

ment of this Act become owing to any person, and which, on the commencement of this Act or at any time thereafter, have been payable by the company for a period of six years, or upwards after the time when the same became payable. . . ."

Hon. D. G. GAWLER: The amendment suggested would meet the objections raised by hon. members. In many instances the financial institutions rightly claimed moneys which had been in their possession for a very lengthy period, and which remained unclaimed.

On motions by the COLONIAL SECRETARY the definition of "unclaimed moneys" was amended by inserting between "whatsoever" and "owing" in line 3 the words "which have been," by inserting after "lapse of time" in line 4 the words "since the first day of January, 1906, and not before, or which shall at any time after the commencement of this Act become owing to any person," and by striking out the words "in the possession of" in line 6 and inserting "payable by" in lieu; and as amended the clause was agreed to.

Clause 3—Register of unclaimed moneys to be kept:

The COLONIAL SECRETARY moved an amendment—

That after "moneys" in line 2 of Subclause 1 the words "of not less than £5 in any one account" be inserted.

By this amendment, it would not be necessary for the financial institutions to pay in any sums standing to the credit of an account amounting to less than £5.

Amendment passed; the clause as amended agreed to.

Schedules, Title—agreed to.

Bill reported with amendments.

House adjourned at 5.40 p.m.

Legislative Assembly,

Thursday, 19th September, 1912.

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

QUESTION—WICKEPIN-MERREDIN RAILWAY DEVIATION.

Mr. MONGER asked the Premier: Do the Government intend to carry out the recommendations and suggestions as conveyed in the select committees report to the Legislative Council as regards the construction of the Wickepin-Merredin Railway?

The PREMIER replied: The Government do not propose to consider the report of the select committee appointed by the Legislative Council until the report of the select committee appointed by the Legislative Assembly has been received.

BILLS (2)—THIRD READING.

1. Inebriates.
 2. Bills of Sale Act Amendment.
- Transmitted to the Legislative Council.

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

Returned from the Legislative Council with amendments.

BILL—PREVENTION OF CRUELTY TO ANIMALS.

Council's Amendments.

Schedule of five amendments made by the Legislative Council now considered.

In Committee.

Mr. Holman in the Chair; the Attorney General in charge of the Bill.

No 1, Clause 4, Subclause 3—Strike out the word “remedy” in the last line and insert “injury”:

On motion by the ATTORNEY GENERAL, amendment agreed to.

No. 2, Clause 9, Subclause 2—Strike out the word “justice” in lines one and four, and insert “magistrate”:

The ATTORNEY GENERAL: This amendment raised a debatable point and made it more difficult to administer the Act, because a magistrate was not everywhere available, whereas a justice might be. But as his desire was not to imperil the passage of the Bill, he moved—

That the amendment be agreed to.

Mr. LANDER: It was a mistake for the Council to make this amendment. In places like Southern Cross or Coolgardie it was impossible to get a magistrate, but a justice of the peace might be available, and the only thing to do in such circumstances would be to revert to the Police Act under which any justice could issue a warrant. Many members of the Council were interested in stock, and they knew that in the North-West offenders could get away by boat before a magistrate could be found.

The CHAIRMAN: The hon. member is not in order in reflecting on members of another place.

Mr. LANDER withdrew. The greatest amount of cruelty might be carried out at places like Wyndham and Port Hedland, and there would be no chance of dealing with the offenders because there might be no magistrates available.

Mr. TURVEY: There was ample opportunity given to justices of the peace to issue summonses. The amendment simply took from these justices of the peace the power to forthwith issue warrants, and an amendment in this direction, when the Bill was in Committee in the Assembly, had received large support. Justices should not be entrusted with the power that the clause proposed to give.

Mr. LANDER: It was simply bunkum talking of issuing summonses. Men

could commit great cruelty on animals, and if the owners of the stock had to proceed by summons the offenders could not be got at. There were summonses out for three men accused of having committed cruelty to a pony near Moora, but these men could not be got at. Why should men have valuable teams placed in jeopardy by this monstrous amendment?

Hon. J. MITCHELL: It was sufficient to allow justices to issue summonses. It had to be remembered that the clause gave power to justices to issue warrants on application made to them by special constables appointed under the Act. It was no light thing to arrest people when they could be proceeded against by summons. Almost always an offender could be reached by summons as easily as by warrant.

The ATTORNEY GENERAL: It was merely to carry the Bill with as little friction as possible that he had moved to agree to the Council's amendment, but he could not agree that the Council's amendment improved the Bill. It was a great reflection on justices of the peace if they could not be trusted to issue warrants in cases of cruelty to animals. There might be grounds for shifting the onus from justices to magistrates where intricate instances of law were concerned, but where it was a question of human feeling and saving suffering, no doubt a justice of the peace would be as qualified to judge the case as the most astute and experienced magistrate. The tendency should be to increase agencies for restricting cruelty rather than to decrease them. The amendment merely permitted certain districts to go sent-free and commit acts of cruelty with impunity. The amendment was a blemish to the Bill.

Hon. J. MITCHELL: The special constables appointed under the Act would be men who were often over-enthusiastic. We were giving an unnecessary power. Justices were not as capable as magistrates in dealing with matters that came before them. A magistrate would not issue a warrant without first being fully assured he could not get

the offender before the court otherwise. The amendment made the Bill a reasonable one.

The Attorney General: It makes it impossible to administer the Act in certain portions of the State.

Mr. Lander: That is what it is done for.

Hon. J. MITCHELL: In 999 cases out of 1,000 men could be proceeded against by summons. The special constables to be appointed under the Act, and upon whose information warrants could be issued, would not be as responsible as ordinary police constables.

Hon. W. C. ANGWIN (Honorary Minister): If the amendment were agreed to, it would be impossible to carry out the Act. Even in the Northam district it would often be difficult to get a magistrate to issue a warrant. The justice who issued a warrant without making due inquiry and without taking the necessary care to see that a person should not be wrongfully arrested, was liable to pay compensation. He knew of magistrates who had had to pay heavy penalties because they had issued warrants wrongly, and as far as justices were concerned they would take all the care necessary for their own protection. To make the Bill workable there should be opportunities whereby the provisions could be enforced. Possibly if a person had to wait for a summons the witnesses required could not be got together. The measure might become a dead letter in some settled portions of the State if the amendment were agreed to.

Mr. UNDERWOOD: In the North-West a man might be 300 or 500 miles from a magistrate and an offender could easily get away in that time. It would be impossible to thoroughly administer the law if the amendment was inserted. There were not a dozen magistrates in the State to administer a million square miles of country. It would detract from the merits of the measure if justices were not allowed to issue warrants. In regard to justices generally, although certain journalists got a living by criticising them and pointing out their general dunderheadedness, if a little wis-

dom was used in the selection of these gentlemen they would do good work and save the State a considerable sum of money. The few justices who were so fearfully ungrammatical and ignorant could be struck off the roll and more capable men, who could be trusted to administer the law, appointed.

Mr. LANDER: One would think from the remarks of the member for Northam that the S.P.C.A. committee desired to sweep up men from the gutter and make them special constables. No man would be appointed a special constable under the S.P.C.A. while the present committee existed unless his name was first submitted to the Commissioner of Police or the Attorney General, and if any objection was raised the appointment would not be made. No one of a questionable character would be appointed. Whilst we had gentlemen on the bench who would not inflict the full penalty for an offence, they would be very careful before they signed all warrants which were put before them.

Mr. George: Do you get many cases of cruelty now?

Mr. LANDER: Not many, in consequence of the way the society has acted. On one occasion somebody above the Commissioner of Police had the power to stop the Commissioner taking action against the Chief Inspector of Stock for travelling a horse with a broken leg, but the committee of the S.P.C.A. heard of the matter and prosecuted Mr. Weir and his officers. They were charged before the magistrate in Perth and fined.

Mr. TURVEY: The acceptance of the amendment would not mean the restriction of the working of the measure, because there was ample provision for dealing with cases of cruelty to animals. He failed to see why there was a necessity to issue a warrant immediately for the arrest of a person guilty of ill-treating an animal. Notwithstanding the remark made, he did not think we should entrust justices, who had no legal training, with power to issue warrants, apprehend persons and give them gaol. There was no necessity for issuing a warrant. The Minister had said there was the right of

appeal, but all the rights of appeal would not wipe away the stigma of arrest.

Mr. GEORGE: If the alteration would mean that justice would be defeated he would vote against it, but he did not think so. It seemed that the Bill was fringed around with the idea that those who were employers and who might have an act of cruelty performed on their place, not with their knowledge, would be willing to attempt to defeat the ends of justice. He did not believe the average man would allow an act of cruelty to occur without taking action straight away. He had seen acts of cruelty performed by men, and had seen action taken at once by the men's mates. The earnestness of the member for East Perth might defeat his purpose. He had his heart and soul wrapped up in this work, but he might give a little credit to others, and then he would get on better. It had been indicated that if an act of cruelty did occur on a farm or station the person responsible would get the witnesses out of the way. If that was the feeling the member for East Perth had, then one was sorry for him.

Mr. SWAN: For the reason that he thought it would hamper the operations of the Bill, it was his intention to oppose the proposed amendment. If we accepted the argument of the member for Murray-Wellington, we were to believe that all the cruelty that took place in the world was inflicted by employees, without the knowledge of employers. It was a manifest absurdity, because cases of cruelty were being committed every day, and in many instances the employer was practically responsible for it.

Mr. LANDER: As an instance of the responsibility of the employer, he could say he had repeatedly cautioned horse-drivers at the Waroona mills against working certain horses, and the men had told him that to refuse to work them would mean dismissal. He knew that, as soon as his back was turned, those drivers had been told by their boss if they did not care to take out the horses again somebody else would be found to do so. The clause was required in its original form for the purpose of dealing with cases of maliciously injuring of animals.

Some cases could be dealt with on summons, but not cases of maliciously injuring. In such cases it was necessary we should be able to go to a justice of the peace. The amendment, if carried, would put a big block in the way of the Society for the Prevention of Cruelty to Animals.

The ATTORNEY GENERAL: There was either a desire not to understand the clause, or else a general misunderstanding as to the purpose of the clause. He had opposed the amendment simply for the purpose of obtaining an expression of opinion from the Committee and so emphasising the necessity for the clause in its original form in order that, when it went back to the other House, the members thereof might understand the purpose of the clause. The member for Northam had desired to represent the clause as being a means of handing over horse and cattle owners to the fanaticism of a few reformers. But the hon. member knew well that the clause referred, not to special constables, but to ordinary constables.

