will add considerably to that amount, so that probably nearly half a million pounds a year is sent out of the State for these products. The most extraordinary part of it is that in the agricultural districts—and unfortunately I must include my own district of Wagin—an enormous amount of butter and bacon—

The Premier: And tinned milk.

Mr. S. STUBBS: Yes, and tinned milk—all these are imported. If the figures were known to members of this House, they would be astounded. It seems an extraordinary thing that so many farmers neglect the raising of dairy cattle to supply themselves with milk and butter. I maintain if butter could be made locally it would be a very much better article,

and I believe it can be made just as well as in the East. Any assistance the Government or Parliament can give in establishing creameries and helping in every possible way by importing good stock and leasing them if they cannot sell them to men desirous of making a start in producing sufficient butter so as to keep the money in the State, would be money well spent. However, I cannot agree with some of the clauses that the Minister for Works has introduced into this Bill. I fail to see why it is necessary, when desiring to assist the dairying industry, to get Parliament to practically pass legislation confiscating people's properties; for that is what the Bill really means. To my mind the Government will do just as much good work with certain portions of the measure without going to the extreme of practically robbing people of their rights.

Mr. Gardiner: What part of the Bill robs people of their rights?

Mr. S. STUBBS: If the hon. member studies the Bill I think he will find it in Part III.

Mr. Gardiner: I know it off by heart and I can find nothing to that effect.

Mr. S. STUBBS: The hon. member must be very clever. I am sorry I do not know the Bill off by heart, but I have learned sufficient of it to convince me that if it passes it will be a very serious matter for a large number of people in the State. I think I can convince the hon. member if he is a fair minded man, that I am right. I will give an illustration. Ten years ago a man sees an advertisement that a freehold property is for sale in the South-West with a large frontage to permanent water, and he goes down and inspects the property and the price tempts him. So he gives £7,000 for the property. I say £7,000 for the sake of argument, but I can prove anything I desire to say in connection with the Bill; I am not making assertions that are not true. This man buys the property and borrows a good deal of money from financial institutions, and one of the reasons that tempts him is the fact that he has an exclusive water frontage for a certain distance on a certain stream.

Now, if I mistake not, if this Bill becomes law, the owner of this property has to give the Minister for Works notice that he desires to have the right for ten years to the use of this water, and later on I think there is a clause which says that if he depreciates the flow of the water to any considerable extent through his property he may have a writ put in against him to prevent his doing it. In the particular case that I knew of the man would never have given anything like that sum of money for his property had he known that the Government or any future Government were going to place a measure of this kind on the statute-book.

The Minister for Works: He bought that water right for the watering of stock, did he not?

Mr. S. STUBBS: How does the Minister know what was in his mind? I know as a matter of fact that he bought it for an orchard, though I presume he intended to raise stock also. I do not think it was in his mind at the time that he was going to confine himself exclusively to the growing of stock or to establishing an orchard. The point I desire to make is that if the Government had decided to compensate all owners of water, or of riparian rights, I do not think anybody could object; but if the Government, by a stroke of the pen, are going to take away from the owner without compensation the rights he undoubtedly possesses, then to my mind it is not British fair play. Certainly if for the reason that a stream runs through a person's property the Minister will be materially retarded in his project of establishing irrigation on a large scale and so lifting the dairying industry from the position in which it is to-day, then of course the Minister would be perfectly right in securing that property from the owner; but not in the manner proposed by the Minister. I say that in all fairness the owner should be compensated.

The Minister for Works: Your proposal is that I should compensate him for the water?

Mr. S. STUBBS : No, for the land ; the most valuable part of the land is the river frontage.

The Minister for Works : I am not taking that.

Mr. S. STUBBS : But you propose to restrict the quantity of water he may use.

Mr. A. E. Piesse : The Minister will not allow him to irrigate more than three acres.

The Minister for Works : Am I to compensate him for the bed of the river, or for the water in the river ?

Mr. S. STUBBS : If the owner is now irrigating 50 acres or more from the river, it seems that he will have to apply for a license before he can continue.

The Minister for Works : That is so.

Mr. S. STUBBS : If he desires to improve his land as time goes on, is it right that the Minister should be in a position to tell him that he cannot use the water for that purpose ?

The Minister for Works : What right has he to the water ? What about the man below him ?

Mr. S. STUBBS : He has a right in view of the fact that he paid a large price for the land because of the presence of the water.

The Minister for Works : But the man below him bought some of the water, too.

Mr. S. STUBBS : To show that the Minister is quite wrong, I may say I have a large farm in the Great Southern where, through the expenditure of much money, I now have a quantity of permanent running water which was not in evidence when I took over the farm. Have I no right to that water ?

The Minister for Works : The Bill gives you a right.

Mr. S. STUBBS : Distinctly in my opinion I have a right. If the Minister thinks I have not that right—

The Minister for Works : The Bill gives you a right, but does not allow you to monopolise all the river.

Mr. S. STUBBS : But the river has started on my property, since the expenditure of my money, and I deny that the Government have any right to tell me that

I must apply to them before I can use that water.

The Premier : You did not start the river.

Mr. S. STUBBS : The expenditure of my money on my property has started a permanent creek.

The Minister for Lands : Did you make the rain ?

Mr. S. STUBBS : I paid a great deal of money in order to induce that water to ooze out of the ground, water which was previously absorbed by thousands of trees. I think it is wrong that the Minister should dictate to me and say I cannot use as much of that water as I wish to.

The Premier : It is unlikely that you have provided sufficient water on that land to bring it under the Bill.

Mr. S. STUBBS : In my district, twenty or thirty years ago, a certain man took up a large tract of land which eventually came into the possession of his son. There are on that holding huge streams of water which were not running prior to the selection of that land forty years ago. These streams represent an astounding quantity of water, in fact, there is far too much water on that land to-day. Now, would it be fair for the Minister to dictate to that man in regard to the water which has, so to speak, been created by the expenditure of his money ? Why should that man be debarred from using as much of that water as he likes ?

The Minister for Works : Because other people have a right to the same river.

Mr. S. STUBBS : I think the owner should be compensated if the Minister is going to restrict the quantity of water a man may use.

The Minister for Works : I am going to prevent you from robbing your neighbour of his fair share.

Mr. S. STUBBS : I think it is rather that the Government are going to rob the man who has created running water by the expenditure of much money, and also the man who has paid a large price for a property because of the presence of permanent water. If owners are to be required to pay a license, and to be restricted as to the quantity of water they may draw, they should be compensated.

Mr. George: Why should they be restricted as to the quantity of water they wish to draw?

Mr. S. STUBBS: The Minister says they are robbing the man lower down the stream. I desire to assist the Minister in his irrigation scheme, and in his purpose of putting the dairying industry on a better footing than it has been in the past, but I want the Minister to be fair to these men who have already embarked their capital on similar schemes, and I do not wish to see restrictions put upon them unless compensation be paid. If the Minister would agree to pay compensation, or to give a man the right to irrigate a fair area of land—I do not consider three acres a fair area for irrigation—much of my objection would disappear. At all events, in Committee I shall do my utmost to amend certain clauses. With the principle I am heartily in accord, but the method of the Minister scarcely appeals to me. The Minister said he had a precedent in the Eastern States. I do not think any Government in the Eastern States would take away a person's property without compensation; and even if this were done in the Eastern States, there is no reason why we should adopt the principle here, for two wrongs do not make a right. I desire fair play for all. I am heartily in accord with the desire of the Government to do their best in the way of providing an irrigation scheme for the purpose of establishing dairies, but I strongly object to the proposition to confiscate people's property.

Mr. LEWIS (Canning): I desire to support the measure, and I heartily congratulate the Minister on the very practical way in which he outlined the provisions of the Bill, and on his contention as to the absolute necessity for the measure. The Minister referred to the fact that past Governments, and the present Government, had done a great deal to encourage the mining, pastoral, shipping, agricultural, and manufacturing industries, with the result that the fostering of these industries has brought about a large increase in population, although at the same time we had absolutely neglected to make

provision for food supplies for our consumers. The result is shown clearly by the Minister's figures. This State is sending out large sums every year for dairy products which we could produce in the State. This proposed development will undoubtedly add increased wealth and also increase our population. We have many examples in Victoria, such as the Goulburn River irrigation scheme. We also had a gentleman who took a deep interest in Victorian irrigation and preached the gospel of irrigation in season and out of season. His memory is revered throughout the whole of that State to-day; I refer to the late Mr. Hugh McColl. So popular did that gentleman become, through his advocacy of these irrigation schemes, that his son, Senator McColl, has largely lived on the reputation of his father ever since. Mr. McColl was to a great extent instrumental also in bringing about the establishment of the Coliban water scheme. This scheme runs from the Malmesbury Reservoir in open channels for a considerable number of miles, and feeds various reservoirs. It has been the means of reducing the price of water for sluicing purposes and for fertilising orchards, and has enabled a large number of men to obtain a livelihood in Victoria. It has been amply demonstrated that the old diggings round about Bendigo, previously thought to be worthless, can, by the use of water, produce all kinds of vegetables, a discovery that has enabled a number of men to make a reasonable living on very small areas; in fact, irrigation has proved to be the life blood of the production of wealth. A large amount of opposition to schemes of this sort is urged purely from the old Tory idea "We are opposed to socialistic enterprises." Wherever the members of the present Ministry go, more especially through the agricultural areas, requests are made from producers and farmers for Government assistance. Undoubtedly, if the Government come to the rescue in making provision for water supplies, for using that which Nature has given us, we will, in a short time, become a self-contained State, producing our own dairy products for which we have now to send

to the Eastern States. I venture to say that the successful establishing of our dairying industry will do a great deal to start the State on a new career of prosperity by opening up fresh avenues of employment for capital and labour. The Bill provides for the utilisation of our rivers and artesian bores, and for the making available of Nature's gifts for the use of the people generally. The proposition put forward by the member for Wagin, that because a person buys a water frontage he is entitled to as much water as he desires, seems to me outrageous. There are other people to be considered and if we are going to do anything, it is the duty of the State to protect the vast majority and assist them in this particular direction. It has been proved that the devotion of the soil to intense culture leads to more land being devoted to the service of man, and with our higher and more scientific ways of life a man can get a good living with the aid of water on a very small area. It is the desire of the Ministry to encourage settlement in this way, and I compliment the Minister on bringing forward this very necessary measure. I might say that, as far as the constituency I have the honour to represent is concerned, we have the Canning, a fine river, and it has been demonstrated what can be produced along its banks. Orchards by the aid of water yield prolifically and vegetables also grow in profusion. I extend an invitation to members of this House to the Canning show which will be held at the beginning of November, and at which members will see the wealth of vegetables which it must be confessed is a tribute to what irrigation can accomplish. Mr. Connor, the Agricultural Commissioner for the South-West, visited this district during the latter part of last year and reported with regard to areas along the banks of the Canning to the following effect:—

We were shown over the very fine vegetable gardens of Messrs. Packer and Mersey, situated on the Canning River. Here we had a practical illustration of what a wealth of vegetables can be produced on this class of country under irrigation, and there is no reason (pro-

vided the river is locked towards Perth for the purpose of preventing the salt water from destroying the present stream for irrigation purposes) why hundreds of acres cannot be utilised in the same way along the river's course, and also for the successful carrying on of dairy operations on a large scale. This was clearly manifested on the next farm visited, owned by Mr. Manning, and it is to be regretted that the owners of land in this vicinity do not take advantage of their great possibilities in this respect.

The desire is to lock the river as low down as possible in order to make it available for as many people as we can to settle along the banks. During the latter portion of the year the tide comes up the river and impregnates the water with salt, and as a result renders it detrimental to vegetation. Further up the river there is a bore from which a large volume of water issues and during the summer season it runs into the river. That also has a detrimental effect. I would like the Minister for Works to take action to stop the flow from this bore because the season is fast approaching when the detrimental effect on the water in the river will again be experienced. It is absolutely essential in the interests of those using the water that something should be done.

Mr. Moore: Where is that bore?

Mr. LEWIS: At the foot of the Darling Ranges, up towards Gosnells.

Mr. Moore: What is the supply of water?

Mr. LEWIS: About four gallons a minute. It is highly mineralised, and has a great effect on the water in the river.

Mr. Moore: Four gallons a minute is very slow.

Mr. LEWIS: That is what I have been informed. As far as the dairying industry is concerned, irrigation is a priceless boon, and sufficient water is a prime necessity. In connection with the land question, it has been proved times out of number in Victoria where they have resumed land to give people an opportunity of using and developing it and bringing increased prosperity to the

State, that monopolists and speculators secure these areas, and the result is that they have to continue the same process over again. The same thing would exist in this State. If the Government make provision by supplying water and a large number of speculators and St. George's-terrace farmers endeavour to secure this land and take advantage of what the Government are doing to assist production, we shall find as we do to-day that the best land is monopolised by a few speculators to the detriment of the genuine settlers and producers who desire to use it and get from it the best results. I have very great pleasure in congratulating the Minister on having introduced the Bill. I am sure it will be one of the most progressive measures introduced by the Government, and will add materially to the development of our land. I have much pleasure in supporting the second reading.

Mr. A. N. PIESSE (Toodyay): No doubt the Minister, in introducing this Bill, was actuated by very high ideals in regard to the matter of irrigation. It opens up a wide field for the production of many of those commodities which we at present import in such large quantities from the Eastern States, particularly dairy produce, and other lines mentioned by the member for Wagin. But I fear that the Minister's ambition to do something big is going to result in giving him very great powers under this measure. Reasonable powers should be given to the Government of the day to carry out any practicable irrigation scheme, but I fear that many of the districts, or the majority one might say, do not lend themselves to irrigation. A visit to the Eastern States and a study of the irrigation propositions there in course of construction will lead one to readily admit that large portions of Western Australia are unsuited for that sort of treatment. The South-West lends itself to irrigation in its truest sense. There is one great consolation with regard to the Harvey district, where I am pleased to learn it is the intention of the Government to introduce irrigation—

The Minister for Works: It is under construction now.