Hon. J. Mitchell: Oh, no.

The ATTORNEY GENERAL: Distinctly it did so. In any case, that was not the point before the Committee. The amendment was sought to be made to Subclause 2 of the clause, dealing with the issue of warrants by justices of the peace. The amendment asked that this power be given, not to a justice of the peace, but to a magistrate, and he (the Minister) was asking the Committee was it a fair amendment?

Mr. Monger: I think it is a very desirable one.

The ATTORNEY GENERAL: Could the hon. member enlighten the Committee as to why he thought it desirable? The clause contemplated an act of cruelty to an animal which warranted arrest.

Hon. J. Mitchell: It goes further than that.

The ATTORNEY GENERAL: No. It guaranteed that there would be sworn evidence of cruelty before the issue of the warrant. The only power given to the constable was to lay a complaint after having seen an offence committed, or acting on the declared testimony of a witness. The question, however, was the

power of justices, which was quite another matter. Before a justice could act, a charge must be laid on oath. The clause only contemplated acts of extreme cruelty, and should not such an offender be brought to justice speedily? Should we allow him to escape rather than give justices the power to issue the warrant? Were we afraid to trust a justice?

Mr. Turvey: Cannot you get the man by a summons?

The ATTORNEY GENERAL: The object was to apprehend anyone guilty of a malicious offence before he could get away.

Mr. George: Do you think it possible for such a man to get away?

The ATTORNEY GENERAL: Yes. Members of the Opposition seemed to infer that there was some malicious conspiracy in regard to the clause.

Mr. George: No, we want you to have the power, but we do not quite agree on the method.

The ATTORNEY GENERAL: If it was a good thing it should be made easy by giving the power to justices. Under such safeguards, we might trust the justices. Should we libel the justices by saying they could not be trusted? In everyday business we trusted them with the issue of warrants where the lives and liberties of people were at stake, and yet for the protection of dumb animals some members dared not trust them.

Hon. J. Mitchell: You moved to accept the amendment.

The ATTORNEY GENERAL: Only to test the feeling of the Committee, but he desired to see it rejected.

Hon. H. B. LEFROY: As the power was necessary, we might as well strike out the clause as accept the amendment. Men were sometimes guilty of cruelty to animals, and it was necessary to secure them at once to bring them to justice. In many districts it would take a week to get a magistrate, and in that time the offender could get away. Only in the case of a gross act of cruelty would a constable approach a justice for a warrant. A man's liberty would not be taken away for a minor offence. If the clause was allowed to stand, justices in the country

would think seriously before they issued a warrant.

Mr. LANDER: If the honorary agents of the society did anything in the way of unlawfully arresting a person they brought themselves within the meaning of another Act. If a person saw an act of cruelty and he reported it to a constable, that constable could not take any action. Under the Bill, however, any reliable person could lay an information, and the constable would have power to take action on the complaint being made. Rather than leave out the word the Council had proposed to strike out, he would prefer to see the Bill turned down altogether because as we stood now, there was much greater power in Section 43 of the Police Act which gave a constable power to arrest for cruelty. So far as he was aware there had never been a complaint made about any improper arrests having been effected.

Mr. A. N. PIESSE: The amendment should be supported because too much power was already given to honorary justices. There were competent and capable justices, but there were also many who were incompetent and incapable. There was no intention to cast any unkind reflection on anyone, but it must be clear to the Attorney General that many of these men were quite unaware of the responsibilities that were cast upon them, and on receiving information, even if it was sworn, particularly from a smart constable, they were likely to abuse the power conferred on them. In his eight years' experience of court work he did not know of more than two instances where summonses had failed, so that there was no justification for the fear expressed by hon. members that a summons would not meet the objects of this measure.

Mr. Lander: There are three warrants out at Moora now, and we will give you £10 if you will assist us to get the men.

Mr. A. N. PIESSE: It was well known that the zeal of the hon. member for East Perth exceeded his discretion.

Mr. Lander: You are a bad judge.

Mr. A. N. PIESSE: There was no knowing what moment he might kick

over the traces, and if a man was arrested under circumstances such as those which had been referred to some injury might be done. The amendment of the Legislative Council was a proper one and should be supported.

Mr. MALE: When the amendment was first made he felt inclined to support it, but as a result of the discussion he had come to the conclusion that the Bill should remain as it was. Extreme cases of cruelty required extreme power to be given. He had sufficient faith in justices to know that they would, almost without exception, make the necessary inquiries before issuing a warrant.

Mr. Lander: They always err on the side of leniency.

Mr. MALE: A justice invariably erred on the side of caution. Instances had been referred to of men leaving the State by steamer, but from whichever port a steamer sailed there was always a magistrate available. There were, however, other ways of getting out, and in such cases it would not always be possible to secure the services of a magistrate. Under such circumstances it ought to be necessary for a justice to have power to act.

Mr. ALLEN: It would be a pity to carry the amendment which had been suggested; the clause would be better left as it was. Experience had shown the necessity for it. A great deal had been said about powers given to justices. He was aware that justices had been loth to take the extreme course of issuing a warrant in other cases, and they would be loth to do so in cases of this sort. A justice would inquire into the nature of an offence, and if it was trivial he would not issue a warrant. To make the amendment now proposed would defeat the ends of the Bill.

Mr. McDONALD: Although some of the speakers scoffed at the scarcity of magistrates in the North-West the fact remained that that position existed. It was provided in the Bill that the complaint should be made 14 days after the commission of an offence, and assuming that a layman was the only witness in a case of cruelty it was necessary for him to find a constable or a special

constable who alone might lay that information. In the whole of the North-West covering hundreds of thousands of square miles there were only five magistrates, but so far as justices were concerned they were as thick as blackberries in season and one found that out at election time. A summons would meet the case in many instances. But, assuming a gross case of cruelty in the Nullagine district, by the time the information reached Onslow and the warrant issued, the culprit might have left the State. If the amendment were carried the greater portion of the immense North-West would be debarred from coming under the provisions of the measure.

Mr. TURVEY: Would it be impossible to provide for these cases in the North-West by way of ordinary summonses?

Mr. McDonald: Of course it would be.

Mr. TURVEY: Hon. members speaking against the amendment seemed to be obsessed with the idea that a man guilty of cruelty was going to clear out of the State? Men guilty of cruelty should be appropriately dealt with, but he was not going to give any additional power to justices to issue a warrant for the apprehension of an individual. It was necessary that the amendment should be supported, and the word "magistrate" substituted for "justice."

Mr. McDonald: You might have to travel for 100 miles to find a magistrate.

Mr. TURVEY: After all, what constituted ill-treatment demanding the issue of a warrant would depend largely upon the views of the informant. Many people would run off and lay an information if they saw a whip used on a horse.

Mr. BROWN: Most certainly justices should be permitted to issue warrants in cases of gross cruelty. No justice would be foolish enough to issue a warrant without having good grounds for so doing. The magistrate for his district lived at Northam, and by the time the information could be sent to Northam no one could say where the offender would be.

Hon. J. MITCHELL: Unlike certain other members, he had not been convinced that the clause should not be amended. It was distinctly provided that a special constable might cause an offender to be arrested for any offence. The Attorney General had said that the constable referred to in the clause would be an ordinary police constable. Nevertheless, the officer might also be a special constable. The objection was to the great power being given to special constables. The clause would operate against the driver of the horse, for the owner did not want his horse to be knocked about.

Mr. LANDER: The employer often says that what kills one horse buys another.

Hon. J. MITCHELL: It was provided that a driver might be ordered to pay for the horse if he damaged it, and there was no doubt that in most cases the man to be arrested would be the driver. If the Attorney General would agree to make the constable in the clause a police constable then he (Mr. Mitchell) would be willing to leave the clause as it stood.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. MITCHELL: Could not a further amendment be moved, or must the Committee simply deal with the one amendment?

The CHAIRMAN: The hon. member could move an amendment on the amendment.

Hon. J. MITCHELL: That would not do. Perhaps the Attorney General would endeavour to have the Bill amended in another place so as to give this power only to police constables and not to special constables.

The ATTORNEY GENERAL: However inclined one might be to meet the wishes of the hon. member for Northam, the Committee could deal with nothing but the Council's amendments.

Hon. J. Mitchell: You can have it done in another place.

The ATTORNEY GENERAL: The hon. member could arrange that if he wished.

Question put and negatived; the Council's amendment not agreed to.

No. 3, Clause 12.—After the word "enjoy," in line six, insert "for the purposes

of this Act only." Add a further proviso as follows:—"Provided also that a special constable so appointed shall not be a member of the Police Force":

The ATTORNEY GENERAL: The first portion of the amendment provided that special constables should be special constables for the purpose of this measure only, and as there was no desire to appoint them for any other purpose there was no objection to the Council's amendment. The second portion of the amendment was to avoid a special constable being in all other respects an ordinary constable. He moved—

That the amendment be agreed to.

Mr. LANDER: The object of the amendment was that a special constable should not participate in the Police Benefit Fund.

Hon. J. Mitchell: Has not a police constable all the powers of a special constable?

The ATTORNEY GENERAL: The Bill did not limit the police constable's powers but limited special constables to the powers conferred by this measure.

Question put and passed; the Council's amendment agreed to.

No. 4, Clause 16.—Strike out Subclause (1.):

The ATTORNEY GENERAL: This subclause provided a penalty to be imposed on a master for not producing his servant. The clause would be valueless unless there was some penalty provided for its enforcement. This was simply a penalty for contumacy, and he was obliged to move—

That the amendment be not agreed to.

Hon. J. MITCHELL: It was obvious that an employer could not compel his servant to go to court. If he laid hands on his servant he could be proceeded against for assault. It would be sufficient if the clause was amended to compel the owner to give the name of the servant responsible for the offence.

The Attorney General: If the master has reasonable excuse for not bringing his servant to court he is all right.

Mr. LANDER: If an owner applied for a witness summons and served it on

his servant, or went to court and stated that he was unable to produce the servant because the latter had either left his service or refused to come, that would be a reasonable excuse.

Question put and passed: the Council's amendment not agreed to.

No. 5. Clause 18, Subclause 3, paragraph (a), sub-paragraph (2), before the word "discharge" in line 10 insert the word "may":

(On motion by the ATTORNEY GENERAL, the Council's amendment agreed to.)

Resolutions reported, and the report adopted.

Reasons for disagreeing with two of the Council's amendments drawn up by a Committee; the reasons adopted, and a Message accordingly returned to the Legislative Council.

BILL — FREMANTLE HARBOUR TRUST AMENDMENT.

Second Reading.

Debate resumed from the 12th September.

Hon. FRANK WILSON (Sussex): This is one more of those innocent looking measures which we have had submitted during the present session consisting of very few clauses but having very vital and far-reaching effects. I must confess that the more I look at this Bill, the less I like it. It has two main principles embodied in it; one is that the Harbour Trust at Fremantle shall be put in the position of a private stevedore, and be permitted to cater to carry out the work of stevedoring vessels generally, in addition to the Government vessels, and the other is to give them power to get away from their liability with regard to the business which they carry on now as wharfingers. That is pretty well all it contains, and both of these clauses are objectionable from my point of view, and I wish to immediately state that the reasons given by the Honorary Minister in introducing the measure, which were that because the Trust had given satisfaction as wharfingers, therefore they should be granted extended powers to act as steve-

dores, are not conclusive so far as I am concerned. I have it on pretty good authority that the Trust has not given that satisfaction which the public and the shipping community are entitled to in connection with the handling of goods through the sheds and over the wharf. Had the measure been limited to giving powers to the Trust to act as stevedores in connection with the State-owned vessels, then I think, perhaps, little exception would have been taken to it; but we find that there is an underlying effort made to concentrate the whole work of the harbour in the hands of the Trust's servants, and in that respect force out eventually all those engaged in working on or about vessels in the harbour. It is quite true that the clause which embodies this power states that they may do this work when requested to carry it out, and in this respect, I suppose, the Minister will say that the people who wish to employ private stevedores are at perfect liberty still to do so, and the Trust will not interfere with them. Yet we cannot close our eyes to the fact that the Trust are in a very happy and strong position, inasmuch as they control the whole of the facilities in the shape of cranes and other gear which go towards the successful carrying out of stevedoring work. In addition they control the harbour, they control all the berthage, and it is natural to suppose that the owners of vessels coming to our harbour will perhaps conclude that they will derive some advantage from putting their business into the hands of the Trust, rather than into the hands of private stevedores, who have always been in the habit of carrying out that work. Therefore, I say I think it is undesirable that we should confer this power upon the Harbour Trust. I do this, not altogether and not solely in the interests of those employed in that class of work in and about shipping, but also in the interests of the public generally, the merchants, and the people, the consumers themselves: because it must be obvious to everyone that any monopoly in the carrying out of our work, any increased imposts we put on the handling of the goods that come to us from overseas or from sister States, must even-

tually react and be placed on the shoulders of those who consume those goods. Therefore, I think we should be justified in taking exception to this Bill on those grounds. In addition to that I have strong objection to the Bill because of the obvious fact that it creates a monopoly in the work which, from the worker's point of view, is objectionable.

Mr. Gill : It provides more competition.

Hon. FRANK WILSON : No; because gradually the whole of the work will drift into the hands of the trust officials, and, therefore, those who are working in connection with the loading and unloading operations of our shipping can only look to one source of employment.

Hon. W. C. Angwin (Honorary Minister) : Does not that prove that they have been doing their work satisfactorily in the past, otherwise they would not get all the work.

Hon. FRANK WILSON : No; it proves that if a worker by any means is so unfortunate as to get at cross purposes with the trust's foreman and be thrown out of his employment, he may just as well leave the port of Fremantle. He would never secure work there again.

Mr. Lander : Does not that exist with the stevedores?

Hon. FRANK WILSON : No. If a man leaves one stevedore he can go to another; he has many avenues of employment now, but he will have only one in the circumstances that I have outlined. The bulk of this labour is casual; men are put on as the work comes along and they are put off again, and it is well known that in certain circumstances men have been dispensed with and told that they would not get further work from the Trust. There was a case the other day. When the steamship "Tysla" was in port four men were wanted by the trust's foreman to leave that steamer and go to another vessel. They refused to go, and they were told that if they did not obey orders they need not look to the trust for any more work.

Hon. W. C. Angwin (Honorary Minister) : I do not think they were properly

informed; it was contrary to the rules of their association.

Hon. FRANK WILSON : The union rule provided that they would be fined £1 if they left a job unfinished, if they left one vessel and went to another before the one vessel was finished. The officers of the trust are well aware of the fact. It seems to me fairly obvious that to concentrate all the work of the harbour into the hands of the trust's officials is certainly not going to be to the benefit of the public generally, nor to the benefit of the steamship owners and the merchants who use the steamers to bring goods to our shores. There is no precedent for this course I maintain throughout Australia; indeed I go so far as to say there is no precedent for it in the British Empire. Wherever there are harbours—and of course there are hundreds and thousands of them—even where harbours are privately-owned, stevedores are permitted to carry on their work, and it is never concentrated in the hands of one control.

Mr. Lander : There is no intention of doing that.

Hon. FRANK WILSON : I know that the Minister has said it is not the intention to grant any monopoly; I remember him using those words very distinctly; but no matter what his intention is, there seems to be an underlying endeavour on the part of the officers of the trust to get all the work concentrated into their sole charge in order that they may build up a big department, a responsible department, which, of course, will redound to their credit and possibly to their benefit.

Hon. W. C. Angwin (Honorary Minister) : Is there any possibility if it?

Hon. FRANK WILSON : I think it would be conceded we were on strong grounds if the effort were made, but I fail to see where there has been the slightest demand for the alteration, and why the Minister should be so persistent and insistent in doing something to legislate to take away the living of the stevedores even of his own port. It seems to me the object of Ministers is to take the

whole control of the industries of the State under their special care, to build up a State monopoly on everything. We have started with our State sawmills; we are now embarking on our brickyards; we have already made a little experiment in the way of State butchers' shops. The Honorary Minister has made that his special fad and care during the past few weeks. I believe he has failed to some extent to keep the supply up; but I am informed, and perhaps rightly enough, that he is determined to keep that establishment open.

MR. SPEAKER: Order! Let us keep to the Bill.

HON. FRANK WILSON: It is an illustration of what the Bill provides. I submit I am perfectly in order in using as an argument the fact that the Government are going into all these State enterprises; and now at Fremantle they want to take away the living of the stevedores.

MR. SPEAKER: The hon. member is quite at liberty to discuss other State enterprises for the purpose of comparison, but he must not discuss them from every standpoint as to whether they pay or do not pay, because there would be no limit to the discussion.

HON. FRANK WILSON: We are now about to embark on large agricultural implement workshops run by the State. We have State hotels.

The Minister for Lands: And a State milk supply.

HON. FRANK WILSON: I have never been able to see any of that milk. I should like to have a supply just to test it. More than that I would like to see a balance sheet in connection with it with all proper charges upon it.

MR. SPEAKER: The balance sheet has nothing to do with this Bill. I wish to allow every latitude, but if other hon. members follow where would it land us?

HON. FRANK WILSON: If Ministers will bring down Bills introducing the question of State ownership I submit we are permitted to discuss the matters I have mentioned for the purpose of comparison to show where the State is drifting under the control of our friends opposite. The point I want to make is

that so far as the stevedoring business is concerned, even if we view it solely from the point of those engaged in it now, we are doing an injustice if we are going to put the harbour trust into the position of wiping them out; and the Bill puts them into that position; it puts a State department practically, the harbour trust, largely controlled by State officers, into a position in which undoubtedly they can very shortly have the whole of the control of the stevedoring at the port of Fremantle in their own hands. With this Bill passed they would not be doing their duty to the Minister who controls them if they did not endeavour to secure that work. It is idle to tell us they are not going to do this work until someone comes along and requests them to do it. They have all the appliances of the harbour in their charge, and all the facilities, and they have all the berthing arrangements, and, naturally, if I were coming to Fremantle with a steamer loaded with goods for Fremantle, I would think my best course was to engage the harbour trust's men to do my stevedoring, because of the advantages I would get as a ship master as compared with others who went to private stevedores. I would get preference of berthage, I would get, perhaps, first use of the cranes and the unloading appliances belonging to the harbour trust, and I would get first attention of the trust's foreman as the Government steamers get to-day. I heard the other day that the foreman, when a Government steamer came in, left the supervising work that he was attending to, and immediately went on board the Government steamer, took off his coat, and went digging into work just like an ordinary lumper.

HON. W. C. ANGWIN (Honorary Minister): It shows the officers are willing to do their duty.

HON. FRANK WILSON: That was not his duty. He was there to supervise the whole of the work of the harbour, and he was there to see that other ships that were discharging got their work done in a proper manner. His duty is to see that the labour employed on the wharf and in the sheds is doing its duty to the vessels that are discharging their goods through

the trust's hands; he is not to give special attention to the Government steamer because she happens to come along and moor in the harbour and require to discharge her cargo also. So much for the stevedoring aspect of the measure. Now let us turn to the other clause which embodies the second main principle to which I object, that is the clause which permits the trust to demand a guarantee or indemnity from ships or merchants for all goods discharged after hours. They wish to have the power, and will undoubtedly exercise it, of having no responsibility for damage to goods which pass through their hands after the ordinary hours of work; and if they are not satisfied with the indemnity they can put an extra charge on those goods for the purpose of paying for any damage, whether that damage exists or not. This is an extraordinary power to give the trust. We do not hear of such a power existing in any other part of the world either. Our port is liable to undergo great injury to its reputation if we impose charges of that description.

Hon. W. C. Angwin (Honorary Minister): We take no liability now under a regulation approved of by your Government.

Hon. FRANK WILSON: Yes, I know there is some effort, and a very successful effort, to get out of liability, and this is proof at once from the Minister's mouth that they have not given that satisfaction as wharfingers which he voiced in order to influence this House in giving them the extra power they seek as stevedores. It is quite true that under their regulations they have refused to take any responsibility for cargo landed after hours, and it is also true that, although they are supposed to take responsibility during the ordinary working hours for cargo that passes through their hands over the wharves, so badly is the work done, or so incorrect and inaccurate is the tallying on those wharves, that they avoid pretty well the whole of the responsibility which they ought to carry and which private individuals have to carry when working as stevedores.