Mr. A. N. PIESSE: I am glad to hear that because, from my knowledge of citrus culture, should that industry fail, the country lends itself admirably to dairying, and if the water is laid on by means of irrigation through the channel system, dairying will probably be carried on at Harvey. There may be some doubt as to the ultimate success of the citrus industry in that district, although we may yet discover means of overcoming the difficulties which have, from time to time shown themselves. We have heard of the price the Government paid for the land, but I feel sure the price stated by the Premier is a reasonable one, and will at no distant date prove a profitable one for the State. In order to carry out the irrigation proposal there, due regard should be had for the proper training of the settlers in the matter of irrigation. At Mildura serious blunders were committed; extravagant use of water absolutely destroyed many of the orchards, and it was found in the end that losses from the ignorant use of water for some time placed that particular settlement in a very risky condition. I sincerely hope that the Government will secure the assistance of, or employ a competent and sufficient staff to supply proper training. We have in the present Irrigation Expert a very capable man, perhaps a little cautious, but it is better to err in that direction than to lead people into extravagant ventures. I would like when the Bill reaches Committee to see it made to apply to particular districts, because I feel that if it is applied generally, hardship or injustice must result. If we compare the eastern districts, or the Avon district in particular, with the South-West the country does not lend itself to irrigation in the truest sense of the word, and that being so, why should we confiscate the property now held under title which is often referred to as riverbed. I feel sure it would be an injustice if such a law were passed, and if it affects that district in the way I have mentioned. If the Bill were confined solely to the South-West,

or if we in Committee make provision for the Bill to apply to the South-West, or to districts suited for irrigation, I can see no harm in the results; of course allowing for due compensation where property is reverted to the Crown. As far as artesian bores are concerned, it is a recognised fact that very few artesian flows can be confined or controlled. Instances are on record where attempts have been made to confine artesian water, with the result that it has escaped from the bore and in many instances destroyed the bore. I do not know that this applies generally, but the chances are that in the North when attempts are made to control or check the water flowing from these bores serious loss will result. I sincerely hope that the Minister will see fit to accept amendments in the direction of permitting the general use of this water and not to restrict or impose any penalties on the owners using it, because it is a natural consequence that the water from the bore must flow over the surface of the soil somewhere.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. A. N. PIESSE: I do not know that I have much more to add. I feel sure the Minister does not realise how seriously the Bill affects us in the Avon district. It must be clear to all that as soon as the Bill becomes law it must affect values, because it is well-known that a large number of landholders in the Eastern or in the Avon districts and in many districts further north occupy land, the boundaries of which cross the river or the river bed, and that in other instances boundaries of surveyed land run straight up the river bed, and again where land is held under freehold. This measure will operate disadvantageously in so far as it must prevent improvements which would be carried out if a title existed without interference. Take my own case; I have twelve acres of land on the Avon river bed within surveyed bounds. The river does not flow every year, although it may flow for three or four years consecutively, but we have known times when for two or three years

in succession it has been dry. We have found out from expert advice, particularly from Mr. Scott, the Irrigation Expert of the Government, that it is unsuitable for lucerne growing, but from my own experience I have proved that the land will profitably grow paspalum or couch grass, and if the land reverts to the Crown as proposed under this measure, I will be prevented from keeping down the undergrowth, and also prevented from putting that land to its proper use, which is grazing. I intend, if the Bill does not become law, to lay the whole of the river bed in paspalum, and it will be to my advantage to increase its stock-carrying capabilities by this means a hundredfold or more.

The Minister for Works: It is not proposed to take the boundaries of the streams.

Mr. A. N. PIESSE: It is the river bed I am referring to.

The Minister for Works: We will not touch the river where there is no water.

Mr. A. N. PIESSE: It is pleasing to get that assurance from the Minister, because that land is only suited for pasturage. It is costing me about £10 an acre, and it may be put to great service in the way I have stated. We have an abundance of water there. It is not only millions, but billions of gallons. As one of the owners of land fronting that large body of water, I would not hesitate to give permission for the use of the surplus water, because we will never use the bulk of it. I would not object to power being given to the State to use the surplus water, if it could be profitably used. Naturally, conserved water is much too brackish for lucerne growing, but it could be used for other purposes. I was pleased to hear what the Minister said, because it has removed my greatest fear. If the Bill becomes law, it will cause the land to revert to the Crown, I take it, and that being so all river beds revert to the Crown without compensation. The mere fact of them reverting to the Crown will deprive me of my right, and it will reduce the value of the property. There is provision in the Bill which prevents me from disturbing that river bed.

The Minister for Works : Not unless we want it for purposes of irrigation. If you say it is not serviceable for that purpose, then it will not be interfered with. If it is, we claim it is better to grow other products than paspalum or couch grass.

Mr. A. N. PIESSE : Then, why restrict the use of that water, which is practically valueless?

The Minister for Works : If it is valueless we will not touch it.

Mr. A. N. PIESSE : But the Bill gives sweeping powers.

The Minister for Works : Only for the purpose of irrigation.

Mr. A. N. PIESSE : The Minister has given power to restrict the use of that water, although it may be indifferent water. I sincerely hope when the Bill is in Committee the Minister will accept amendments which will exclude this brackish water from the operation of the Bill. Then we have the orchard portion. Here is a very serious proposal. It is intended by the Bill that an owner shall be permitted to irrigate only three acres of orchard. I have a neighbour who has 10 acres, and if it is proposed to restrict the area to three acres, what is to become of the balance of the orchard? A serious wrong will result, if I read the Bill properly. I hope that the Minister will see fit to restrict the operation of the Bill so that it shall not apply to the whole of the State, because there is nothing to be gained by confiscating the whole of the river beds throughout the State. There are troublesome and annoying provisions in the Bill which will retard the conservation of water, because it says that any channel or water-course is where water flows. It may arise in another man's property and flow through mine, and I might wish to make a dam in that particular brook or valley, but if I interpret the Bill correctly, I shall not have the power to check that flow.

The Minister for Works : You would not put a dam in a stream.

Mr. A. N. PIESSE : We do in small gullies.

The Minister for Works : A dam is specifically exempt in the Bill.

Mr. A. N. PIESSE : I am glad, however, to get the assurance of the Minister that it is not his intention to interfere with the river beds, but the confiscation bogey is still there.

The Minister for Works : It is a bogey.

Mr. A. N. PIESSE : That bogey, unfortunately, will be considered rather serious in the matter of values. That is the objection I have to it. I can only repeat in conclusion that I hope when the Bill is in Committee that its operations will be restricted to districts which are suitable for irrigation.

[*The Deputy Speaker (Mr. Holman) took the Chair.*]

Hon. FRANK WILSON (Sussex) : I would not have said anything on the second reading but for certain statements which have been made by hon. members in discussing the Bill and the eulogistic terms used towards my friend, the Minister for Works, in connection therewith. I do not wish to take away from him one iota of credit in regard to the Bill, but I should like the House clearly to understand that the principle of the measure is one that was recognised long before my friends took office. In fact, I believe a Bill was already drafted and considered by the Crown Law Department to deal with the riparian rights when we left office. Although I am not for one moment claiming that the measure which has been submitted is our handiwork, I do not want to take away any of the credit which is due to the Minister, but it is necessary that I should point out that this was part of the policy of the previous Administration.

Mr. George : Not on these lines.

Hon. FRANK WILSON : On better lines. The principle of the State controlling and owning the water is, I think, a sound one. Whether we should attempt anything in the shape of confiscatory legislation is another matter altogether and one that requires to be fully inquired into. I do not propose to deal with the details of the Bill. I merely wish to con-

tent myself by saying that I hope the Government will see their way to agree to refer the measure to a select committee that can sit and take evidence and hear the objections, if any, that are to be brought forward in connection with this proposed legislation. We do not want to make a Bill of this description a party measure. It is one that ought to be considered in all calmness after all interests have been heard, and, therefore I take this opportunity, before the Minister replies, to simply say I hope that when we move for the appointment of a select committee, he and his colleagues will agree, because I am satisfied that the quickest method to arrive at a satisfactory measure will be to allow all concerned to bring their evidence forward. After it has been thoroughly considered by a select committee and a report brought to this House, we can then endeavour to make terms as equitable as possible in the interests both of the State and of the individual. It stands to reason that someone must be hurt by legislation of this description. We cannot legislate to take away rights that have belonged to individuals ever since the State has been a State without hurting some, but we must attempt to be as fair as possible, and see that the least injury is done, at the same time conserving the interests of the people as a whole. I do not propose to discuss the Bill any further at this stage, but I again suggest to the Minister that the quickest and best way to see that all are fairly treated is to arrange that a measure of this description, which deals with so many important interests, should be threshed out by a select committee.

The MINISTER FOR WORKS (in reply): I must say that I am pleased with the reception the Bill has had at the hands of hon members. Of course it is the privilege of members opposite to emphasise any weak points they think are to be found in the measure, but I am inclined to think that one or two hon. members neglected to study the Bill before they spoke, because in some instances they have emphasised points in opposition to the measure which are

specially provided for in it. For instance, the member for Murray-Wellington (Mr. George), although he approached the Bill in a very reasonable manner, emphasised as his main point—and he was afterwards followed by the member for Wagin with the same argument—that after ringbarking and improving the country, springs are to be found in various portions where they did not exist previously; that owing to improvements increased water is found on holdings in the form of springs, etc., and it is wrong for a measure of this description to take away from landholders that which they have created by the expenditure of their own capital. That is recognised in the Bill. If hon. members will look at Clause 4, Subclause 3, they will see a definite provision made that if a spring exists on a man's property it belongs to him as long as the property remains his.

Mr. George: I was referring to springs which become creeks.

The MINISTER FOR WORKS: If a spring develops into a small creek the water belongs to the landholder until it goes outside his property. It is difficult to give a definition of all these things, but provision is definitely made in regard to springs. The member for Moore (Mr. Lefroy) and the member for Toodyay (Mr. A. N. Piesse) stated that under this Bill before a man could put down a tank he would have to go to the Minister in charge of the measure for permission. If those hon. members will look at Subclause 2 of the clause I have already alluded to, they will see that definite provision is made exempting the construction of dams for the purpose of conservation of water by individuals.

Mr. A. E. Piesse: But the individual can only irrigate three acres from that dam.

The MINISTER FOR WORKS: The Bill does not deal with these small creeks referred to by the hon. member. We are dealing with rivers, and of propositions where it is possible to establish irrigation on a large scale.

Mr. A. E. Piesse: Then why not restrict the operation of the Bill to rivers?

THE MINISTER FOR WORKS: The great difficulty is to define what is a river in this country. If the hon. member can show me how to define that which can be used for irrigation purposes, and how to exempt those small creeks which will not be used for irrigation, I am prepared to consider such a suggestion. I am only experiencing the same difficulty in regard to the definitions as has been experienced all over the world. This is not any new experiment; we are adopting that which is in existence in Australia and in other parts of the world, and the same criticism that has been levelled against this measure has been brought against every other measure introduced, but, notwithstanding the experience that has been gained from other parts of the world, nobody in criticising this Bill has come forward with a suggestion that would be an improvement on the legislation that exists in other countries. All they say is that this Bill takes away rights—which I am not prepared to admit—and as such is objectionable. I trust that before we get into Committee hon. members will have placed their amendments on the Notice Paper so that we can give them due consideration.

Mr. George: How much of the banks do you propose to take?

THE MINISTER FOR WORKS: The banks and the river beds are both defined in the definition clause. Then the hon. member for Kimberley (Mr. Male) raised the question as to the right of the Minister to attach meters on artesian bores, and he attributed to me a desire to do that in a part of the country he has the honour to represent. The hon. member forgets that artesian bores are not limited to the Kimberleys or to the North-West. In the Bunbury district there is to-day. I think, irrigation by means of artesian bores.

Mr. Male: I confined my criticism to bores in pastoral country.

THE MINISTER FOR WORKS: The hon. member assumed that this provision was inserted in the Bill merely in relation to bores in pastoral areas, but while it may be necessary to prevent waste in those districts, the desire we have is to

deal with artesian bores in districts where it is possible to irrigate by this means. In Bunbury for instance, it is possible to-day for somebody to put down an eight-inch casing and take an enormous volume of water for irrigation, thus robbing the whole of his neighbours. All the Bill says is that if a man does that, we shall have the right to put a meter on, so that he shall not rob his neighbour who has the same right to the water underground.

Mr. George: The neighbour has paid nothing towards the cost of the bore.

THE MINISTER FOR WORKS: That is so, but the man who has put down a bore has not bought the whole of the water underground. What right has he to put down a bore which will rob his neighbour of the whole of the water?

Mr. George: He has no right at all.

THE MINISTER FOR WORKS: Then how can we control it? It is perfectly legitimate in cases of that description, if they arise, to say that we will put a meter on, charge the man for the water, and so prevent him from taking that which his neighbour is entitled to a fair share of.

Mr. George: How will you charge his neighbour for the water?

THE MINISTER FOR WORKS: The neighbour cannot get any water from that bore except under certain conditions. The object of this clause is to prevent waste from artesian bores, particularly in the North and North-West. The clause dealing with the metering of artesian bores is entirely limited to that area where it is possible to irrigate by this means. The member for Northam (Mr. Mitchell) spoke at length on the Bill, but I never expect the hon. gentleman to make a practical speech. He gets all round a question as a rule, and gives one nothing of definite practical assistance in a measure of this description. But in order that he might criticise the Bill to some extent he attributed to me remarks I never made at all, and proceeded to criticise me on them. He attributed to me a statement that dairying was not possible in Australia without irrigation.

Hon. J. Mitchell : I did not say that.