Hon. W. C. Angwin (Honorary Minister): And which they have to carry.

Hon. FRANK WILSON: But they do not. I would point out to the Minister that the figures show they did not take any of that responsibility, and that the receipts which they gave were hardly worth the paper they were written on. Here is a letter written to the Press in August last, putting the case of the ship owners in this respect before the public and making grievous complaints that notwithstanding that they were forced to pass all their goods through the trust officers and notwithstanding that they got certain receipts for those goods, yet the receipts were not worth the paper they were written on.

The Premier: Who wrote the letter?

Hon. FRANK WILSON: It is an official statement written by the steamship owners' association. In this letter there were five vessels quoted. The first steamer discharged 16,784 packages of cargo and they got receipts from the Harbour Trust for 15,711 cases, the difference being 1,073. The next steamer discharged 23,242 packages and they got receipts for 22,825, a difference of 407. The third steamer discharged 18,517 packages and got receipts for 18,069, a difference of 448. The fourth steamer discharged 24,208 packages and got receipts for 23,960, a difference of 248. The fifth steamer was only a small one; it discharged 4,762 packages and got receipts for 4,721, a difference of 41, so that there were 2,217 packages which were delivered and which escaped tally altogether. The letter goes on—

The position from the ship-owners' point of view is actually very much worse than is indicated by the above figures, for the reason that, owing to wrong marks or no marks at all being shown on the Trust's tallies in respect of a great number of packages, it is impossible to identify them with anything on the ship's manifest, and thus the receipts for these are really of no effect. The five steamers taken have not in any way been specially selected, but may be regarded as showing the average state of affairs, so that in the course of a year tens of thousands of packages must pass through the Harbour Trust's sheds in respect of which

they escape all liability whatsoever in the case of damage, pillage, or absolute loss. The ship-owners are from time to time called upon to pay claims for missing packages and have no guarantee that these have not been missed in the Trust's tallies and gone astray in their hands.

That is a very serious position.

Hon. W. C. Angwin (Honorary Minister): You allowed them to get out of their liability by framing bad regulations.

Hon. FRANK WILSON: Then, if I did, the hon. member should not follow my bad example. The next instance is that of the receipts given by the Fremantle Harbour Trust for damaged or ullaged goods or those which were not in good order. These are cases in respect of which consignees subsequently made no claims. In the first instance the clausured receipts given by the Harbour Trust were for 1,513 packages and the claims made by consignees were in respect of 120 packages. In the second case the clausured receipts given by the Trust were for 914 packages, and the claims of the consignees were for 132. In the third case the figures were 232 and 102 respectively. In the fourth case 700 and 87 respectively and in the fifth case 1,660 and one respectively. This shows the loose and careless way in which the business has been carried on. There were 1,559 which they signed for as being apparently damaged, and there was only one claim made for damage in consequence. What right have they to give these receipts as clausured receipts to avoid liability? They did it on the off chance of there being some liability and so got out of the responsibility. The letter continues—

Here again the figures do not fully represent the full amount of undue protection with which the Trust hedge themselves, as in the case of cargo discharged between 5 p.m. and 8 a.m. (16 hours out of the 24) they exempt themselves from all responsibility for "condition" by regulation, so that in effect they give the ships "bad" receipts for the whole of the cargo they

receive during these hours, whether it be in unsound condition or not.

This is a reply to the Minister's contention that the Harbour Trust is giving satisfaction as wharfingers, and that it ought not now to be put into the position of carrying out the stevedoring work of the port which he considers will be done equally satisfactorily.

Hon. W. C. Angwin (Honorary Minister): They have given satisfaction to the merchants.

Hon. FRANK WILSON: But neither the merchants nor the steamship owners, nor the public have asked the Minister to request Parliament to give this power to the Trust.

Mr. B. J. Stubbs: That letter is not a reply to the Minister.

Hon. FRANK WILSON: It is a reply to the Minister's argument and it shows that the Trust is not giving satisfaction, and that it is actually refusing liability which it ought to take if it is going to do its work properly and satisfactorily to all concerned. It shows also that it collects quite sufficient from merchants and others for wharfage dues to cover liabilities and that it need not shirk its responsibilities. We see that during the four years ended the 30th June, 1911, the Trust handled 25 million pounds worth of cargo and the claims that they paid amounted to only an average of £100 per annum.

Hon. W. C. Angwin (Honorary Minister): It shows that they took care.

Hon. FRANK WILSON: It shows that they shove the responsibility on to the merchants, and that they have wrongfully wriggled out of their responsibility because they were a monopoly carrying out that work and no one could say a word. The claims paid by them average, I should have said, £109 per annum, but private ship owners and private stevedores at the same time paid thousands of pounds in claims, and one stevedore informed me that he is responsible for £300, representing three years' claims, for goods handled in the harbour through the sheds—three times the amount of the average of the Harbour Trust. The profits of the Harbour Trust averaged £3,500 per annum

during that same term, after paying all charges, including accident insurance of the men they employed.

The Premier: Good management.

Hon. FRANK WILSON: No, they have done it through raising the charges. The work which was done for 1s. 6d. a ton is to-day charged 2s., and so badly is the work carried out so far as the tallies are concerned, and so neglectfully is the administration of this vast department performed in the sheds where so many delays occur in the delivery of goods, that I am authentically informed that the cartage from the sheds to the town which used to be 1s. a ton all round is now 2s. a ton.

The Premier: Who is your informant?

Hon. FRANK WILSON: The Steamship Owners' Association and the merchants have given me this information.

The Premier: The Trust are carrying out the same conditions now as when you were in power.

Hon. FRANK WILSON: I am not saying anything about the conditions or the charges.

The Premier: They are trying to make up for some of the dead horse you left.

Hon. FRANK WILSON: Is that any reason why the hon. member should have two dead horses? He should profit by my experience and not commit himself further. If he is converted to my view that the Trust are not giving satisfaction, why does he want to try stevedoring.

The Premier: Why did you not put your views into practice when you had the chance?

Hon. FRANK WILSON: I did not have the information then. If this information can be refuted, then let us have the refutation. The facts have been put before the Trust on many occasions I understand, and the Trust have never replied to say whether they were right or wrong.

The Premier: The most important steamship company has not complained.

Hon. FRANK WILSON: What company is that?

The Premier: The State company.

Hon. FRANK WILSON: If we are going on piling up the cost, if we are going to create monopolies, even though they be State monopolies, then we are going to injure the reputation of our port, and instead of getting better shipping facilities for the producers of Western Australia, the steamship owners will pass our port to an even greater extent than they do now.

The Premier: We will get steamers to take our produce if they pass our doors.

Hon. FRANK WILSON: The Premier will do a lot. He was going to reduce the rates and bring cattle down cheaper and we find him charging the same rates as the private steamship owners.

The Premier: Who told you that?

Hon. FRANK WILSON: I have it direct from the office itself. The farmers and fruit producers recently approached the Premier and asked him to provide for increased shipping facilities, and they complained that the vessels would not call here for cargo because they could do better in the Eastern States.

Hon. W. C. Angwin (Honorary Minister): That is no fault of the Harbour Trust.

The Premier: That is not correct.

Hon. FRANK WILSON: I read the report of the interview with the Premier in the newspaper. There is another objection to this unheard of power to get out of all their responsibility and liability with regard to steamers working overtime. We know that a short time since the merchants were obliged to consent to an increase in the charges, ostensibly to cover increased liability for vessels which wanted to discharge after hours. We know that in no other port in the Empire is an extra charge made under these circumstances, and we are aware that the capacity of our port of Fremantle is very much limited, that our ship owners and merchants are crying out for increased accommodation, accommodation which will have to be given very shortly in the interests of the country generally.

The Premier: That argument is against your own actions.

Hon. FRANK WILSON: I do not care whether they are our actions or not. The Government should not keep them going if they are bad. Yet it is proposed, in addition to the extra 3d. per ton, which the Trust put on all goods discharged to cover this liability, the Minister proposes to give them power to get out of their liabilities by demanding an indemnity against all cargo landed, and, if necessary, to demand an extra tonnage fee. Every imposition we put on our shipping comes back on to the people.

Hon. W. C. Angwin (Honorary Minister): That is not an imposition.

Hon. FRANK WILSON: Of course it is; what else is it? It must come back, because the steamship owners are about the cutest men on the face of the earth, and they will see that whatever charges are piled on to them are transferred on to the goods. They will not carry any liability; they will get it out of increased freights, and the result will be that instead of our port getting a good name, not only for the rapid discharge of cargo, but for economy and cheapness in the handling of goods, the reverse will obtain. Because if you make the charge too heavy the steamers will be afraid to work overtime, and it will take much longer to discharge cargo, will cost considerably more, and the capacity of the harbour will be still further restricted, in addition to which the public will have to pay all these charges. It seems to me the Minister's eulogies with regard to the work of the Trust were not warranted, at least not from the information which has been handed to me, and I must confess I am somewhat surprised to hear of so much discontent and dissatisfaction. We take the working of the wharves, we take the shunting operations on the north wharf at Fremantle—

Hon. W. C. Angwin (Honorary Minister): I heard of that the other day. I know the source of your information.

Hon. FRANK WILSON: We know that if five hours out of the eight are worked on an average the vessel is doing very well, and that for three hours the operations of discharging cargo are hung up in consequence of the lack of faci-

ties. I am told, and I believe it is true, that the shunting engine from the north wharf at Fremantle has to go right round to Fremantle to get a supply of water for the boiler; that she goes away at half past two and returns at about twenty minutes to five. In the meantime the vessel is hung up. And we know that if a vessel is berthed to the west of the north quay, the whole of the other vessels are hung up while the shunting operations in respect to the vessel at the far end are going on. These are points which show that the Trust can well occupy all its ability in rectifying its errors.

Hon. W. C. Angwin (Honorary Minister): The Trust has nothing to do with this.