The MINISTER FOR WORKS : The hon. member said it this afternoon and I took exception to it. I said that I knew better than that, because I have had experience of dairying. I know that in different parts of Australia it is possible for dairying to be carried on without irrigation, but what I did say was that we will not carry on dairying successfully in Western Australia without irrigation. That is my point, and I emphasise it again. Because the Government believe that, they have introduced this measure. In order to raise a bogey and cause alarm amongst the people in the South-West the hon. member said that we did not define in the measure what the rating would be. Did hon. members ever hear of a more impracticable proposition ? We know that the rating will be different in every district in proportion to the capital cost. Harvey might have one rate according to the capital cost. At Roelands the capital cost might be greater or less, and the rating would vary accordingly. It is impossible to state what the rating will be, but we have to take power to rate, because it is essential that rating shall take place in order to obtain a return for the capital expenditure. The hon. gentleman said that the people should know that it is proposed to establish boards by nominating persons who are not ratepayers. But he forgot to point out that there are other systems which will be resorted to before the nomination system is brought into existence. In the first place it is provided that the local authority may be constituted an irrigation board and of course the local authority is elected: then it is said that if the local authority is not appointed the Minister shall have power to nominate a board. We have had experience, particularly under the Drainage Act. of where the Minister has endeavoured to get a board elected and the people have refused to choose candidates or to take a seat on the board. In a case of that description we have no alternative but to nominate a board so that the area may be controlled by the board. If the rate-

payers turn round and say, "We will not become members of the board, we will not attempt to administer that which is created, we have the drain but we do not want a board, we do not want to sit on the board, we do not want to do anything that will cause taxation,"—if this circumstance does arise—I do not say that it will—then it is necessary that we should appoint a board. In that case it is almost a certainty that a board of public servants and not ratepayers, will be appointed to administer the district and see that the provisions of the Act are carried into effect. So this is only another bogey endeavoured to be read into the Bill that is not existing. Then on the question of resumption the hon. member claims that it is wrong to take the right of resuming land. But what other method can we adopt in order to bring closer settlement into operation, or make irrigation possible in certain areas ? I am prepared to admit that, taking the area now being irrigated at Harvey, where there is closer settlement and where every block of land is highly cultivated and fully used, no one would dream of resuming land of that description; we get from that land practically all the land can produce; but in the adjoining area we have an unimproved tract of country, and no Government would be justified in creating a huge dam for the purpose of irrigating that unimproved land for the benefit of the man holding that land privately; and I assert no Parliament would pass such a proposition. If we are going to spend public funds to conserve water to irrigate a tract of unimproved land, there is no question that unimproved land should be the property of the State; otherwise no one would be justified in spending public funds to enhance its value.

Hon. J. Mitchell: We can tax to cover the cost.

The MINISTER FOR WORKS: Quite so, but that might be more unjust than resuming it. But the point is that the advantage the individual gets is from the subdivision of it, and from cutting it up for closer settlement, the individual gets

all the advantage of the expenditure of public funds and no Parliament would entertain such a proposition. I venture to assert that even the unpractical member for Northam (Mr. Mitchell) would never come to Parliament with a proposition to establish an irrigation scheme for some private individual who happens to hold a large tract of unimproved land which it is possible to irrigate. The people would not tolerate it. Consequently, if we do not take the powers which I am asking for in this Bill, that tract of country would never be irrigated. We would simply say it is impossible for us to do it for that private individual, and that if we cannot acquire the land which should be utilised for intense culture, and for closer settlement, it will remain a large tract of unimproved land, unpayable and unprofitable so far as the State is concerned.

Hon. J. Mitchell: That applies to your wheat farm.

The MINISTER FOR WORKS: No. I am using the wheat farm for the purpose for which it is suited. I could not use it for an irrigation farm. However, there are tracts of country in the South-West held in large areas, which are capable of carrying thousands of people, but where there are only one or two to-day. It is possible they will carry these people by means of subdivision, intense culture, and closer settlement. Surely members would not say that all the advantage of irrigation is to be gained by the individual owning unimproved land. I do not ask that we should have the right to take his lands but I say that if we have an irrigation proposal that is possible, and if it is of advantage to the State that an individual's land should be irrigated, I should be able to go to the individual and resume his land for that purpose. In the Bill there is provision to compensate him for that resumption. We have to resume land for "public purposes." It is to the advantage of the State that the land should be resumed, and under the Bill it is absolutely essential that we should resume tracts of country in the South-West for irrigation purposes.

Mr. George: Then you ought to compensate them for taking away their existing rights.

The MINISTER FOR WORKS: I am prepared to admit that the individual has the right to the land; it is his land, and we are in duty bound to compensate him if we take it away from him; but when we talk of water it is a different proposition. It is not admitted in law to-day that there is any private ownership in water.

Mr. George: It was sold by the State in that way and resold again.

The MINISTER FOR WORKS: Members have been using the word "confiscation" pretty freely, and we know perfectly well that the word is used particularly in connection with Labour administration. It is said that we believe in "confiscation." I believe hon. members have been reading "confiscation" into this Bill for the purpose of making people believe that we are going to take from them that which is theirs, and that we are going to do an injustice.

Mr. Monger: I would like to ask, if in order, how it is that the dam in the neighbourhood of the block that the Minister has—

The DEPUTY SPEAKER: The hon. member is not in order in interrupting another member when he is speaking.

The MINISTER FOR WORKS: It is no use members saying they are in favour of irrigation and then in the next breath saying that they are opposed to the State taking control of the rivers. Without control of the rivers, irrigation is impossible. We cannot be in favour of irrigation and against the State taking control of the water. The State must get control of the water for irrigation. Without the control of the water we cannot introduce any irrigation proposals. Take away from this Bill the provisions concerning riparian rights, and the measure will be of no use at all, and irrigation in this country would be an absolutely impossible proposition. To show that we are not introducing anything new, I would ask hon. members before the Committee stage to read the Victorian debates on this very question. Mr. Swinburne, the then Minister for

Water Supply in Victoria, is not in any sense of the term a Radical, though, when he started his Bill he was charged with being one.

Mr. Underwood: The charge was absolutely false.

The MINISTER FOR WORKS: I take it hon. members opposite will accept Mr. Swinburne as being one opposed to confiscation. Whatever they may say I am guilty of, I do not think they will charge Mr. Swinburne with being desirous of doing injury to property owners in Victoria. I, of course, have no desire to do it, but the charge is made against me. I do not wish to quote myself to-night, but I wish to quote Mr. Swinburne. One comes across a fund of information in reading the debates in Queensland and Victoria on this particular question. The debate in Victoria is very interesting reading. I recommend hon. members to get the Victorian *Hansard*, volumes 110 and 111, for 1903, and the Queensland *Hansard*, volumes 106 and 107, for 1910, and to read the debates on exactly the same question we have been dealing with on this Bill; because, after all, if we take from the discussion concerning this Bill the opposition to the clauses dealing with riparian rights, there has been practically no opposition to the measure. In Victoria the result of the debate altered—I do not know that I am justified in saying “moderated,” but it altered to a certain extent the Bill introduced by Mr. Swinburne. The measure was keenly debated in both Chambers in Victoria, and as a result a new clause was drafted dealing with riparian rights, and the clause as amended, and as it became law in Victoria, is the provision to be found in our measure to-day. Mr. Swinburne, in dealing with the criticism on his Bill, said—

The idea of the Government in connection with this Bill has been to make a strenuous endeavour to determine the rights, so that they should be as far as possible beyond a quibble of a law court or litigation. It has been our endeavour to show clearly, and to establish by-law, that running waters are in the class of things common to the people of the State, and that it is

impossible to admit that they can be the property of any private person, and that the manner of enjoyment shall be prescribed, as far as can be, by statute. It seems to me, the more I think of it, that it is inadmissible for us to hold that there can be any private property in water at all. [Sir Alexander Peacock: You are becoming a good Radical.] I always was. In fact if we should allow such principles to prevail I think they would be subversive of all our great national rights. It seems impossible for anyone to argue that the rains and waters that fall upon our mountains and hills should be the property of the land through which they happen to flow.

That is exactly dealing with the question that has been debated here. Mr. Swinburne goes on to say—

If rights by private owners are by any means established in the public waters of the State, we say that that is so inconsistent with the public welfare that the sooner these rights are determined and defined, the better. They have been declared to be inconsistent with the public welfare in America and in Italy, and I think hon. members will agree that private rights of that kind are much more inconsistent with the public welfare in an arid country like Australia.

What applies in Eastern Australia applies in a more pronounced form here in Western Australia. When I started in this debate I did propose to quote extensively from various speakers, but I have confined myself to Mr. Swinburne, because he was the Minister in charge of the Bill, and I leave it to hon. members to read these debates for themselves at their leisure before we reach the Committee stage. Mr. Swinburne proceeded—

He was very sorry indeed that there was any proposal to vote against the clause (dealing with riparian rights). He could frankly tell the Committee that he never had had to tackle anything so difficult before in his life. It had been beyond him almost entirely. He had consulted every authority that he thought could give him an opinion

and he found the most diverse opinions prevailing. They had the authority of the hon. member for the Public Officers who said that the ownership of the fee simple of land over which the water flowed gave the right to use the water. There must be no doubt whatever in the public mind when the Act was passed that none would have any interest in the natural waters of the State but the Crown. He was assured by legal gentlemen in many places, in America and other countries, that irrigation had been practically frustrated in every direction on account of water rights existing and growing to the detriment of the public weal.

That is exactly my opinion—that unless we get control of these rivers and rights of waters irrigation is a total impossibility.

He was assured that if the beds and banks of a river remained the property, or the assumed property, of private individuals there still was an inherent right to the use of the water belonging to the river. What was he to do? He had legal opinions on every side. No doubt the effort that the Government were making to lay down the law in such a way that there could be no future dispute might be one fraught with difficulties. He granted that it was fraught with difficulties. He saw that the definition of the beds and banks of streams would be a grave responsibility for the Government to assume. If the resumption of the beds and banks of the stream meant in any way an interference with private property, he would not be a party to it. He was assured that the beds of the streams had never been alienated in this State.

Mr. George: It is different here.

The MINISTER FOR WORKS: But later on he admitted that he was wrong, that they had been alienated just the same as they have been in Western Australia. He admits that later on in the debate. Now Mr. Swinburne proceeds—

The use of the clause, as he had stated, was that the mere fact of the

beds being in the name of the Crown took away any possible existing or future fear of the mere fact of the ownership of land over which the water flowed giving a right to the lands adjoining the stream. The Government had made a most earnest and sincere effort and attempt to definitely settle this question. If there was any means that he could adopt so that there could be any control of the waters of the State outside of the control of the Crown then he was willing to adopt it. The resumption of the beds and banks might mean great trouble in the definition of the rivers. It was worth all the responsibility, in order that the Crown might have no doubt in the future that the whole of the waters belonged to the State.

Then, proceeding in the debate, he quoted one of the principal test cases which has been heard in connection with irrigation rights, namely, the case of *Miner versus Gilmour*. The decision, as quoted by Mr. Swinburne, is as follows:—

By the general law applicable to running streams every riparian proprietor has a right to what may be called the ordinary use of the water for his domestic purposes and for his cattle, and this without regard to the effect which such use may have in case of a deficiency upon proprietors further down the stream.

This is exactly in accord with our Bill.

Mr. George: You are defining the quantity he may take.

The MINISTER FOR WORKS: No, we are giving him absolute right to water for his stock and for domestic purposes.

Mr. George: Four thousand gallons a day.

The MINISTER FOR WORKS: No, the existing stream, the natural stream. Those who own land abutting on the stream have the right to water for domestic purposes and for watering their stock. It is in respect only to those rivers on which we spend public funds that we ladle out a given quantity. Where a man owns land adjoining a stream on which we do work, we define the quantity

of water he is entitled to. The decision continues—

But further, he has a right to the use of it for any purpose, or what may be deemed the extraordinary use of it, provided he does not thereby interfere with the rights of the proprietors, either above or below him. Subject to this condition he may dam up the stream for the purpose of a mill, or divert water for purposes of irrigation.

He may do it provided he does not interfere with anyone below or above him. So far as irrigation is concerned it is impossible to comply with that condition. If a person dam up a stream for his own individual use he is robbing the man below him; but it is possible for the Crown to do it, and then parcel out the water through the irrigation scheme.

Mr. George: No individual could make any appreciable difference to the water in the river.

The MINISTER FOR WORKS: It is done to-day. I could name a river across which a dam has been built, the water being used for irrigation by an individual who is taking more than his share of the it, while another man who has land adjoining is robbed of his share. That is down at Roelands. The hon. member was there with me, and will remember that the gentleman below the dam came to me and entered a protest on the score that his vegetables were dying for want of water because he could not get his fair share from the river.

Mr. George: But the water that individual diverts would not do much irrigation for anybody else.

The MINISTER FOR WORKS: But the point is that to do irrigation on a large scale in that locality we must have control of the stream, and conserve the water. And this illustration is not limited to that particular area. Unless we do it irrigation is impossible, because one individual gets all the water that is running, to the detriment of those along the stream below him.

Mr. George: But in that instance your dam would be miles up the stream.

The MINISTER FOR WORKS: That is so, but the hon. gentleman will realise

that it does not matter. Wherever we dam up the stream we must get control of it. If we dam the stream we prevent the natural flow, and unless we get control of the whole of the river we would be subject to litigation; as a matter of fact we had an experience in the case of the Helena. The water was not dammed on Mr. Morrison's property; the dam was put in miles above that property, but Mr. Morrison claimed riparian rights because the natural flow was interfered with. And he got compensation; so it will be seen we have already had experience.

Mr. George: He was not entitled to a penny.

The MINISTER FOR WORKS: Nevertheless the court gave him a verdict, and that would happen again unless we got control of the whole river. Let me quote Mr. Swinburne a little further to show that the charge that we are doing something in the nature of confiscation is absolutely unfair, inasmuch as it has been recognised throughout the world that you must get control of the rivers before you can carry out irrigation. We are only doing what is essential to make the Bill a workable measure, and to make irrigation possible. Mr. Swinburne, continuing in that debate, said—

If it was impossible to define what was the normal flow of a river, how was it possible to define high-water mark in a non-tidal stream? Yet that question of definition did not prevent men in America doing what they thought was right, and claiming for the community the beds of the navigable rivers. It was much more difficult to define high-water mark in a non-tidal river than it was to define the beds and the banks of a stream. Here he would point out to hon. members that the interpretation clause of the Bill only applied where a river or a stream was a boundary line. Hon. members should not be led away by the thought that the Government had tried to claim the beds and banks of the thousands of little creeks and water-courses flowing over private property.

For the information of hon. members I will repeat that, because our Bill is based on the very clause which was under discussion in the debate from which I am quoting—

Hon. members should not be led away by the thought that the Government had tried to claim the beds and banks of the thousands of little creeks and water-courses flowing over private property. No such proposition as that was in the Bill. He would also like to strongly protest against the idea that the Government were suggesting anything that even savoured of confiscation. The Government did not believe that the Bill involved anything like that. On the contrary they were confident that it did not, and he strongly protested against any hon. member thinking that the Bill was capable of that interpretation.

I enter an exactly similar protest in more emphatic form, if possible.

Now there were given in the Bill to riparian owners benefits that were very great. Although certain rights were to be defined and taken away, yet natural rights were defined in a way which made them certain and determined. Every owner was to be given what was fair and reasonable, and, in addition, he was to have rights in connection with stored water—water which he did not have the benefit of at present. Water was to be caught in reservoirs to be owned by the State.

This is exactly the point which the hon. member raised just now, that a man with property going to the middle of a stream will have rights of conserved water. That is the clause dealt with by the hon. member, prescribing the quantity to which a man will be entitled. We give him something he has not to-day.

Mr. George: Take the river below your dam. If a man have land abutting on that, can he take the water?

The MINISTER FOR WORKS: If we dam up a river and the water overflows, then it will be possible for us under the Bill to allow the property owners below to use that free of cost. But we take control of the river, and it will be

for us to say what will become of the waste water. If we have the dam full, and the water is overflowing, the individual will have the right to use it under the authority of the Crown.

Mr. George: Unless the dam is overflowing there will be no water to use.

The MINISTER FOR WORKS: That is why we must have control of rivers; otherwise he would have a claim against us, just as Mr. Morrison had a claim in the case of the Helena water. Mr. Swinburne continued—

The owner would have the right to that water for the benefit of his cattle and for irrigation purposes. That is limited to three acres, in fact, just as we propose here. Mr. Swinburne continued—

In droughty times that would be of immense value to him, and these benefits were given to him by the Bill ungrudgingly. Here he (Mr. Swinburne) would like to allude to a Bill which the member for Toorak had introduced to the House.

Then he proceeded to point out that the member for Toorak, who was protesting most strongly against what he called "confiscation," had introduced a Bill which was entitled the Ancient Lights Bill, taking away rights of certain people to certain lights in buildings. The hon. gentleman had pointed out that it was wrong to monopolise the lights, and so had brought in a Bill to take those rights away. Yet when it came to dealing with water he complained that it was confiscation. But Mr. Swinburne pointed out that the public had the same right to the use of the water as they had to the light, and that consequently the Bill for irrigation was on all fours with the one the hon. member had introduced with respect to light. I did at first propose to quote more, but there is so much of interest in this debate I have referred to that I decided I would only quote sufficient to show that the clause we have introduced has been discussed in various Parliaments, criticised in various Parliaments, somewhat on the same lines as it has been here. As a result of these debates the clauses adopted

in this Bill have been adopted in Queensland, New South Wales, and Victoria. Consequently, when we introduced this particular clause dealing with riparian rights we only adopted that which is existing in various other States of the Commonwealth. Now, I do not propose to take up any more time, nor to proceed this evening with the Committee stage; but I ask hon. members to assist me in getting on with the Committee stage by placing their amendments on the Notice Paper, so that we will be able to go on at the earliest possible moment. To-morrow is private members' day, but I trust hon. members will be able to proceed in earnest on Thursday next, and that in the meantime they will see that their amendments are placed on the Notice Paper.

Question put and passed.

Bill read a second time.

To refer to Select Committee.

Mr. MALE (Kimberley): In accordance with my second reading speech, it is now my intention to move in the direction of referring the Bill to a select committee. I pointed out then that I considered it was far too important a measure to be put through without due and proper consideration. I still hold that opinion. I think it is a most important measure and one that cannot be hurried through and it should be given more publicity than it has had. In the course of the debate a good deal of attention was given especially to the question of riparian rights and a lot was said about confiscation without compensation. I think in the interests of the Bill and the public it is most desirable now that the measure should be referred to a select committee so that we may get witnesses to give evidence and point out how the different clauses will affect the different portions of the State, and how it will affect the people. I beg to move—

That the Bill be referred to a select committee.

The MINISTER FOR LANDS (Hon. T. H. Bath): While I have no reason to express any doubt about the good intentions of the hon. member who moved for

the reference of this Bill to a select committee, I must at the same time say that it is impossible to accept the proposal. It is a very important matter and must be made the basis of any proposal for dealing with irrigation on anything like an extensive scale. A reference of the Bill to a select committee is in my opinion going to seriously jeopardise the possibility of getting the measure through both Chambers during this session. It will undoubtedly cause a considerable amount of delay.

The Minister for Works: And expense.

The MINISTER FOR LANDS: The question of expense would not be such a great consideration if the result of the committee proved beneficial, but hon. members will know it is a considerable time since the Bill was first introduced.

Mr. Male: Not a considerable time.

The MINISTER FOR LANDS: A fortnight at any rate.

Mr. Male: That would not be a considerable time. Very few people in the State have heard about it.

The MINISTER FOR LANDS: It has received publicity in the daily journals, and under these circumstances I think hon. members ought to be prepared, as the Minister for Works has requested, to submit their amendments so that they may be given full consideration by the House. I attach too much importance to the question of closer settlement, and the more effective utilisation of our areas along the western watershed of the Darling Ranges to accept a proposal of this kind for the delay of a measure which in my opinion is an absolute essential preliminary, and is in fact the foundation of any proposal for effective irrigation on a successful scale in Western Australia. Under these circumstances, I regret it is impossible to accept the proposal for a reference to a select committee.

Hon. FRANK WILSON (Sussex): If any reason were required for referring this measure to a select committee, the Minister for Lands has given it in the few remarks he has made. I agree with him that this measure is a most important one. It deals with many rights. It is going to take away from individual

settlers and others rights which they have acquired not only under the laws of the State, but also the rights they have made for themselves by the expenditure of their money.

Mr. S. Stubbs: And large sums too.

Hon. FRANK WILSON: And large sums of money at that. Whilst I admit all the arguments brought forward by the Minister for Works when he introduced the measure, and also in replying to those who addressed themselves to the second reading debate, whilst I admit at once that the control of water is a right which any Government must demand and ought to demand, yet I venture to think that in itself is the strongest argument why we should proceed cautiously and only after due inquiry. The very importance of the legislation necessitates a full inquiry and it is such important measures as these that are always submitted by different Parliaments of the Empire to select committees in order that those who are to be affected by the administration of the law shall be able to voice their objections or support, as the case may be, before the tribunal appointed by Parliament to take evidence. The very argument the Minister for Lands used—the importance of this measure, is a justification for submitting the Bill to a select committee. Of course I agree with him that we cannot attach too much importance to the proposed legislation, and that we cannot attach too much importance to the effect of this legislation, as we all desire that it shall be the foundation of extensive irrigation proposals in Western Australia. That is no reason why we should not have the matter thoroughly threshed out before a select committee and give all those who think they are liable to injury a chance of voicing their views before the committee.

The Minister for Works: On what phase of the Bill would you call evidence?

Hon. FRANK WILSON: The whole phase of it, the taking away of the water rights.

The Minister for Works: That is only one.

Hon. FRANK WILSON: The control of private bores put down in the North-West at considerable expense.

The Minister for Works: The best experts in Australia have called upon Governments to do this.

Hon. FRANK WILSON: From time immemorial we have been urging the pastoralists to supply themselves with artesian water. I had the honour of presiding over the Public Works Department on two occasions and when they came to me with deputations, to provide a copious water supply, I replied, "Why do you not do it yourselves?"

The Minister for Works: You did not do that in every case; you assisted them in some cases.

Hon. FRANK WILSON: I know, but I pointed out to these people when they applied for artesian bores that the Government had put down bores and proved the existence of an artesian supply, and that the reports of the expert officers were available to show where there would be a likelihood of obtaining artesian water and that I thought they should put down the bores themselves. The result was that many bores were put down.

The Minister for Works: A few.

Hon. FRANK WILSON: A considerable number, and some individuals put down more than one bore on their station properties. The result is that we have a large artesian supply of water tapped by the different pastoralists. I am not taking exception to the Bill, but when we are disturbing and interfering with the rights which private individuals think they ought to hold, we ought to give them an opportunity of placing their views before the House through a select committee. It is little enough to ask that we should follow this course, the usual course adopted when legislation is likely to interfere with existing rights. I see no cause for alarm, and I am sure the Minister will agree with me that it will not delay the passage of the measure, neither will it jeopardise its passage in another place. I am satisfied that the way to get a measure through is to throw no obstacle in the way of taking

evidence; and I am satisfied that the more we can learn of the possible good as well as the bad effects, if there are bad effects, through the medium of a select committee, the easier will be the passage of the measure in another place. I hope that the Minister will reconsider his opposition to the proposal, realising full well the vested interests of those who may have some arguments, and perhaps sound arguments to advance against certain clauses of the Bill, and perhaps against the Bill altogether. These people should be entitled to voice their opinions. I know that many persons are complaining that they are going to be unjustly affected by the operation of this measure. I know of one individual who considers that this will have the effect of making him close down his orchard. This individual, who has constructed certain flumes conveying water to an extensive orchard, fears that he is going to be ruined if he has to pay the tax under this Bill in order to have the use of the water necessary to carry on his operations in future. It is just as well to allow a person like that to come before a select committee and give evidence.

The Minister for Works: You have given his evidence, and so has the member for Northam.

Hon. FRANK WILSON: I have not given his evidence, I am only illustrating one case I have been told about. Here is a man who believes that this legislation is going to ruin his occupation, deprive him of something that is very valuable to him, and prevent him from carrying on his industry in future. I do not say he is right or wrong.

The Minister for Works: We should not appoint a select committee to educate him.

Hon. FRANK WILSON: But we should appoint a select committee to take his evidence and hear his case.

The Minister for Works: Oh, nonsense!

Hon. FRANK WILSON: It is no use the Minister for Works exclaiming "Oh, nonsense." There are hundreds of

people throughout Western Australia who believe they are going to have taken away from them certain rights they think they are entitled to. There is no doubt we are going to take away certain private rights. I am not opposed to it, I have not argued against it, but we must be just, and before we can be just we must listen to all the claims of the individuals who think they are being injured. Those who wish to go before a select committee can give all their evidence in a fortnight, and the Bill can be got through more expeditiously that way than if individual cases are to be fought out on the floor of the House in Committee. I have no doubt that the Bill will ultimately reach a select committee of some sort, but it stands to reason that if we adopt this reasonable course it will disarm any claim for a select committee in another place.

The Minister for Lands: It means shelving the Bill for this year.

Hon. FRANK WILSON: No, I would not be a party to that at all.

The Minister for Works: You are calling upon them to do it.

Hon. FRANK WILSON: Not at all. I am simply pointing out what is likely to occur, because I believe I am right in saying that we can only do justice by allowing those interested to express their views.

The Minister for Works: You have not always carried it out. You robbed the people of their rights and would not give them the opportunity to express their opinion.

The DEPUTY SPEAKER: The hon. member must withdraw that remark.

The Minister for Works: I withdraw. I leave it to the hon. member's guilty conscience.

The DEPUTY SPEAKER: Order! The hon. member must withdraw without qualification or remark.

The Minister for Works: I withdraw.

Hon. FRANK WILSON: I do not wish to labour the question any further. I appeal to the sense of fairness of Ministers. They wish to put this legislation through, and so do we. We all want to see justice done, and the best course to

adopt to ensure that is to give to the people concerned an opportunity of expressing their objections.

The Minister for Lands: The Tramways Purchase Bill took three months to go through.

Hon. FRANK WILSON: I think that was justified.

The Minister for Lands: If it takes three months in this case the Bill is gone.

Hon. FRANK WILSON: It will not take three months; it might take three weeks.

Mr. Lander: How are you going to get the evidence from the North-West?

Hon. FRANK WILSON: There is plenty of evidence in the South-West.

The Minister for Works: There is plenty of it opposite.

Hon. FRANK WILSON: I know there are members on the Government side who have taken up large pastoral interests, not in the North-West, but in the southern portion of the State, but they have not put down any artesian bores. If they had spent thousands of pounds in finding artesian water perhaps there would have been greater readiness on the part of the Minister to permit those interested in this Bill to state their case before a select committee.

The Minister for Works: Artesian wells will be put down.

Hon. FRANK WILSON: At the Government's expense?

The Minister for Works: No, at our own expense.

Hon. FRANK WILSON: I doubt it.

The Minister for Works: You doubt everything; you judge other people by yourself.

Hon. FRANK WILSON: I am at present. If the hon. member has as little capital as I have there will be few bores put down, and I do not know where the sheep will come from. One cannot put a bore down on credit. There are capitalists who are ready to put sheep on property on long terms, but one cannot get capital for bores.

The Minister for Works: You can if your credit is good.

Hon. FRANK WILSON: A man might get an advance from the Agricultural Bank.

The Minister for Works: He can get it from a private bank.

Hon. FRANK WILSON: There is no hope of raising a fiver from a private bank at the present moment. I hope the Minister will withdraw his opposition to what is the obvious course to pursue in regard to this measure. It is a means by which we shall have the fullest inquiry into the merits of the Bill.

Mr. O'LOGHLEN (Forrest): I sincerely trust that the motion will not be accepted by this Chamber. I was rather struck with the concluding remarks of the leader of the Opposition when he stated that the course proposed by the member for Kimberley would withdraw opposition. I venture to say, as one representing like himself the South-West portion of the State, there is no opposition at all to this Bill; in fact I do not know of any measure introduced since I have been in Parliament which has been so cordially welcomed as has this one.