Hon. FRANK WILSON: The Trust ought to have something to do with it. It ought to be able to bring sufficient pressure to bear on those who have to do with it to get these defects remedied; and if necessary the Trust ought to own the shunting engine and have additional points and crossings put in where required. If the Trust were to concern itself in this direction rather than trying to take their business from those who have carried out the work well in the past, it would be doing a great good to the community at least; but to want to expand in the direction of having sole control of all labour employed about the harbour, to the detriment of those who have built up their trade in that calling, is, to my mind, unwise, and certainly not conducive to the better working of the port or to the benefit of the interests of the consumers who, after all, have to pay all the costs which may be imposed. Another point which I think well worthy of making is that, if we are to limit these working hours to eight hours per day, we are going to inconvenience the public considerably with regard to the discharge of perishable products. Everyone knows that these perishable products have to be discharged promptly. The quicker they can be got away on to the wharves and through the sheds and out to the retailers and consumers, the better for all concerned. As a rule perishable goods are discharged within forty-eight hours,

but if the steamers cannot work for more than eight hours out of the twenty-four it will take five or six days to get these perishable products away.

Hon. W. C. Angwin (Honorary Minister): There is no intention of stopping them.

Hon. FRANK WILSON: Yes, by means of these extra charges you are going to put upon them. The hon. member forgets that he cannot make the ship pay.

The Premier: If the Harbour Trust carries the liability, who pays?

Hon. FRANK WILSON: The trust itself, and it is only right that it should do so.

The Premier: Where does it get the money from?

Hon. FRANK WILSON: Out of the charges, which come from the consumers.

The Premier: Then it comes back again, no matter who pays.

Hon. FRANK WILSON: No. Cannot the Premier see that the Trust is getting out of a liability which the private shipowners, for their part, are quite prepared to carry? If the Trust puts the work of handling these goods into the hands of the steamship owners again, then instead of charging 2s. per ton they will be content with 1s. 6d. per ton, and will take all responsibility for the goods discharged at any hour of the day or night. But the Minister desires to make the Trust a monopoly, which can maintain its excessive charge of 2s. per ton for handling this cargo, and in addition he desires to give the Trust power to levy an extra charge as guarantee against the liability which it does not take, as I have shown. He would legislate for the Trust to get an indemnity or make an extra charge to cover a liability which amounts to £109 per annum. Surely that is not right. Surely there is something wrong. Either the Trust is not taking its responsibility, or, if it is, then the liability is so infinitesimal that we have no need to legislate in respect to it. So far as concerns this intense satisfaction which the Minister alleges the Trust is giving, I say again the shipowners and merchants are anything but satisfied. The

charges have been increased and, as the Minister will admit, the men's wages were advanced 20 per cent. in the early part of the present year. I am not finding any fault with that; but what did the Trust do? And, mind you, this is not in my time. The wages were increased 20 per cent. and this extra charge was met by the Trust making an increase in charges from 33⅓ per cent. to 100 per cent. for handling cargo. The Trust issued a revised tariff, and up went the charges from 33⅓ to 100 per cent. Does that go to convince the Chamber that it is wise or necessary to pass the legislation which the Minister has introduced? I maintain that it does not, and that, notwithstanding the Minister may possibly meet me with the reply that the steamship owners or the merchants requested the Trust to handle the cargo through the sheds a few years ago, we are not justified in asking the House to pass the Bill. The merchants undoubtedly made a request at that time, and I believe the shipowners acquiesced. Why did they make that request? Because whilst they delivered their goods from the ship's sling into the hands of independent labourers in the shed, the goods were under the control of officers of the Harbour Trust who were asked to take the responsibility while those goods were in the shed, and until they were delivered to the consumers at the other side of the shed. Hence the arrangement that the Trust should receive the goods from the ship's sling, employ labour, and be paid a tonnage rate for conveying the goods through the shed and delivering them to the consumer. But that does not show that if they cannot control those goods from the time the goods leave the slings until they are delivered to the consumers, they are not willing to take the liability. I am satisfied that they are. I am satisfied that they are not only willing to take the liability, but that they can do the work much cheaper than can the Trust, and will accept all the responsibility when vessels are being discharged through the night.

Hon. W. C. Angwin (Honorary Minister): Do you believe that?

Hon. FRANK WILSON: Yes.

Hon. W. C. Angwin (Honorary Minister): Why did you not alter it?

The Premier: You were too busy spending money.

Hon. FRANK WILSON: I had no opportunity of altering it. I said last night the people made a grievous blunder when they turned us out of office last October, otherwise this sort of thing would not have been brought before the House to create a monopoly for which the people have to pay. Now, although the Bill is drafted in the permissive sense—that is to say, the Minister has stated that he only wants power to do certain work if he is requested to do it—yet I cannot disguise to my mind that the intention underlying it all is that they shall ultimately take the whole of the work into their own hands. I believe the Minister will not deny that the original Bill was drafted with the intention of putting the whole work into their hands.

Hon. W. C. Angwin (Honorary Minister): This is the only Bill I have seen.

Hon. FRANK WILSON: There is a Bill floating about the Harbour Trust offices.

Hon. W. C. Angwin (Honorary Minister): I have not seen any other Bill.

Hon. FRANK WILSON: I am sorry that they are pulling the Minister's leg to the extent that he has introduced this Bill.

Hon. W. C. Angwin (Honorary Minister): I heard that their solicitor had drafted a Bill but I have not seen it.

Hon. FRANK WILSON: That is the Bill I am referring to, and it was to give the Harbour Trust the whole of the work of the harbour. It was to wipe out private enterprise altogether, and the Trust were to have everything in their hands.

Hon. W. C. Angwin (Honorary Minister): Did the solicitor tell you about it?

Hon. FRANK WILSON: No.

The Premier: Then how did you get the information?

Hon. FRANK WILSON: I have already told the hon. member that the merchants and the shipowners had spoken to me about the case.

The Premier: Where did they see a draft of the Bill?

Hon. FRANK WILSON: I cannot tell the Premier. It is sufficient for me that the Honorary Minister says that he knows of such a Bill. Not only does the Minister seek to give power to impose this extreme penalty, but he puts no limit on it. The Trust can demand whatever they deem fit to cover this alleged enormous liability, which to-day, as I have already pointed out, averages £109 per annum. I do not think that is desirable and I hope that the House will agree with me in that view. Then they want to restrict the overtime, which means something between £15,000 and £20,000 extra per annum being paid to the lumpers of the port of Fremantle, and which, of necessity, will mean that we will not have that amount of money to spend there, and, above all, must of necessity mean that we must pay higher rates and charges to cover it. I have pointed out also that we cannot get our perishable goods delivered promptly if we are to impose these restrictions on shipping, and that the capacity of the port will not permit us to do away with this overtime work. I have further drawn the attention of members to the fact that in no other port of Australia, or in the British Empire, is such a condition sought to be imposed as the Government seek to impose in this measure on the shipping at Fremantle. Again, let me say that if these things come about, as they may under this Bill, we must have extra wharfage and shipping accommodation, fully double what we have at the present time. If we restrict the opportunities and capacity of our port, and put certain burdens and imposts on the working of vessels which will make them curtail the hours in which they can discharge or load cargo, we must double the capacity of the port or cripple our trade. And it all comes back on the people who, after all, have to pay for it.

Hon. W. C. Angwin (Honorary Minister): That is no new thing.

Hon. FRANK WILSON: I know it is no new thing, and I hope the Minister is impressed with my argument. Hav-

ing shown what the conduct of the Trust has been in the past, that they have since the increase of wages more than doubled the charges to meet that increase, and thereby secured an increased profit—

Hon. W. C. Angwin (Honorary Minister): That is not true.

Hon. FRANK WILSON: It is true.

Mr. SPEAKER: Order! The Honorary Minister must withdraw that expression.

Hon. W. C. Angwin (Honorary Minister): I withdraw; the statement is not correct.

Hon. FRANK WILSON: The Trust, having more than doubled their charges in many instances to cover the 20 per cent. increase of wages granted to their men early this year, if they get control of the stevedoring and act in the future on the same principles as they have adopted during the last 12 or 18 months, we are bound to have disastrous results and something which will create great trouble in the shipping circles of Fremantle. I appeal to the House not to allow this measure to go through. If the Government wish to have full power to handle the cargo of their own steamers I for one shall not object. Seeing that the Government have embarked on the business of steamship owners, we should not deny to them, or to their officers, the Harbour Trust, the right which every steamship owner has to-day—although it will soon be taken away from him—to stevedore their own vessels. Therefore, I suggest to the Minister that he should confine this measure to providing the power which he says he requires for the purpose of handling the cargoes of the State-owned steamers. But I appeal to him to cast out that clause which seeks to put such a burden on the merchants and steamship owners of the country that clause which demands an indemnity, or unlimited extra payment because of some alleged extra liability which I have proved they are not taking to-day. Holding these views I naturally propose to vote against the second reading, but if that is carried I propose in Committee to attempt to amend some of the clauses in the direction I have indicated.

On motion by Mr. Heitmann, debate adjourned.

BILL—RIGHTS IN WATER AND IRRIGATION.

Second Reading.

The MINISTER FOR WORKS (Hon. W. D. Johnson) in moving the second reading said: I have pleasure in presenting this Bill for the consideration of the Chamber, because it is a measure that marks another stage in our State development. In regard to this development, it is interesting to note that, while the State has done so much in regard to the assistance of the mining industry, by means of State aid to prospectors, the mining development vote, the establishment of State batteries, and the building of railways into the mining districts, all this time we have been building up a population in connection with that industry, which has been a big consumer of products not raised in the State; that whilst in that industry we have been expending State money in various forms of assistance, whilst Ministers and expert officers have been devoting a considerable amount of energy to the development of the industry, we have been building up a population, who to a great extent have been fed from outside the State. One can go on and point also to the pastoral industry. The State has done much in building up that great enterprise. For instance, we have expended State funds in opening up stock routes; a lot of public money has been disbursed in the provision of water supplies, jetties have been established right along the North-West and North coast and last, but not least, the State has entered into the shipping arena with a view to helping and improving that industry. Then again, in the agricultural industry, more particularly in connection with wheat cultivation, we have expended considerable funds in somewhat the same direction; and, as I remarked in connection with the mining industry, while we have been expending money and devoting a lot of attention to the development of these industries—and I am proud that the State is growing rich as a result of such

assistance, and that the population has increased owing to that development—yet at the same time, simultaneous with that development we have been going outside of Western Australia to feed the people brought to the State as a result of our development. For instance, we have to go outside the State for the purpose of getting fresh butter, cheese, bacon, and eggs, and I regret very much to say that we import a considerable amount of condensed milk into the country. I do not propose to go into a great many figures, but it is interesting to note that in 1906, just about the time when we were commencing to feel the result of our agricultural development, no less a sum than £656,683 was spent in importing bacon, ham, tongues butter, cheese, eggs, and tinned milk, and in 1911 the total had increased to £719,556. Thus we find that while we are developing on the one hand, we are also going outside Western Australia for those products which undoubtedly can be produced in the State if we go about it in the right way. Whilst I cannot get from our returns the detailed value of the various imports, later than last year, I find that for the seven months ended the 31st July, 1912, bacon and ham to the extent of £73,455 was imported, butter, £292,180; cheese, £32,750; eggs, £26,452; and tinned milk, £75,017. All that money is going outside the State, and although much attention has been given for years past to this important question, and various efforts have been made, I am prepared to admit, to overcome that unsatisfactory state of affairs, I claim that nothing was done in a practical way until this Bill was framed. The Bill is introduced for the purpose of promoting intense culture by means of irrigation. The Government believe that by a comprehensive system of drainage and irrigation we can from the South-West lands produce the State's requirements in those dairy products I have already mentioned, and I am not prepared to admit that in connection with the possibilities of irrigation we are bound to confine our attention to the South-Western portion of the State. But I claim that our first duty is to the South-West, and that in the

initial stages of this irrigation proposition we should devote our special attention to that province. After that we are justified in turning our eyes to the great North-West, where there are immense possibilities from an irrigation point of view. The extraordinary crops of lucerne, maize, and fodder plants generally grown on the State farm at Brunswick have been so remarkable as to justify attempts to lock up all the rivers and look for water to irrigate land of equal value in order to produce like results. We in Western Australia, according to our expert officers, have got a special advantage over the Eastern States, inasmuch as the growing season in the latter stops in March, whilst our climate is so mild that lucerne-growing, particularly, can continue throughout the year. I am not claiming, of course, that lucerne will grow all the year round with equal rapidity, but we know that lucerne in Western Australia does grow all the year round. We find that in Victoria and New South Wales, five cuttings of lucerne are considered to be good, but at the State farm in Western Australia we cut lucerne eight times during last year. It is admitted by the expert officers that ten acres of land under intense culture with irrigation, and the products fed to dairy cattle, will yield as much profit as 100 acres cultivated, but without any provision for the necessary moisture. To show the possibilities of intense culture in Western Australia, let me take the results of the State farm purely from lucerne growing. We find that eight crops were cut last year, and the yield was one ton to the acre for each cutting. The eight tons of hay per acre per annum could have been sold at £8 per ton, so that the result is equal to £64 per acre per annum. These figures prove the possibility of establishing dairying in this State if comprehensive irrigation schemes are undertaken, and we claim that not only has the State successfully experimented and proved the possibilities of intense culture in the South-West, but many individuals have proved that it is possible as far as private enterprise is concerned. Not only have we grown lucerne at Brunswick, but we find that at places like Bedfordale and Heidelberg, small places comparatively

speaking, not only are they growing fodder for stock, but they are also successfully producing vegetables and fruit under irrigation. Last year it was found that one of our best orange growing districts at Harvey had suffered considerably owing to the dry season, and the Government in anticipation of the passage of this Bill have started to irrigate what is known as the cultivated or alienated or sub-divided portion of the Harvey area. I propose to deal, of course, with what we intend to do at Harvey, as far as the quantity of water is concerned, later on, but I want to make this point, that the Government have anticipated the passage of this Bill by starting operations at Harvey; because we felt that the time had passed when an effort should be made to give these people an opportunity of securing better results than they have been getting up to date. We claim that at Harvey private individuals on a small scale have got wonderful results, and we believe that by the extensive and larger scheme that the Government now have in hand we will be able to afford an object lesson that will encourage people to take up similar land in other portions of the State for the purpose of achieving the good results which the Harvey settlers have secured up to date, and the better results which we claim they will get under irrigation. It is worth noting in passing that there is a large area owned by the Harvey estate people that has not been sub-divided. Reference has already been made to it in this Chamber; it is the Government's intention to ask Parliament to authorise the expenditure of a sum of money to purchase that area so that we may sub-divide it and get the whole of that area under the same cultivation and peopled by the same class of people who are doing so much in the limited area which is under cultivation at Harvey at the present time.

Hon. J. Mitchell: It is the biggest area in Australia under oranges.

The MINISTER FOR WORKS: That is so; it is a picked area, and one of the best.

Hon. J. Mitchell: And the largest.

The MINISTER FOR WORKS: Yes. but of course it is small compared with

what we can do at Harvey, and I am proud to know that we have an opportunity of getting the whole of that area under the control of the State so that we might subdivide it and irrigate it and people it with a class of people who will be able to get great results. That, briefly, is the justification for the Bill. We claim that we have tried to get results from irrigation, and have succeeded, and it is because of that success that this Bill is introduced.

Hon. J. Mitchell: It has been tried for years.

The MINISTER FOR WORKS: I know that is so, and because it has been tried and found successful, we propose to do something on a larger and more comprehensive scale. The Bill is drafted mainly on the lines of the Victorian and New South Wales measures. We go to Victoria first because that was the first State in Australia, I believe, which entered upon anything like a comprehensive irrigation policy. We have all heard of the Chaffey brothers and the start they made at Mildura, and later on other settlements followed at Renmark in South Australia. We find that in Victoria to-day, as far as the figures we can gather show, that State has spent something like three millions of money on irrigation works. It is proposed to irrigate an area of one million acres, and already it is estimated that in Victoria there is 130,000 acres of land under irrigation. New South Wales has started on a more comprehensive scheme, the most comprehensive scheme that can be found in Australia in the shape of the Burren Jeck scheme. The river is practically dammed by a wall 213 feet high, and a lake some 40 miles in length will be formed, which, it is estimated, will ultimately serve an area of 150,000 acres at a cost of one and a half millions of money. While we are breaking new ground, as far as Western Australia is concerned, the Eastern States have already entered into various schemes which are giving great results. I do not anticipate that we in Western Australia will undertake anything like the large schemes which have been possible in Victoria and New South Wales, but

I claim that we can get smaller schemes that will be of equal advantage to the State. Not only is this possible from the various rivers that run from the Darling Range, but we can also go to the North-West and other portions of the State and find great possibilities in the locking of our rivers for the purpose of irrigation. We have made some investigations as to the possibility of adopting irrigation proposals, and while I can give a few figures to-night, I want it to be clearly understood that these figures indicate the quantity of water that can be conserved for the purpose of irrigation, but it is not yet definitely known whether the water can be economically used for the purpose of irrigation. There are various rivers which we can lock, and which will conserve a considerable quantity of water, but it is for experts yet to determine whether the water can be used economically to make irrigation successful. I will mention a few of the rivers in Western Australia which, though small, offer great possibilities in the direction of water conservation. Take the Serpentine River; it is estimated by the engineers that a wall can be put across that river which will back up that stream for a distance of four and a-half miles, and form a storage capacity for a thousand million gallons.

Mr. Monger: You do not place any confidence in your engineers.

The MINISTER FOR WORKS: I place absolute confidence in them, but I am prepared to admit that Parliament, unfortunately for the hon. member, does not always place confidence in the reports of engineers in the capacity of advisory boards. There is another possibility in what is known as No. 1 site on the Murray river. This will back up the stream for three miles, and it is estimated that a storage of 550 million gallons can be obtained. There is another site which is known as No. 2 on the Murray which will back up the water for a distance of eight miles and give an estimated storage of 1,750 million gallons. No. 1 on the Harvey, which refers to the present scheme in hand, in what I call the cultivated area,

will conserve, it is estimated, 400 million gallons. No. 2 on the Harvey, that is the weir which it is calculated will serve the area which the Government propose to purchase, if Parliament concurs, will conserve 850 million gallons. No. 1 on the Brunswick River will back up the stream for a distance of one and a-quarter miles and conserve about 360 million gallons. No. 2 on the Brunswick will back up the river for about two and a-half miles, and store 850 million gallons. No. 1 on the Collie, an intercepting weir, will back up the stream for three-quarters of a mile and 100 million gallons will be conserved. No. 3 on the Collie will back up the river for four miles and conserve 400 million gallons. Then there is a huge proposition on the Collie to back up the river for a distance of 15 miles, and it is estimated that 40,000 million gallons can be conserved. I want to point out that these figures have been arrived at after investigation by engineers as to the possibilities of water conservation, and it has not yet been decided whether the water can be economically used.

Mr. Turvey: What about the Canning River?

The MINISTER FOR WORKS: I am dealing more particularly with those rivers which run from the Darling ranges, in that area which has received some consideration from an irrigation point of view, but I quite admit that we have a certain area under irrigation and intense culture through water being pumped from the Canning river. I have no hesitation in saying that the Canning river will have to be locked, and greater results will be obtained as a consequence, but I do not want members to think that because I have given a few figures in connection with a few rivers, that they cover all the possibilities of this State. It is impossible for one to do that because we have a great area known as the Warren.

Hon. Frank Wilson: Yes, we have the Warren, Blackwood, Ferguson, and Preston rivers.

The MINISTER FOR WORKS: There are various places, but these have not been investigated by the engineer.

I have no figures as to the possibilities in those places, but nobody will imagine that the Government are limited to those areas which I have indicated the rivers named will serve. As I have stated we have our work in operation as far as No. 1 Harvey is concerned. We have to get the approval of Parliament for the purchase so that we can get No. 2 Harvey in operation, and we are making a detailed investigation in connection with the Roelands proposition, which I consider is the next proposition that will have to be taken up seriously by the Government. Already there are several people irrigating from the river and we believe that we can get a large area under irrigation there as the result of the expenditure of a comparatively small amount of money. It is a matter that is receiving the earnest consideration of the engineers so that they may have a proposition to submit to the Government at a very early date. I do not know that I can say any more. As a matter of fact, I do not think that it calls for any more information as to the possibilities of irrigation and the results so far as we have gone in the State, but I suppose hon. members will expect me to give them an outline of the Bill that is going to make these comprehensive irrigation schemes possible. It is first of all declared that the right to the use and flow and to the control of the water at any time in any watercourse and in any lake, lagoon, swamp or marsh, and in any springs, artesian wells and subterranean source of supply shall vest in the Crown. That practically covers the whole measure. We have machinery as to how we shall use the waters in these particular rivers, but the most important feature of the Bill is the fact that we take control of the rivers. Without that control irrigation on anything like a comprehensive measure is impossible.