Hon. Frank Wilson: I do not think the hon. member represents anybody who is interested.

Mr. O'LOGHLEN: The leader of the Opposition is mistaken there.

Mr. Male: Have they ever seen the Bill?

Mr. O'LOGHLEN: Undoubtedly. I have received letters from fully a dozen of my constituents, who are in accord with the measure.

Mr. Male: It has never reached my constituents.

Mr. O'LOGHLEN: That shows that the hon. members constituents are not interested. The member for Kimberley (Mr. Male) showed how little faith he has in the beneficial provisions of this Bill as applied to his own electorate when he stated that he would confine its operations to the South-West. That showed that the hon. member was not hopeful of the measure being applied to any extent to his own district. The reason I rose this evening was to endeavour to prevent the attempt to postpone this Bill. The people have been looking for a measure

of this kind for a long time, and it ill-becomes the leader of the Opposition, after six years in office without taking any step to bring forward legislation like this—

Hon. Frank Wilson: This very Bill was on the stocks before we left office.

Mr. O'LOGHLEN: It is of no use a Bill being on the stocks. If it was on the stocks the people looking for the benefits from an irrigation policy would have to wait a long time. However, we are not concerned about that, but we are concerned in trying to make it possible to obtain our own supplies from our own people in our own country; and I believe that the laudable action of the Government in trying to develop particularly the South-Western portion of the State by the only means by which it can be developed, is deserving of the warm commendation of the people, both in this Chamber and outside. I believe it is receiving that commendation.

Hon. Frank Wilson: Is that an argument against the select committee?

Mr. O'LOGHLEN: If we appoint a select committee it will take many weeks before we get the necessary evidence, and after we have acquired the evidence this Parliament will possibly not act on it. I have very little faith indeed in select committees. On several occasions Bills have been referred to select committees, and very little notice has been taken of the recommendations.

Mr. Underwood: They have nearly always been given effect to.

Mr. O'LOGHLEN: I do not think that is the case. Select committees have not the powers of a Royal Commission, and consequently I do not think that a great deal of attention is paid to them. The arguments advanced by the leader of the Opposition, when he stated that every important Bill should be referred to a select committee, are in striking contrast to those which he advanced last session when the same Minister introduced a Public Works Committee Bill. A Public Works Committee to inquire into works of this magnitude is only an extension of the select committee principle, although the Public Works

Committee would have greater powers and their recommendations would have greater effect. Perhaps the attitude of the leader of the Opposition and his colleagues in looking with more favour on the referring of questions of this kind to a committee of the House is influenced by the speeches of practically every member of the Opposition in the Federal Parliament, for during the past month each and every one has urged most emphatically that a Public Works Committee should be appointed by the Federal Parliament.

The DEPUTY SPEAKER: The hon. member is getting away from the motion for the appointment of a select committee.

Mr. O'LOGHLEN: I am dealing with what our opponents in more Chambers than one have condemned in the past and now are prepared to support. The reason why I am opposing the reference of this Bill to a select committee is because such a course will involve considerable delay and some expense. It is all very well to say that no expense will be incurred, but no matter how short a time such an inquiry takes, and how small a question is being inquired into, the cost runs into a few hundred pounds, and I do not think that any good purpose is served. We have the protests of those gentlemen, who think that their interests are going to be jeopardised, very fairly represented by the members on the Opposition side who have spoken on the second reading. The leader of the Opposition has referred to those who have expended large sums of money upon irrigation schemes. There are not many of them, and even if there were only a couple I would not be in favour of doing any injustice if it could be avoided; but we must look at this question from the point of view of public policy, and if the Government have only one course open to bring about a necessary development in the State, then the interests of one or two individuals cannot be allowed to stand in the way. The leader of the Opposition stated that a money Bill of this kind, which interfered with the rights of private indi-

viduals, should be referred to a select committee, and those people should be allowed to give evidence, and Parliament in its wisdom after sifting and analysing that evidence, should make provision to meet the case. The leader of the Opposition knows that he has passed Bill after Bill through this Chamber, and that there are Acts on the statute-book to-day which interfere very much with the rights of private individuals, as every Act does, and if we are going to hang up a Bill and put further expense on the taxpayers, just because some private individuals are affected, where will our decisions terminate? Are we with every Bill that comes before the Chamber, going to refuse to take the experience of Parliament and refuse to vote confidence in ourselves who have been elected. I daresay there are many members who know very little of irrigation, yet there are some who who have a knowledge of it, and at any rate they, coming from the rich country which lies between Waroona and the Warren, know the necessity for the Bill, and the sooner the Government gets to work by the passage of this Bill, the sooner Western Australia will get the advantage, and the very great advantage which I believe will follow in the train of this measure. For that reason I hope the House will veto the proposal for further delay, and the leader of the Opposition can assure his friends who are raising some mild protest,—though I have not heard any—

Mr. Munsie: One or two wealthy squatters, that is all.

Mr. O'LOGHLEN: Possibly one or two have approached the leader of the Opposition but there has been no public protest whatever, and I am surprised that the hon. member, coming from the South-West, which is looking forward with such keen interest to the passing of this Bill, is taking the risk, and I believe a very great risk of having this Bill counted out for this session and for another year at least. Too much time has been lost already, and the leader of the Opposition should recognise that after his Government had been in office for six years, and had not made any attempt, further than to

put a measure on the stocks, to irrigate that land which is lying idle, and that portion of the State which is considered to be the richest we have, and some of it the richest in the Commonwealth—that applies to the Warren—he should be the last to urge delay, and, like myself he should join in giving the Bill a speedy passage, in order to remove that reproach which now exists against the South-West, where, in many of the fertile valleys down in that locality, people engaged in the different industries in the richest part of the State are being supplied with vegetables grown by the Chinamen of Perth and all along the roadsides we can see monuments of jam tins, testifying to the use of Nestles' milk.

Hon. Frank Wilson: That statement is about as sound as your argument.

Mr. O'LOGHLEN: I will mention one or two instances.

Hon. Frank Wilson: Of Nestles' milk in jam tins; or jam in Nestles' milk tins.

Mr. O'LOGHLEN: The leader of the Opposition should be generous and allow one or two mistakes. What I want to say is that to-day, right through all those settlements in the South-West, in the towns as well as in the timber camps, people are using imported milk and imported vegetables, and within a few chains of those settlements the land is there and the water is there, and we have the men, and I believe we have the money, and I do not think we should keep them apart. Therefore, I trust that the member for Kimberley will withdraw the amendment and at least place to the credit of this Parliament the passing of this Bill which, in the near future I believe, will show magnificent results and tend to the development of the South-West, because we all recognise that this is the only policy which will develop that rich and fertile, but at present dormant country.

Mr. UNDERWOOD (Pilbara): I desire to oppose this proposition for the reason that in my experience in this Parliament select committees are of very little use indeed. The only use they appear to be is to enable the Opposition to delay Government business or to attempt to do so. Since I have been here, something

like seven years, I cannot remember more than one select committee that has done any good on a Bill at all.

Hon. Frank Wilson: Which was that?

Mr. UNDERWOOD: During this session we have had three or four select committees, which have cost the country a considerable sum of money, and have occupied the spare time of many members of this Chamber and of another place, and the result has been nil, absolutely nil. Again, with regard to the time which it will take, the leader of the Opposition says a committee will be able to go into this very important matter, which affects the whole of the State from the Leeuwin to Wyndham in three weeks. Yet it took us six or eight weeks to inquire into a little bit of a curve in a railway down towards Wickepin, and if the committee had not been kept moving at the request of the Premier, the railway would have been built before the report was presented. I trust that the Bill will not be delayed, but that if the Opposition wish to oppose the measure they will do it straightforwardly and vote against it, and not oppose it by a subterfuge. There is no doubt that the attempt to secure the appointment of a select committee is a subterfuge to prevent the passing of this measure. The member for Kimberley referred to the information we would be able to get from those in his district who have artesian bores. As a matter of fact it would take from now until the end of this year to go into the Kimberleys and inquire into the various artesian bores in that country, or to bring witnesses from the Kimberleys to Perth to be examined. It would be impossible to inquire into the artesian bores in the Kimberley country before the end of this year, and as we desire to close this session at the end of the year, it would simply mean that the Bill would be thrown over. The leader of the Opposition attempted to persuade the House that it is necessary to refer important Bills to select committees. He suggested that all important Bills should be referred to select committees. On looking through the list since I have been in Parliament, I find that the Moore and Wilson Governments during six years. re-

ferred only one Bill to a select committee, and that was the Roads Bill.

Mr. Male: Their report was adopted.

Mr. UNDERWOOD: It was not, because a committee was appointed afterwards to go through it. I do not think the report was adopted, but we had their report and another committee was appointed by an arrangement between the then Premier and the leader of the Opposition to consider the Bill, and it was passed on their recommendation and not on the recommendation of the select committee. The hon. member has given the House to understand that all important Bills should be referred to a select committee. During the six years he was in office one Bill was referred to a select committee.

Mr. Male: How about the Electoral Bill?

Mr. UNDERWOOD: That Bill was not referred to a select committee.

Mr. Male: But I sat on it and the report was adopted.

The Attorney General: One clause was, proportional voting.

The Minister for Lands: It was to get over a deadlock.

Mr. UNDERWOOD: We have to conclude either that the leader of the Opposition is drawing on his imagination, or that during the six years he was in office he secured the passage of only one important measure. He said there is a gentleman who is going to close down his orchard if the Bill passes. We have heard that tale from Liberal politicians in Australia ever since I can remember. They have always been going to do something if something was passed. We have heard repeatedly of the man who was in England and who was coming out to Australia with all his servants and with £5,742, but he heard of the Immigration Restriction Act and would not come. We have heard of the man who turned back with an immense amount of capital because the survivors of the "Petriana" were murdered in cold blood on the shores of Australia. We have also heard of the man who was coming out with a very great amount of wealth, and who turned back, or did not start because he heard of the six batters and the horrible treatment

meted out to them. We have heard of a man who is continually going to leave the country, in fact on the 4th October I met a man in Marble Bar who said we would see a cloud of dust rising on the following day which would be the capital leaving the country. There is as much foundation for the statement of the man throwing up the orchard as there was for the statement that capital would leave the country when the Labour party were returned to power. I suggest that the leader of the Opposition should put in a few minutes and try to get hold of some new gag. The old gag about the man deciding not to bring his capital in, or taking it away, or throwing up his orchard is worn out. It gets tiresome and a new one would be a relief to members.

Mr. FOLEY (Leonora) : I do not desire to say much, but I do not wish to give a silent vote. There have been many suggestions for select committees since I have been a member of this Chamber and I think they are an absolute waste of money and a waste of time. The leader of the Opposition, when speaking in support of the motion, said gentlemen who would be in a position to give much of the information that would be required were now in Perth. If these gentlemen are in Perth, and they desire to give this information, I think we can rest assured that the members who oppose the measure will get all the information they possibly can to make as good a case as they can. The member for Pilbara referred to two committees which considered one question. These two committees sat jointly and arrived at a different verdict on the same evidence. If there is going to be a repetition of this by select committees—I have not had much experience of select committees, and I was going to say “Thank God I have not”—I trust the time and money of the country will not be wasted, and if the Government are sincere, as I know they are, in bringing down this irrigation Bill, I trust members of the Opposition will show their sincerity to further the Bill by getting all the information they can from the friends or opponents of the

measure, as the case might be, and allowing the men who are sent here to do the country's business, and who are paid to do it, to proceed with it, and not put them in a position of being dictated to by a party of irresponsibles throughout the length and breadth of the State.

Hon. J. MITCHELL (Northam) : I hope the Minister will allow this Bill to go before a select committee because I think we should have as much information as is possible on the subject. Members of the Opposition are not opposed to the Bill. We are opposed to a great many of the provisions, but we think an irrigation Bill is necessary. We knew it was necessary before the Minister became a member of the Government at all.

The Minister for Works : Why is a committee necessary?

Hon. J. MITCHELL : We want some light on many of the clauses.

The Minister for Works : Name one.

Hon. J. MITCHELL : If the Minister gives me time I will make out a list. Certainly the clause dealing with riparian rights is one.

Mr. Foley : Is the hon. member in order in discussing the Bill when there is a motion for a select committee to deal with it?

The DEPUTY SPEAKER : The hon. member is perfectly in order in giving reasons why the Bill should be referred to a select committee.

Hon. J. MITCHELL : What objection can the Ministry have to light being thrown on the matter?

The Minister for Works : It will be a waste of time.

Hon. J. MITCHELL : We want to have a reasonable measure placed on the statute-book.

The Attorney General : We want to do some work.

Hon. J. MITCHELL : I wish Ministers would get on with the work and not delay the business of the country. This is an exceptional Bill. Rights that have been granted to people and that have been purchased by people are taken away from them. It is a strange thing that we are denied the right to inquire

into these matters when the Minister for Works proposes to introduce a Bill to appoint a public works committee to inquire into all public works. If it is a good thing to inquire into all public works, surely it is a good thing to inquire into this matter.

Mr. B. J. Stubbs : You said last session it was not a good thing.

Hon. J. MITCHELL : If the hon. member turns up *Hansard* he will probably find I did not speak on the subject. We should have inquiry into this matter. We want a scheme to supply water to Bunbury and to irrigate the district around Bunbury, and we want that scheme put into operation, but at the same time we want to know what is intended by the Government. I hope the Minister will be reasonable and allow the select committee to be appointed.

Mr. S. STUBBS (Wagin) : I support the motion, not to prevent the passage of the Bill, because I believe the time is ripe for such a Bill, but I would be wanting in my duty to my constituents if I did not voice their opinion in regard to this matter. Any member on the Government side would take my attitude if his attention was drawn by his constituents to the fact that the Bill might do injury to them. In my opinion many of the clauses of the Bill are in the best interests of these people, but I support the motion to have the measure referred to a select committee so that the interests of those I am trying to serve are safeguarded.