Hon. Frank Wilson : You are also taking control of artesian bores.

The MINISTER FOR WORKS : Yes, in this way: we want to take control of artesian bores, following the Queensland example, because we find that one man

can have an artesian bore from which he gets more than he requires, and as a consequence he wastes a considerable quantity of water when possibly his neighbour is running short. It is just as possible to waste artesian supplies as it is to waste surface supplies. A conference recently held in the Eastern States of experts recommended that other States of Australia should follow the Queensland example and get control of artesian supplies, not with the desire to harass or interfere with the operations of those who have put down artesian bores, but simply to take control of them to prevent waste and give a guarantee to everyone that they can get a fair share of the waters underneath the earth as we do in the case of waters on the surface.

Mr. George : Are you going to give a fair thing to the man who puts down the bore?

The MINISTER FOR WORKS : He gets the water. We simply say, "You may take what you want, but do not waste the water, so that your neighbour may get what he requires."

Hon. J. Mitchell : There is power in the Bill to charge him for it.

The MINISTER FOR WORKS : Yes, but when we get into the Committee stage we can deal with those details. Generally speaking, the object of taking control of artesian supplies is to see that they are not wasted.

Mr. George : Do you take over all the creeks that run through a man's land.

The MINISTER FOR WORKS : Possibly, if there is a chance of irrigation from those creeks, but we cannot go into definite details and give a description of all the rivers we are going to take, or name all the rivers we are going to take. It will be clear to hon. members that we only propose to take control of those streams from which it is possible to bring about irrigation. The rights of persons to drain their land or make dams or tanks are preserved so far as the flow of water in any watercourse is concerned. While we take control of these things, we do not want to interfere with the person beyond certain limitations. The bed and banks of watercourses of alienated land are

declared to have remained the property of the Crown, and in the case of land to be hereafter alienated they will remain the property of the Crown and will not pass with the land alienated. We recognise that various areas have been alienated and that the watercourses have been alienated. We take these back by this Bill, and of course it will be an impossibility after the Bill becomes law to alienate any watercourse.

Mr. George : You do not go inside a man's fence?

The MINISTER FOR WORKS : It will be necessary to do that, otherwise irrigation is an impossibility, but of course we do not take away his land, we simply take control of the water.

Hon. J. Mitchell : You take the bed of the watercourse.

The MINISTER FOR WORKS : Yes, we do that, but it would be better to allow me to proceed to explain the Bill. In Committee it will be my responsibility to explain the various clauses in detail. The diversion or appropriation of water from watercourses except under legal sanction is prohibited. After the Bill passes, no person can take water without the sanction of the authorities. A stream cannot be diverted, otherwise one man may divert the water from a stream and absolutely rob those down below him, so of course it is necessary to take this power. Then of course we take power to prevent the obstruction of a watercourse and its pollution, and the Government are given power to enter on land for the purpose of conserving and regulating water. That is dealing with the point raised by the hon. member. All we want is the power to enter a person's land for the purpose of building weirs and for the conservation or regulation of waters. On the other hand, permission may be given by riparian owners to carry out work for the protection of their land from damage by erosion or flooding. We do not say distinctly that they shall not interfere with a watercourse. If they think that the action of the water is taking away a certain portion of their land, they can make a protection in that regard. We do not propose to interfere unjustly.

All we ask in connection with this Bill, as is the case in the various measures of the Eastern States, is to get control of these waters so that we can use them for the purpose of irrigation. There are clauses dealing with riparian rights. They permit the taking of water free of charge for domestic and ordinary use and for watering stock, together with the further right of all owners of land already alienated or in process of alienation to irrigate a garden not exceeding three acres used in connection with the dwelling. We recognise that the existing owners of watercourses are entitled to special consideration over and above those who will take up land on watercourses after the passage of this Bill. Provision is made to enable riparian owners, who from a date not less than two years from the commencement of this Act, have used the water of any watercourse for purposes other than domestic use, and the watering of stock, or the irrigation of a garden of three acres, to apply to the Minister at any time within twelve months from the commencement of the Act for a special license to continue to divert and use water for such other purposes. Although we take control of the watercourses, we propose under special arrangements to allow anyone to continue using the water for a given time.

Hon. J. Mitchell : From the stream he owns?

The MINISTER FOR WORKS : From portion of the stream.

Mr. Gardiner : Why should anyone own a stream?

Mr. George : Why not, if he has paid for it?

The MINISTER FOR WORKS : He is only paying for a portion of the stream. If he is a selfish individual it is possible for him to use all the water in the portion he controls and rob others who, like him, have paid for a portion of the stream. No one knows this better than the member for Murray-Wellington, because, in the hon. member's electorate, one man has got the lot and others are not getting their just due. It is to overcome difficulties like that, that the Bill is introduced. While it is proposed to give

this special license, it is only given for a term of ten years. This and practically all the provisions are copied from the New South Wales and Victorian measures, principally the later. Then there are other provisions dealing with the right of the individual to irrigate three acres. There is a provision that if the Government build a weir for conserving water, the owner of the stream is entitled to a quantity of that water, and in order to overcome any disputes as to the quantity to which he is entitled after the works are constructed, it is provided in Clause 17 that he may take 4,000 gallons a day per mile of river frontage for domestic use and watering stock, and 200,000 cubic feet per annum for the irrigation of a garden of three acres. That deals with rivers on which work has been done by the Government, on which public funds have been expended. Reference has already been made to the fact that we are taking control of artesian wells. I do not wish to go into a great deal of detail in reference to that portion of the Bill but it is proposed that all artesian wells shall be licensed, and that permission will have to be obtained for the construction, alteration or deepening of wells. The Minister, being the licensing authority and issuing licenses in his discretion, can outline the purpose for which the water is to be used, and can generally make conditions in the license. The Governor is empowered to vest the control of artesian wells in a board constituted under this measure, and to require the board to raise and pay to the Treasurer interest at not exceeding five per cent. per annum on the cost. We have an illustration at Derby of the necessity for doing something of this character. The Government put down an artesian well to test the possibilities in that locality and they got a wonderfully good supply of artesian water, which is beautiful water and is constantly flowing. The bore was put down on the commonage on which the roads board collect agistment fees and on which a considerable amount of stock is fed and watered. If the roads board fence in the area, which I think they will do, it will be possible for the Government

to place that bore under the control of the local body, which will be able to collect agistment fees from those who use the commonage, which fees should pay interest and sinking fund on the bore. It is proposed to extend that system whenever necessary. If we have artesian wells in a locality where they will be of no use to the general public but may be of use to an individual, it is proposed that we may lease these wells to private individuals or public bodies.

Mr. McDonald: They are being leased at present to the detriment of the public.

The MINISTER FOR WORKS: That is so but that will be overcome by this measure. I admit that some people have leases of certain artesian supplies that are being monopolised to the detriment of the travelling public, but as I have said we hope to overcome the difficulty through the provisions of this measure. I have already outlined what we desire so far as the existing artesian supplies are concerned to prevent waste and to see that everyone gets the equal opportunity of obtaining a fair supply of water. The administration of the measure is important. The general administration will be under the control of the Minister, and under the Bill he will have the assistance of three or more advisory commissioners, who will be officers of the public service. The Bill has been framed with the desire to give the Minister control, and also to secure for him the assistance of, say, the Commissioner for the South-West, the Fruit Commissioner, and also the Commissioner for the Wheat Belt. These officers will have advisory powers, and the Minister will consult them on irrigation proposals apart entirely from the assistance he will get from the engineers. The engineers will authorise on matters of construction, but the Minister will require authorities such as agricultural experts to demonstrate as to the advisability of irrigating any particular area, and it is intended also that he shall consult these officers before entering on the expenditure of public funds. All lands acquired or dedicated for the purposes of the Act and all irrigation works declared by the Governor will be vested in the Min-

ister unless they are vested in an irrigation board, and until a board is constituted for any district or on the dissolution of any board, all the powers and authorities conferred by the Act on boards may be exercised by the Minister. The Bill is framed so that the Minister will be able to control—if it is considered to be in the interests of the State that he should do so—any given areas where it is possible to constitute a board, and it will be possible for the Minister to vest the works in a board. The powers of that board are outlined in the Bill and they are identical with the powers of the Minister if he were in control. The Bill also provides for the constitution of irrigation districts in any part of the State. We constitute a board and declare a district under the control of that particular board by an Order in Council setting out the district, the particulars of the scheme, the estimated cost, the quantity of water assigned to the district, the source from which, the seasons at which, and the conditions under which, the water is to be received, are to be stated, so that when we place it under the control of the board it is provided that the Minister shall outline to them exactly the conditions under which the particular district will be operated, and give details of the scheme so that the board may be in possession of all the knowledge just as if the Minister were operating. General powers are given to subdivide districts and to apportion assets and liabilities. As already stated, until the constitution of a board, the administration of the Act generally and in the several districts is vested in the Minister. The boards may be constituted by the appointment of a local authority—a municipal council, or a roads board. That is something new. So far as water supplies have been concerned in the past the course adopted has been to appoint a water board separately and distinctly from the local authority, but I am of the opinion that this results in increased cost of administration, and that it would be far better for the roads board to also be the irrigation or water boards, so that the one set of officers might manage the

local proposition and thus do away with dual control, which exists in many districts to-day. Then of course we can constitute a board by the appointment of members by the Executive Council, and the other system is by the election of the members by the occupiers of irrigable land in the district. When the board is to be elected, the number of members and the mode of election—all this is fixed by Order in Council. The board is to be a body corporate, and will have all the powers and authority of a water board under the Water Boards Act, 1904.

Hon. J. Mitchell: Who will they be elected by?

The MINISTER FOR WORKS: By the occupiers of the land that is irrigable. With regard to the construction and the maintenance of works these will be absolutely controlled by the Minister. I am of the opinion that it is undesirable that we should allow boards to have the power of constructing or adding to the irrigation propositions. I think all construction should be under the control of the Minister because he has the best brains, or he ought to have, in the expert officers to enable the work to be done in the best possible manner. When the works are constructed it is proposed to alter and add to a particular work, and then we have the power to hand it over as an original work to the control of the board. There is provision in the Bill for claims for compensation for injury to riparian rights in consequence of the construction of works, and this is to be settled by arbitration. The principles to be applied in awarding compensation are set out in Clause 37. In connection with the supply of water, after providing for the requirements of riparian rights as defined in Part 3, the remaining water may be appropriated for irrigation by the Minister. We have first to satisfy those who are entitled to a supply by reason of their having existing rights. Irrigation rates may be levied upon all irrigable lands within the district but not to exceed in any one year such amount per acre as in the opinion of the board may be necessary—regard being had to the other revenues of the board—to provide interest

on the cost of works, contributions to a sinking fund, and a fund for the replacement of depreciating property, the maintenance of the works and the management of the business of the board.