The MINISTER FOR WORKS (Hon. W. D. Johnson) : I cannot see the slightest reason for referring the Bill to a select committee. I cannot see where any benefit will be derived from an inquiry by a select committee. It has been said that the importance of the Bill justifies that it should be submitted to a select committee. The importance of the Bill is the effect its operations will have on the development of the State. The importance of the Bill is not that we are introducing a new principle or an innovation. The Bill is only making irrigation possible in this State, and it is important because of that. The provisions making

irrigation possible are taken from other States where they have been in operation for many years. Not only that, but they are taken from every part of the world. There is exactly the same legislation in America, in Italy, and in the whole of the Commonwealth. What are the points upon which evidence could be called? I tried to get it from the leader of the Opposition and the member for Northam (Hon. J. Mitchell). All the parts of the Bill are preliminary, with the exception of two parts, those relating to riparian rights. I am prepared to admit they are the Bill. Take them away, there is nothing left, and irrigation would be impossible. Consequently they are the salient points of the Bill; they are the Bill. These hon. members would say, "Yes, that is the important part, and on that we want evidence." But do they wish me to believe that we can get evidence in Western Australia to show that what has been adopted in other parts of the world is wrong and not sound? Do we expect them to take evidence from gentlemen in Western Australia? Do they expect the Government to accept something as being a sounder method of irrigation than that which has been in actual operation in various parts of the world? No, the select committee could not be expected to have any bearing or influence in this matter. Hon. members ought to look up the question for themselves. The evidence is available. They can read where the Bill was discussed just as we have discussed it here, and where there were men of vast experience, some of the leading legal gentlemen in Australia, debating these clauses. We have their evidence. In the first place they opposed the clause, and they tried with the best legal skill they had in Victoria to draft a clause which would not be, as they claimed, as drastic as the proposition contained in the Victorian Bill, but they were not successful, and the result of all the discussion and investigation is the clause now contained in our Bill. Mr. Swinburne, the Minister in Victoria, in reply to a criticism which was similar to that we have had here, always stated that he was adopting what was found necessary in other parts of the world where irrigation had been in operation. He

referred to the fact that he had adopted it from other countries where it was essential to get control of the rivers before irrigation was possible. Exactly what I am asking to-night, he asked what was the use of hon. members coming forward and saying that what was adopted in other parts of the world was unsound unless they could produce something which was better; and when he challenged them to produce something better they could not. What do we find in Western Australia? We have had a repetition by hon. gentlemen here. One comes forward and says, "I have my title, I have purchased the right to the water in the stream," but in law, according to the evidence submitted in Victoria, there is no such thing as private ownership of the water of a stream. Titles have been given in Western Australia, the same as they have been given in other parts of the world, giving the boundary of a man's land as the centre of the stream. There is a question as to the legality or the right to give that, but if the boundary is given as the centre of the stream the State does not give the water inside the stream. The water is really the property of the people, irrespective of where the boundary is. A man will undoubtedly come forward and say that his boundary is the centre of the stream, and he will claim the water in the stream, but he has no right to the water. He may have a right to the portion of the water that passes over that particular part of land that he claims is his, but this water comes from outside his boundary, and the other fellow will say he has a claim, and so it goes right on. When the select committee get all the evidence they will realise, as it is realised in all parts of the world, that there is only one way to do it, and that is to take control of the streams, and they will bring in a report in favour of the Bill. But the Government have received too much eulogy already in connection with this Bill; they cannot stand any more from a select committee. They do not want this select committee to sit and simply bring in congratulations, showering them on the Government for introducing this Bill. We

have had sufficient of that. We have a good Bill and we know it, and we do not want to be told any more about it, so consequently I oppose the appointment of this select committee.

Mr. MALE (in reply): I do not wish to delay the House.

The Minister for Lands: Has the hon. member the right to reply?

The DEPUTY SPEAKER: The hon. member moved the motion and has the right to reply.

The Minister for Lands: I understand the motion of the hon. member is an amendment to the motion in regard to the Committee stage.

The DEPUTY SPEAKER: A motion for a select committee must be moved prior to a proposal for the Committee stage.

Mr. MALE: I am surprised at the vigorous opposition put up against my request for the Bill to be referred to a select committee. the Minister must realise that my intention was by no means to delay the Bill, though I admit it will take a certain amount of time to get evidence.

The Minister for Works: We will only get more eulogies.

Mr. MALE: Would not that assist the passage of the Bill?

The Minister for Works: We cannot stand it.

Mr. MALE: It is one of the privileges, though perhaps it is the reverse, of public life that you have to stand these things; you cannot avoid them; they get showered on you. Supposing the report of the select committee to be in favour of the Bill, it will assist the passage of the Bill through the House. It will prevent strenuous opposition from members of the Opposition or members on the Government side to clauses we have some doubt about. By referring the Bill to a select committee, if we find that these clauses are all right, or if the evidence leads us to believe that they are all right, it will save discussion in the House. It is the usual practice in the House of Commons to refer all Bills of this nature to a select committee to prevent unnecessary discussion in the House, and prevent the time of the House being taken up in dis-

cussing those matters which might properly be decided by a select committee. The fact of this Bill having been referred to a select committee by this House, and that select committee having reported as the Minister in charge thinks they would report, surely would assist the passage of the measure through another Chamber.

Mr. O'Loughlen: Do you anticipate opposition in another Chamber?

Mr. MALE: No, nor undue opposition in this House. The principle of the Bill is admitted as being good by members on this side as well as on the other side, but there are clauses in the Bill, the application of which may be unduly severe on many members of the community, and it is to get evidence on these clauses that we wish it referred to a select committee. I know it is a useless appeal I am making, but at the same time I shall press the motion to a division.

Question put and a division taken with the following result:—

Ayes	11
Noes	20

Majority against	..	9
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AYES.

Mr. Allen	Mr. A. N. Plesse
Mr. Broun	Mr. S. Stubbs
Mr. George	Mr. F. Wilson
Mr. Male	Mr. Wisdom
Mr. Mitchell	Mr. Layman
Mr. A. E. Plesse	(Teller).

NOES.

Mr. Bath	Mr. Munstie
Mr. Carpenter	Mr. O'Loughlen
Mr. Foley	Mr. B. J. Stubbs
Mr. Gardiner	Mr. Thomas
Mr. Green	Mr. Turvey
Mr. Hudson	Mr. Underwood
Mr. Johnson	Mr. Walker
Mr. Johnston	Mr. A. A. Wilson
Mr. Lewis	Mr. Heltmann
Mr. McDowall	(Teller).
Mr. Mullany	

Question thus negatived.

BILL—PREVENTION OF CRUELTY TO ANIMALS.

Message from the Council received notifying that the amendments disagreed to by the Assembly were not insisted on.

BILL — FREMANTLE-KALGOORLIE (MERREDIN-COOLGARDIE SECTION) RAILWAY.

Message from the Council received notifying that the amendment disagreed to by the Assembly was not insisted on.

BILL—AGRICULTURAL LANDS PURCHASE ACT AMENDMENT.

Message.

Message from the Governor received and read recommending the Bill.

Second Reading.

The MINISTER FOR LANDS (Hon. T. H. Bath) in moving the second reading said: The measure before the House is one of very few clauses, and provides for the necessary increase of the capital under the Agricultural Lands Purchase Act, which will be required not only by the Minister for Works in connection with the repurchase of land for irrigation purposes, but also to carry out the recommendations which are made from time to time for the repurchase of estates which are suitable for closer settlement. I may say at the outset that this Bill will be necessary in order to give us the requisite authority to cover the amount required for the purchase of the Yandanooka estate for which we have been negotiating for a considerable time, and which the Agricultural Lands Purchase Board has approved as being a very desirable estate to secure in the interests of closer settlement. In 1896 the total authorisation was £200,000, and this was increased to £400,000. Up to date the expenditure has amounted to £276,807, leaving a balance of £123,193. Certain adjustments of accounts which are taking place amount to £12,000, so that the total available may be said to be £111,193. I may state that recently the accountant of the Lands Department has been engaged in what has been a very laborious and detailed work in connection with the adjustment of the accounts dealing with the repurchase of estates, and so far he has completed the work in connection with about half of them, and anticipates that by the first month of 1913 he will have completed the investigation cover-

ing the whole of these estates repurchased up to date. It has been ascertained in connection with this investigation that on some estates the unpaid purchase money on conditional purchase blocks has not been taken into account in connection with these estates. This amount is something like £11,189 11s. 7d., which to a very large extent represents a loss incurred in connection with the adjustment of prices for these particular estates. The member for Northam (Mr. Mitchell) at the time was Minister for Lands, and I understand he made provision for preventing the recurrence of that kind of thing by providing that the repurchase should take place on a freehold basis. I may point out in connection with the repurchase of Yandanooka that we have made a departure, in that we are not paying cash for the estate, but are providing that the purchase money shall be in the form of bonds having a currency of 20 years and bearing interest at 4 per cent. free from income tax. This will mean a considerably greater advantage to the State in dealing with estates if in the future in connection with any repurchase we can arrange to purchase on similar terms.

Mr. S. Stubbs: Is this a large estate?

The MINISTER FOR LANDS: It comprises 61,589 acres of freehold. I do not think the Bill requires any further introduction. I may state that after the introduction of the amending Land Bill, which I hope to have before the House at an early date, certain amendments will also be necessary in connection with the Agricultural Lands Purchase Bill, and this will form the subject of another measure. The present Bill merely deals with the necessary provision for the increasing of the capital for the repurchase of land as in the case under review to provide ready means for closer settlement, and it will also be availed of in connection with the irrigation schemes spoken of to-night, which will result in closer settlement and the supporting of a larger population than exists in our rich and fertile South-West at the present time. I beg to move—

That the Bill be now read a second time.

Hon. J. MITCHELL (Northam): I have no intention of opposing the Bill. I think it is necessary to increase the capital from time to time. I understand the Minister, when this Bill is passed will have available £300,000.

The Minister for Lands: £311,000.

Hon. J. MITCHELL: I am pleased to know that the repurchase of Yandanooka will be completed. It was before the Lands Department during my term of office, but it was considered then that the price asked was rather high. I believe that the offer has been reduced and the Minister is now prepared to consider it favourably. It is a good idea to pay in debentures, and if the Minister can arrange purchases of large estates on extended terms, then he will certainly be doing good work, because the sale of the estate will return to the Crown all that is paid and some profit. The Yandanooka estate is particularly good and is suitable for settlement but not in small holdings because it is to some extent a pastoral proposition. I understand the Government intend purchasing land suitable for irrigation at Harvey.

The Minister for Lands: That will be provided for on the Estimates.

Hon. J. MITCHELL: The purchase of land suitable for irrigation at Harvey is necessary. I only desire to repeat that the Government are justified in asking the House to sanction an increase in the money for the purpose of repurchasing estates, and I have pleasure in supporting the proposal of the Minister. I hope that if the Bill becomes law he will not only purchase estates but will arrange to finance them in the manner he has suggested.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment; and the report adopted.

BILL—TRAFFIC.

Second Reading.

Debate resumed from the 26th September.

Mr. GEORGE (Murray-Wellington) : I have gone through the Bill, and I do not think it calls for many remarks. In introducing it the Minister said it was really a consolidating measure, and I find that statement is fairly accurate. There is, however, one point in connection with it which deals with licensing fees for vehicles, and the method adopted by the Minister in taking those fees practically under his own supervision, adding some sort of subsidy, and then, according to his knowledge and the advice given by his responsible officers, allocating it for the upkeep of main roads throughout the State. Not much exception can be taken to that, for it is a step in the right direction. I daresay there may be some little feeling aroused amongst the riders of bicycles when they find they are to be taxed.

The Minister for Works : That will apply to the goldfields, where they provide special cycle tracks. It is the result of a resolution carried at the roads boards conference.

Mr. GEORGE : Many will hold that it would be an advantage to apply it all through the State, that indeed there is no reason why we should not charge every person a license on the superficial area of his boot soles. There may be special justification for putting a tax on bicycles on the goldfields, but down here it is open to question. Another point is as to the load a vehicle may be permitted to carry. I remember the Width of Tyres Act passing through the old Assembly in 1895. It contained a provision to the effect that the relative width of tyres should be in proportion to the dimensions of the axles. My opinion is that the weight to be carried by a vehicle should be governed entirely by the strength of the axle. The width of the tyre has nothing to do with the carrying of weight. The weight has to be carried by the axle. You might have a tyre five inches wide, with an axle of only one and a half inches. If you were to attempt to carry on that axle the weight which under the Bill would be permitted in respect to the tyre, you would not go very far with the load.

The axle has to do the work, and therefore the axle ought to be the determining factor in connection with the maximum weight. If the axle is weak the wheel cannot carry the weight. The width of tyre was not intended to prescribe the load. The extra width of tyre was provided for the purpose of protecting the roads from undue wear and tear.

The Minister for Works : You could have a very big axle and a very small tyre, and the purpose of the clause is to overcome that disproportion.

Mr. GEORGE : I think that in Committee we will be able to alter the clause so as to introduce the principle. I have tried to explain. While the width of tyres is desirable in order to save the road, this clause would enable a person to overload a dray with a wide tyre beyond its margin of safety. Apart from these points I do not think there is much criticism to be urged against the Bill. Whoever is responsible for the measure seems to have given a good deal of attention to the matter, and I do not think there is much in the Bill calling for criticism.

Mr. DWYER (Perth) : As a consolidating measure the Bill I think must commend itself to all members of the Chamber. However, it introduces some new principles into our local government. The main one, so far as the metropolitan area is concerned, is the substitution of "Minister" for "municipal authority," as regards the collection of licensing fees. In the Perth municipality these fees mean the very substantial sum of £1,400 per annum, and I presume that in comparison with general revenue they are proportionately high in the other municipalities. If the people who carry on trades and occupations in Perth, Subiaco, or North Perth, are made to maintain the road from, say, Perth to Albany, or Perth to Northam, or Perth to Fremantle, it seems to me that an injustice is placed upon the users of vehicles in the metropolitan area and upon the municipalities themselves.

The Minister for Works : The money collected in the metropolitan area must be spent there.

Mr. DWYER: I see the Bill makes provision that the collector of fees for the metropolitan area shall be the Minister, or his officer, and the apportionment shall be left to the Minister. Of course in every Act of Parliament one has to look beyond the present, and although, if we were assured that the present Minister for Works would remain in office for an interminable period, we might be satisfied with the apportionment, yet we have to view it in the light of a possible change in that officer of the Crown; and we have no assurance against change, nor is there anything in the Bill to show under what system the fees collected are to be apportioned. Up to the present time each municipality has had the right to charge a tax on vehicles that were in use within the boundaries of the municipality, and as regards other vehicles, and the places where they were housed, the municipality in which those places were situate made a charge or a tax upon them. It seems on the face of it a fair thing that within the municipal boundaries the roads that are being used there by vehicles which ply for traffic, and which have been kept in a state of repair by municipal authorities, should receive the benefit of any tax placed upon the vehicles. I am afraid that except some principle is laid down in the Bill under which it will be possible to see how the taxes are to be apportioned, it will create great uneasiness, to put it mildly, in the minds of municipal authorities; because, after all, to take the municipality I have instanced alone, the sum of money I have mentioned, namely £1,400, is a very substantial amount of its revenue, and it will be hard pressed to find some new avenues of taxation through which to make up any deficiency which may arise. If the fees paid in respect to the carts or vehicles plying for hire within the municipal boundaries of Perth are to go towards the maintenance of the roads in the outside districts, I do not think it is a fair proposition. Therefore, while I support the Bill as a consolidating measure, and hold that in that aspect it should commend itself to hon. members; while I think the proposed ex-

penditure of the tax throughout the district is a perfectly fair proposition, still I hope the Minister will explain under what principle it is intended the taxes or fees collected shall be divided. We will have contending bodies constantly approaching the Minister for the time being, each thinking, perhaps, that the other has been favourably treated, each thinking that the other municipality has been given undue consideration, and it seems to me that the position of the Minister under this Bill will be anything but a bed of roses. Although the present Minister may be ready to lie on a bed of thorns for the sake of upholding a principle, his successors may not be so ready, and this will lead to great confusion and worry, not only in the Ministerial office, but also amongst the local bodies concerned. I think there should be laid down in the Bill the principle on which the apportionment of these fees will be made, and the omission of a definite system of apportionment is the greatest objection that can be taken to this measure. In the Tramways Purchase Bill which was recently before this House, we definitely laid down the principle on which the apportionment should take place, and likewise in this measure we should insert some such principle for the guidance of the House, the Minister, and the municipalities. I hope that the Bill will be amended in this respect, so that we may all understand in what measure the municipalities are to receive these fees, and in what measure each will be expected to contribute towards the upkeep of its own roads and of those of other local bodies. In reading through the measure I had in mind a deputation which I assisted on some time ago in reference to the disgraceful condition of the Perth-Fremantle road in the municipality of Cottesloe. I believe that disgraceful condition still continues, and the trouble is due to the fact that the road passes through different municipalities, and each shirks the responsibility of keeping the roads in repair, and all endeavour to throw the responsibility on the Government. That undesirable state of affairs should be ended, and I regard this Bill as a step

in that direction. Still, while I think it is disgraceful that a road should remain in a state of disrepair, so that it can hardly be used in bad weather, I do think that it should be a principle in every measure of this kind that the allocation of the funds should not be left to the caprice of the Minister for the time being. For the sake of appearances and for the sake of both the Minister and the municipalities, some principle ought to be inserted in the Bill so that it may be known how these fees are to be allocated amongst the local bodies interested.

Mr. B. J. STUBBS (Subiaco): I think this is a Bill which will meet with the approbation of every member of this Chamber because of the great disabilities which a large number of the local governing bodies suffer from under the old system. It was pointed out by the Minister for Works in introducing this measure that, whilst some municipalities collect a large amount in fees, they are not called upon to spend such a large amount in the upkeep of roads, and also that a great many of the vehicles which are licensed in one municipality are for the greater portion of the time using the roads of other municipalities and roads boards. In that connection I would like to draw attention to the case of the Claremont roads board. About 97 per cent. of the roads in that district are main roads—roads which are not used by the residents, and the traffic over which is not for the benefit of the local people. It is mainly through traffic, but the local body have to keep the roads in repair, although the residents get practically no benefit from the traffic or from the road.

Mr. George: That applies all the way to Fremantle.

Mr. B. J. STUBBS: Not to the same extent as it does in the Claremont roads district, because they have not only the main Perth-Fremantle-road, but also another one which runs between the Karakatta cemetery and the railway line, from which they do not derive one penny of rates, and yet they are put to extra expense in keeping those roads in repair. Victoria Park is in a very similar posi-

tion in regard to the large amount of through traffic, and so is Subiaco. In the latter municipality there is a road running alongside the railway line and only yielding rates from one side. These local bodies should get some greater assistance than at present towards the upkeep of these roads. It is unfair that whilst the great majority of vehicle and carriage licenses are paid in Perth, those vehicles should use the roads of outside bodies which derive no benefit from the license fees. I think the idea of making the whole of the metropolitan area one district, paying the fees into the Treasury, and having that money disbursed again by the Minister to the local governing bodies in fair proportion, is a wise provision indeed; but, like the hon. member for Perth (Mr. Dwyer) I am of opinion that the Minister should give the House some idea of the method to be adopted for the apportionment of this money. Whatever method is adopted should be stated in the Bill. I agree with the member for Perth that this should not be left to the caprice of the Minister for the time being. The Minister's intention, I understand, is to state the method of apportionment in regulations, but I think it should be placed in the Bill so that every local governing body and officer will know what system is to be adopted, and so that Parliament can satisfy itself that the system proposed is a right and proper one. The absence from the Bill of a definition of what constitutes a main road seems to be a very serious omission.

The Minister for Works: I cannot define it.

Mr. B. J. STUBBS: Perhaps it is hard to define. Since the road through to Fremantle was made along the railway line, a number of the roads in Subiaco have been used as through roads. A great number of the motor cars from Perth go along Thomas-street, through Subiaco, on to Railway-parade, and thence to Fremantle, and thus a vast amount of through traffic passes over those roads. I contend that such roads should be designated main roads. I have been informed by the local governing body in Subiaco that since the advent of motor cars the cost of keeping

Thomas-street in repair has enormously increased, and yet it is not kept in anything like the repair it was in prior to motor cars becoming so common. I hope the Minister will give the House some idea of how the fees are to be apportioned and how he intends to define main roads. This definition must be given sooner or later, else how is the Minister to apportion the money for the upkeep of main roads? There is another principle in the Bill upon which I desire some information. The clause which was in previous measures, limiting the speed of vehicles, particularly motor cars, has been left out of this Bill and the provision inserted in lieu is that no person can drive a motor vehicle recklessly or negligently, or to the danger of any person. That is rather a wide definition for a speed limit. I contend that it will be practically impossible to say whether a person is driving a motor car recklessly or negligently until some accident happens, and then it will be too late. I admit that in the clause which gives the Minister power to make regulations he will have the right to limit speed, but the clause I am referring to is one which deals specifically with motor cars.

The Minister for Works: Personally I do not believe in limiting the speed.

Mr. B. J. STUBBS: It is not only the safety of the people that has to be considered in regulating the speed of motor cars. There is nothing so damaging to a road as motor traffic, and the greater the speed the greater the damage. The suction from a motor car travelling 30 or 35 miles an hour drags all the binding out of the roads, and the hoofs of horses coming along afterwards kick the stones out; consequently the local governing bodies have to keep men continually employed in the summer time gathering the loose stones on the road, and this is due to nothing but the excessive speed of motor cars.

Hon. W. C. Angwin (Honorary Minister): They had to do that before we had motor cars here.

Mr. B. J. STUBBS: Not to anything like the same extent. Motor cars travelling at a high speed are practically

the most destructive form of traffic on a macadamised road. Of course on wood-paved roads motor cars would do very little damage, but on macadamised roads there is nothing so destructive. I think the fees provided for the licensing of vehicles are altogether disproportionate. A cycle is to pay 2s. 6d. per wheel and a carriage 5s. per wheel, thus carriages which have four wheels will have to pay £1 a year and they do very little damage to a roadway. A 10 horse-power motor car is called upon to pay only £2 annually. The fees proposed to be charged for motor cars are altogether too light. I contend they should be more than double the amounts provided. Any one who can afford to own a motor car should undoubtedly be called upon to pay a far greater amount for the upkeep of the roads than one who owns only a cart or a carriage, and in Committee I intend to move that these fees be greatly increased. With these few exceptions, and the information which I hope the Minister will give us in replying to the second reading, I have very much pleasure in welcoming this measure. I think it is one which will be welcomed, not only by members of this Chamber, but by the members of all the local governing bodies who have control of these matters, especially in the metropolitan area.

Mr. BROWN (Beverley): In rising to speak on the second reading of this Bill I do so in order to reply to a few remarks made by the Minister when introducing the Bill, and to mention a few alterations which I hope to have made when the Bill is in Committee. The Minister stated in introducing the Bill that the roads boards as a rule did not care much about taxation because a good number of them wanted to do away with the wheel tax. The main reason for most of the boards wishing to do away with the wheel tax is because it is a very great bother to collect. They much prefer to increase the rates and abolish the wheel tax altogether. Most of the boards as a rule strike a fairly high rate. The Beverley board do, and they would not have to increase their rate to any very great extent to derive

the amount of revenue they get from the wheel tax.

The Minister for Works: I wish all boards were up to the Beverley standard.

Mr. BROUN: The boards that strike a high rate should not be made to suffer for those that strike only a minimum rate. My board have always endeavoured to strike a high rate and it costs us 10 per cent. to collect this wheel tax, and after all this bother we do not derive a great amount of benefit from it. In many instances we are unable to get at those who are using vehicles on the road as it was necessary under the old Act for those using vehicles to be caught on the road before we could prosecute. Otherwise we could not tax them, and in many instances people carting to different sidings throughout the different districts would be able to use their vehicles with impunity and not pay any tax. It would be only those whom the secretary or collector found on the road who would pay the tax. There is one thing I would like to mention, and that is with regard to Government vehicles. I refer only to those vehicles carting produce from the State farms. A quantity of produce is being carted by the Government over our roads and they do a great deal of harm to the roads the same as other farmers, and yet we derive from these vehicles no revenue to assist to maintain the roads.

Hon. W. C. Angwin (Honorary Minister): What about the subsidy you get?

Mr. BROUN: A subsidy is provided in the shape of a lump sum for the whole of the boards, and we get a portion according to the amount of the rate we strike, and the revenue we derive. If the Government paid the wheel tax wherever these vehicles are used we would have that in addition, whereas at the present time we do not get it at all. We are in the same position in regard to the farms which are being repurchased. I mention the Butcher estate. The Beverley roads board derived from Mr. Butcher, when he had that property, over £60 in taxes, and now we get nothing so that is an absolute loss to our board. I do not complain at all as far as the subsidy is concerned. We strike a fairly high rate and

get 10s. in the pound, and that amounts to a fair sum. Apart from that, our revenue is not sufficient to keep the roads in order or to make new roads in the out-back areas where the people have to cart a considerable distance to the sidings. I notice that the Bill perpetuates a difficulty which we experienced under the old Act, namely, that the board has no power to deal with wagons that do not track. In some instances settlers are using wagons that do not track, with the result that the wheels cut away the rubble to a considerable extent and damage the road. The roads boards have not power to deal with these settlers and compel them to put their wheels out to the proper width. I think a clause should be added to deal with that, and I hope the Minister will make a note of it and have it included so that wherever we find a man carting merchandise in a wagon having the wheels say three inches in, there shall be power to compel him to alter the gauge to the proper width. There is one settler in our district with a wagon, the wheels of which track three inches in and the road is being cut away and badly damaged, and it costs a lot to keep that road in repair. Another thing I would like to say in regard to the licenses mentioned by the member for Subiaco (Mr. B. J. Stubbs), and that is that no provision whatever is made for contractors who undertake carting. They can go into a district and cart chaff and wheat by contract. They can pay their license to one board and perhaps only cart there for a few weeks, and then can go into another district. The license they pay is only equal to that paid by the ordinary farmer who carts a few loads. A man who carts for perhaps six months would pay the same as a man who carts for three weeks, although the former does enormous damage and the small amount we receive in the way of the license fee is worthless.

The Minister for Works: Under this Bill you may not get any license at all.

Mr. BROUN: That is right. I think the Minister should agree to add to the schedule a line dealing with those who undertake carting by contract so that

they will have to pay a license as soon as they go into another district, and just about treble the amount per wheel. When in Committee I shall deal with the clause relating to the width of tyres mentioned by the member for Northam (Hon. J. Mitchell). As the schedule stands at present it is of very little use to my district and requires amending, and I hope to have an opportunity of speaking to it later on. I do not think there is anything else I wish to touch upon, but there is a number of clauses which I anticipate being amended, and I hope the Minister will meet me in the requests which I think are all reasonable. I have gone carefully through the Bill with members of my board and from the experience we have I think it is necessary that the alterations I shall suggest should, if possible, be made.

Mr. E. B. JOHNSTON (Williams-Narrogin): In the first place I would like to compliment the Minister for Works and the Government on introducing this measure. The Minister has told us that at present there are six Acts dealing with the regulation of traffic, and we can all join in praising the Government for bringing in a consolidating measure. At the same time there is one portion of the Bill on which I have very strong views, and I am very sorry indeed that the Minister did not see his way clear to abolish that obsolete tax known as the wheel tax. I venture to say it is not a good tax. I think it is a relic handed down from feudal times, and is quite opposed to the spirit and tendency of the age with regard to the raising of rates. I would like to mention that the first motion of which I gave notice in this Chamber last session after my election dealt with this very subject, and I intend to read it because it expresses briefly my views on the subject. The motion, of which I gave notice in December last, read as follows:—

That in the opinion of this House it is desirable, in order to assist settlers resident on their holdings, to amend the Carts and Carriages Act, 1876, in order to give roads boards which desire to do so power to abolish the pre-

sent wheel tax which is a special tax on the bona fide settler and which the absentee and the speculator escape.

Unfortunately, owing to the shortness of the session, it was not possible to deal with the motion, but the Government are now repealing the Carts and Carriages Act of 1876, and I am sorry to say they are enacting the same provisions in the present Bill. It is proposed to put a tax of half a crown a wheel on bicycles. That is a new tax.

Hon. W. C. Angwin (Honorary Minister): It is not new; it has been in force on the goldfields for a long time.

Mr. E. B. JOHNSTON: To many parts of the State it is new, and it will fall very heavily on office boys and people of limited means. I think in a country like this we can afford to do without a tax on bicycles. It is not even clear that the tax will not apply to children's tricycles, though I am sure that no Government would allow it to apply to them. We find also that the present tax of 5s. a wheel on ordinary vehicles is again imposed and I may say, as pointed out by the member for Beverley (Mr. Broun) that this tax has always been hard to collect, and in many outlying parts of the State it has not been collected. The motion I have read points out also that the tax on carriages and spring carts and vehicles of that kind falls on the people actually living on and improving their holdings.

Mr. Heitmann: You must have some means of replacing it.

Mr. E. B. JOHNSTON: The method I believe in, and the method that I think most members on this side of the House believe in for raising the revenue of road boards, is to rate on the land; and if it is necessary that roads board rates should be increased a little it will be found right throughout Western Australia that the boards, at any rate those in the wheat belt, will gladly do it rather than impose this wheel tax.

Mr. Heitmann: The majority now tax up to the limit.

Mr. E. B. JOHNSTON: If there are parts of the State where this tax is necessary, let the Government accept the sug-

gestion that the roads boards which wish to do so should have the power to abolish the wheel tax. Surely that is reasonable. In these scattered agricultural districts a man 40 to 60 miles away from the centre may not pay the wheel tax because there is no one to collect it. It is an expensive tax to collect; it is a tax absolutely opposed to the spirit of the times. I am assured that in New Zealand it does not exist, and in travelling round the country, settlers from other parts of Australia have told me they are not accustomed to it. But in any case I hope the Government will do away with it and that, instead of passing the wheel tax, they will, if necessary, bring a little pressure to bear on the roads boards to see that the rates are increased; because the man who does not live on his land, the man who does not improve his holding and who stays in St. George's-terrace, or anywhere else out of the district, does not use traps, and consequently does not pay wheel tax, while the man with the small holding, using three or four vehicles, may have to pay £3 or £4 a year through this tax. The Minister has mentioned that he proposes to give a subsidy on those licenses for the upkeep of the main roads. In the past the subsidy to roads boards has only been granted on the rates; and if this wheel tax is again imposed—and it should not be—I hope the Government will also subsidise the amount that the country roads boards collect in licenses. In the past they have only received a subsidy on the rates.

The Minister for Works: We are giving them a special subsidy.

Mr. E. B. JOHNSTON: I will be prepared to see the license fees for motor cars and traction engines increased, but when we get into Committee I will urge the Government to wipe out the wheel tax on ordinary carriages, while putting a tax on carriages used for hire or by carriers.

Mr. A. E. PIESSE (Katanning): I am pleased, with the previous speakers, that the Minister has seen fit to bring down a consolidating measure embracing the various matters referred to in the Bill. For some considerable time people in the

country districts have looked forward to such a measure, and I feel sure that the local governing bodies throughout the State will welcome it. Certainly there will be some clauses that will not appeal to every board. It is hardly to be expected that they would, considering the varying conditions under which most of our boards are working. At the same time I feel that when we get into Committee we will endeavour to place before the Minister the conditions of the Bill as affecting our particular districts, and I trust that we may be able to assist the Minister in amending the measure in such a manner as to meet with the wishes of most of the roads boards. In regard to the re-enactment of the Cart and Carriage Licensing Act, I may say that the collection of the wheel tax has been a very vexed question in the country, particularly as I have been informed by most of our settlers who come from the Eastern States that they have never been subjected to an Act of this kind, and for some considerable time past they have been voicing their objection to this tax.

Mr. Heitmann: They have not had the unimproved land tax in the East either.

Mr. A. E. PIESSE: In some of the States that exists. Possibly in some it does not. At the same time the chief objection that has been raised is that in the past the local governing bodies have not received any subsidy on the amount raised by way of taxation upon wheels, and that when Parliament has been considering the amount raised by local bodies, this taxation upon wheels used in the districts has never been taken into consideration. I am pleased to know the Minister intends to institute a system of subsidising the boards towards the upkeep of main roads upon the amount collected in country districts. At the same time, I am rather inclined to agree with the member for Williams-Narrogin (Mr. E. B. Johnston) that it would be better to some extent if we could, not altogether abolish the wheel tax, but give to the settler who pays wheel tax a rebate on his ordinary roads rate. I think that this can be very well managed, and I think it would be only just, because there

is not the least doubt about it there is serious cause for complaint and that we are penalising the industry and the thrifty farmer. I cannot see how we can do away with the tax altogether. The people living within municipal boundaries and large towns in country districts would pay very little towards the upkeep of our roads if we did away with the wheel tax altogether, and that would be very unfair. It seems hard for the farmers to be called upon to pay this tax. I know several farmers in my district who are paying from £5 to £6 a year by way of license fees, while others, who are possibly not so enterprising though with perhaps a larger area of land, use a smaller number of vehicles and do not contribute anything like the amount enterprising farmers contribute. The Minister might take into consideration that some provision should be made in the Bill even at this late stage to provide for a rebate off his ordinary rates for the person who pays wheel tax.

Hon. W. C. Angwin (Honorary Minister): That would really wipe out the wheel tax altogether.

Mr. A. E. PIESSE: It is hardly just that one farmer should pay £5 or £6 a year.

Hon. W. C. Angwin (Honorary Minister): Has he not got a greater earning power with his vehicles?

Mr. A. E. PIESSE: He may have a greater loss if it is a bad year than the man running stock and perhaps using only one spring cart or one sulky. It seems to me this is the only fair way of dealing with this question.

Hon. W. C. Angwin (Honorary Minister): Would it not be better to increase the rates on the man who does not pay the wheel tax?

Mr. A. E. PIESSE: We cannot make fish of one and flesh of the other. The provisions dealing with the issue of licenses will no doubt be dealt with in Committee, and therefore I shall not say anything further about them. In regard to the apportionment of the taxes of the local authority and the subsidy that the Minister proposes shall be paid, I hope that the Minister does not intend to in any way lessen the subsidy which is being paid under the ordinary rate, that is, so

much in the pound. If so, very little benefit will be derived from the scheme.

The Minister for Works: It will be an additional subsidy.

Mr. A. E. PIESSE: I am pleased to hear that, and to some extent it will appeal to the people in the country districts who are paying this tax. At the same time it does not get over what I have pointed out, that in some instances an enterprising farmer pays more than a man who is not quite so enterprising. In regard to the width of tyres, I am pleased that the Minister is dealing with the regulation of this traffic by adopting the South Australian Act and providing for weight per inch of tyre. The old Act has been a dead letter, and as an old roads board member I know that it has been practically useless. Certain provisions were made that all new vehicles had to be built under that Act, and to a certain extent that was done. Although that Act will prepare the way to some extent for this measure, it did not fulfil our requirements so far as regulating the traffic was concerned. I notice that the weight per inch of width has been fixed by the Bill. I would have preferred the weight to have been left to the local authorities to decide, for the reason that the road making material in country districts varies, and that what might be considered a proper weight in one district might not apply in another. A nine hundredweight per inch of width might apply in districts where they use blue metal and 7½ hundredweight would be more serviceable in a district where gravel is used, so that it would have been better to have left this matter to the local bodies to divide. I notice that the Minister provides that the operation of this portion of the Act shall be brought about by proclamation.

The Minister for Works: Purely to give them time to get their vehicles in order.

Mr A. E. PIESSE: That is only fair, but I trust that unreasonable time will not be allowed to pass before the measure is brought into operation. I feel sure that the Bill, if passed, with certain modifications which can be made in Committee, will be of great service, particularly in the country districts.

The MINISTER FOR WORKS (in reply) : The main point raised has been in connection with the collection of licenses, and the distribution of these licenses collected in the metropolitan area plus the subsidy, and I want to repeat that the subsidy we propose to pay on the license fees is an addition altogether to the subsidy now paid on the rates collected by the various local authorities. In connection with the distribution it is impossible to outline in the Bill a definite proposal, because the conditions may vary every year, with the result that it will be necessary to amend the measure. All we can do is to outline how we propose to base the distribution at the present time, and the proposal of the Government to-day is that we should distribute so much per chain on the various widths of road, and in addition on the various materials used. In the first place we will have to consider whether a road is a gravel or a blue metal road. Then we shall have to consider the width of the road, and above everything else we must calculate the chainage of the road.

Mr. Dwyer : What about the amount of traffic ?

The MINISTER FOR WORKS : I am dealing now with main roads, and I am of opinion that we will be able to get out a schedule that will convey to the local authorities the amount of subsidy they will receive in proportion to the licenses they collect the same as we outlined, in the classification of the various roads boards, the amount of subsidy paid on the rates collected. Every roads board to-day knows exactly what subsidy they are going to collect, because it is laid down in the classification the exact amount that will be paid. The only difficulty will be to arrive at a definition of what is a main road. I have endeavoured to get a definition, but I am prepared to admit that I have absolutely failed. I have tried in various ways to get the local authorities to induce those with experience to give me a definition but it has been impossible to learn what is really a main road.

The Minister for Lands : That is, one on which they will all agree.

The MINISTER FOR WORKS : Yes, and a definition that will not make every road in the State a main road. We can get a definition but not a definition which will limit it to a reasonable number of roads in the State. Under the Bill we say we will subsidise licenses collected, and the licenses collected plus the subsidy must be expended on the main roads, and the decision as to which are the main roads of a particular local body will be left to the discretion of the local body, but the Minister must reserve the right to veto their choice if he has sufficient justification for doing so. In the metropolitan area the responsibility will be on the Minister to decide which are main roads, and that decision will of course be submitted to Parliament, and it will be for Parliament to determine whether the distribution is fair, and whether the selection of main roads is just. That is about the only check you can give on the decision of the Minister, and I cannot see where it is possible to place in the Bill any definition that would be applicable beyond any one year, because the conditions of the roads differ, and a bye road to-day may be a main road to-morrow, and so it is impossible to provide a definition in the measure.

Mr. B. J. Stubbs : What becomes of the fees ?

The MINISTER FOR WORKS : The license fees, plus the subsidy, are for the maintenance of main roads.

Mr. B. J. Stubbs : Suppose you have some over ?

The MINISTER FOR WORKS : If we have some over I take it we will put it into Consolidated Revenue. The money collected by the local authority goes into their general revenue, but that money is subsidised by the Government, providing the local authority spend the money they have collected on the main road. If they do not then they collect no subsidy. That is the check we have. It must be distinctly understood that the license fee, plus the subsidy, must be spent on the main road; if not the subsidy is not paid. I do not know that it

is necessary to go into the question of whether the cart and carriage license fees should be re-enacted. I take it we require to have some source of revenue, and a tax or license on the wheels that go along our main roads is a legitimate form of raising revenue. I maintain that it is more equitable to tax the wheels than to increase the general rate. To show that the local authorities are not sincere in that matter, let me say that although they have the power to increase their rates they are neglecting to impose the wheel tax or are imposing so small a wheel tax as not to be worth collecting.

Mr. E. B. Johnston: Under the existing Act they must impose a tax of 5s. per wheel.

The MINISTER FOR WORKS: I was not aware that the existing Act prescribed a definite amount, but I am fully aware that the practice is not in vogue in many districts of the State and, as a matter of fact, the provision is not enforced at all. We find that in a district in which they do not make any special effort to collect the wheel tax that very district is a district where they do not impose the maximum rate—a clear indication that the familiar statement that the local authorities do not wish to collect that tax, but would prefer to increase the general rate, is not borne out in fact. There is the objection that if you impose it on a general rate it applies to all ratepayers, not all of whom use the roads. It is unfair to penalise a man who does not use the road at all to precisely the same extent as you penalise the other man who has many vehicles in full use. From that point of view the wheel tax is an equitable one. It is a means of raising revenue, and the raising of revenue is essential to the maintenance of roads. It must be borne in mind that the State contributes a large amount towards the maintenance of roads by way of subsidies and special grants. We cannot increase that amount, for the revenue of the State will not permit of it. We find that the demand is greater than the State can supply, and we maintain that the local authorities must make some special effort to assist

themselves. The Bill will assist them in doing that, and we will subsidise the fees collected.

Mr. Broun: There is cost and trouble in collecting the wheel tax.

The MINISTER FOR WORKS: That will be overcome to a great extent by the provision that the police shall be called upon to assist the local authorities in this respect.

Mr. Broun: The police would not do it before.

The MINISTER FOR WORKS: But now they are called upon to do it, and it will be the duty of the Government to see that it is done. As a matter of fact the police never shirk their duty. I do not know that I shall take up any more time. The Bill is really a consolidating measure, re-enacting the powers that the local authorities have to-day under the Roads Act, the Municipal Act, the Cart and Carriage Act, and the Width of Tyres Act. We have consolidated all of these and placed them in one measure. Where we found the existing measures difficult to administer we have amended them. In conclusion I want to emphasise the fact that the Bill, as it was originally drafted, and practically as it stands to-day, was submitted to the roads board conference which sat in Perth and which comprised representatives of all the various boards in the State. That conference, I may say, adopted the Bill. Consequently, not only have the departmental officers gone carefully through it, but experts from the roads boards also have gone through it and endorsed its provisions, and therefore there should be no great difficulty in piloting the Bill through the House. It is essentially a Committee Bill, and in the main re-enacts the conditions already in existence in the State. There are several points in connection with the fees which can best be dealt with in Committee, at which stage I will be quite prepared to give hon. members any information they may desire.

Question put and passed.

Bill read a second time.

House adjourned at 10.58 p.m.