Mr. George: That is land that can be irrigated from your scheme.

The MINISTER FOR WORKS: Yes, and we provide the machinery. Every ratepayer is entitled to water as prescribed by the regulations but water may, in the discretion of the board, be supplied to other persons whether within or outside the district. If we find that we have a surplus of water, and we find that we can sell it outside a district, we shall do so. In the event of an insufficient supply of water to meet in full the requirements of all consumers, an apportionment may be made by the board, or the order of supply may be regulated. The supply of water, however, is not compulsory, and in the event of a drought, the responsibility will not rest on the Minister or the board to supply it. The financial provisions will be found in Part 8 of the Bill. They are substantially adopted from the Water Boards Act, 1904, except the borrowing powers of boards which are restricted to advances by the Treasurer out of moneys provided by Parliament. It may be necessary for the board to raise money for carrying on outside construction, and if they do borrow they must go to the Treasurer for the money. The Government will thus always have control over the borrowing, and will be able to see where it is proposed to expend the money before it is lent. In the general provisions, power is conferred on the Minister on the advice of the Commissioners, and with the approval of the Governor, to acquire land for the purposes of the measure, including closer settlement. We can acquire it by agreement with the owners or by compulsory process. This is a matter which no doubt will be freely discussed, but I want hon. members to approach it in this way, that unless we have the power to acquire land, it will be impossible for us to enter into irrigation proposals, and get what we want for closer settlement. If large

areas are held by individuals we cannot do what we propose unless we get control of the land.

Mr. McDonald: Will that apply to pastoral leases?

The MINISTER FOR WORKS: There is no limitation; wherever we can irrigate successfully we shall get control of the land, and unless we get the power which is provided for in the Bill we cannot give a guarantee of success. If the lands are taken compulsorily, compensation will be assessed under the provisions of the Public Works Act, 1902. I believe we can improve on that particular measure, but we propose, under this Bill, to make the acquiring of land for irrigation subject to the same conditions as apply to land acquired for railways and roads. Any land so acquired may be improved and disposed of under perpetual leases at a rental based on the unimproved capital value—subject to reappraisal—and the value of the improvements. If we acquire land for closer settlement there is only one way of guaranteeing that it will be always held for closer settlement, and that is to let it out on leasehold tenure, and I claim that that is one of the most important provisions in the Bill, and without it no Government and no Parliament can give a guarantee that they will successfully continue closer settlement under irrigation.

Mr. Monger: Oh give us a bit of sense.

The MINISTER FOR WORKS: The member for York happens to have a monopoly of that sort of thing, and he demonstrates that by the wisdom contained in the constant remarks he makes in this Chamber and his frequent interjections, and he therefore cannot expect anyone else to be possessed of that wonderful gift. I regret that I have not the wisdom of the honourable gentleman, but I hope to acquire it as I grow older. Reverting to the Bill, I might sum it up by saying that under its provisions we take control of the rivers so that we might get the water. Having the water we get the power to control the land, to subdivide it, grade it, and irrigate it, and afterwards let it out for closer settlement, so

that the State will get the full result of all the expenditure in connection with the irrigation proposition, the conservation of water, and also get a guarantee that it will always be worked under the best conditions. Unless we do it under a leasehold tenure we cannot get that guarantee. I do not know that I need take up any more time. One could, of course, go into a lot more detail in regard to the provisions of the Bill, but when we have dealt with the acquiring of the control of all rivers, and with the acquiring of the land, we have said all that is in the Bill. The remainder of the clauses are of a machinery nature, giving us the right to construct works and telling us how we can control them, and no doubt in Committee these clauses will come in for some discussion and it will be necessary to tender explanations in regard to them. In conclusion I may say I am particularly pleased at having had an opportunity of introducing this most important measure. This Bill marks another stage in our State agricultural development and I am proud to be associated with the Government that have tackled this important question, and proud also to have been associated with the Government that introduced another system of development which has done so much for the development of our wheat belt. I refer to the introduction of the construction of light agricultural railways. It was a Government with which I was associated which, in 1904, introduced and propounded and made that scheme possible, which showed their successors how and where to do it and gave them money with which to do it. We all know the great results that have followed that policy. What the English Government did in 1904 we will be doing under the provisions of this Bill, and great though the results of the light agricultural railway construction have been, I maintain that under a leasehold tenure we will be able to do even more for the country if the Bill be approached in a proper spirit and passed as it has been drafted by the Government, for we will be in a position to tackle the problem of the importation of those products I have

already referred to, representing hundreds of thousand pounds sent to the East to the Eastern States for food for our people. We can do it under this Bill if the measure be approached in the right spirit and passed as drafted by the Government. I beg to move—

That the Bill be now read a second time.

On motion by Mr. George, debate adjourned.

BILL—UNIVERSITY LANDS.

Second Reading.

The PREMIER (Hon. J. Scaddan) in moving the second reading said: The Bill is a short one, and its object is to permit the Government to comply with an agreement which has been entered into between the University Senate and the Government. The Bill explains that certain lands, which are being held by the University Endowment Trustees, will be surrendered to His Majesty in consideration of other lands being made available for the purpose of a University site. I had intended to have in the Chamber for the information of hon. members lithos. showing the exact amount of land that is being surrendered by the University Senate, and also the land which the Government have arranged to hand over to the University. However, these lithos. will be presented before the second reading debate will have proceeded very far. In the first schedule will be found a description of the lands to be surrendered by the University Senate. The aggregate area of these lands is 361 acres. The lands have been valued by the officer attached to the Public Works Department who attends to these matters. The land to be handed over to the Senate was also valued. We believe we have been fairly liberal; at all events we have been fair and just to the Senate in giving them a fair quantity of land in exchange for that which we propose they should surrender to the Government. The lands they will surrender are situated in different parts of the metropolitan area. The main portion, consisting of something like 164½ acres, is located

adjacent to the Karrakatta railway station, and extends in a westerly direction until it adjoins the Claremont Asylum grounds. Another part of the lands to be surrendered, embracing 36 acres, is that which hon. members know very well as facing the Fremantle road, running parallel with the railway line, and right opposite the Royal Agricultural Society's Show Ground. It is the hill which those reaching the grounds by vehicles utilise for the purpose of leaving their vehicles or motor-cars while the show is in progress. It is a magnificent site. Another piece of land is that adjacent to the West Subiaco railway station, on the north-west and west side of the railway line. It is on high ground and is a piece of land very valuable as a building site. The other piece of land to be surrendered is a part of that belonging to the University at North Fremantle, adjacent to the terminus of the present tramway system. Of that land we are taking 29½ acres, and it is proposed to utilise that area for the purpose of establishing workers' homes in the near future. It will be appreciated by hon. members that North Fremantle is fast becoming an industrial centre. Quite a number of manufactories are established there. We have already the Rocky Bay workshops, the Mount Lyell superphosphate works, Burford's soap works, and other works. It is becoming popular with manufacturers for the establishment of large works, and we want those engaged in these works to live as near as possible to where they are employed. For the other land some will be utilised in the same direction if considered desirable, but in any case the value can be easily realised, should it be desired to sell the land. But we have no intention of doing anything of the kind. Some of it will be utilised early. I am hoping that adjacent to the West Subiaco station will be utilised for workers' homes. As a matter of fact I hope to do it on a large scale, but, as I said earlier in the session, we are waiting for this land, which will become valuable for the purpose of workers' homes. The reason we are desirous of having this agreement

with the Senate ratified is that we might also relieve the revenues of the State from some burden in respect to the interest and sinking fund charges on the Crawley estate. When the land is cut up for the purpose of workers' homes, the workers' homes board will be charged a fair value for the land, as an estate which they will have to make good by regular payments to the Treasury, and that in itself will, of course, relieve the revenues from having to pay the interest and sinking fund charges on the Crawley estate. The second schedule comprises the land we propose to purchase for the purpose of handing over to the University Senate. It is adjacent to Crawley Park. Some of the land has already been purchased at the request of the Senate, and the balance of it, with the exception of a very few blocks, we have under offer, which will then give us an opportunity of making a road completely round the University grounds, and at the same time extend the area, whilst, in reserving a fair proportion of Crawley Park for public purposes, we propose to make a class A reserve of it so that the public may use it for camping purposes and have free access to the foreshore. At the same time we will have an area of 104 acres in Crawley Park, which will be of considerable value as University grounds. We have already purchased part of the land on the north side of the Fremantle-road, and the Senate are of opinion that it should be utilised for professors' residences, and similar purposes. We are also handing over to the University a piece of land on the corner of the Fremantle road and the road down, which the tramway is constructed to Nedlands Park, embracing an area of about 10½ acres. I believe the University Senate are desirous of retaining that for the purpose of eventually utilising it for a medical school, which will not be directly attached to their regular buildings, which, I understand, is sometimes not desirable. However, those are matters which the senators have to deal with. We have had a number of interviews with the committee appointed by

the Senate, and have at last arrived at an agreement which the Senate consider fair, and which the Government are prepared to ask Parliament to ratify as being fair to the people of the State. Hon. members will appreciate the fact that while we have entered into this agreement yet at the same time the agreement has no force without Parliamentary ratification. But in view of the fact that the Senate are a fairly representative body, and are quite satisfied with the proposal, I am convinced that Parliament will see the wisdom of allowing the Senate to adjust matters of this kind. There is a possibility of the question arising as to whether the site selected by the Senate is suitable for the purpose of a University. I do not know that it is wise to enter into a controversy on that point at this stage. The Senate should be the best judges of the question. No pressure has been brought to bear upon them in any way by the Government. It will be remembered that a site committee was appointed some time ago for the purpose of selecting a site for the University, and while the Senate were unable to get a unanimous expression of opinion from that committee, or indeed a majority to favour any one site, yet of the seven appointed three favoured Crawley, two the present Parliamentary grounds, and two the West Subiaeo site. In order to bring the question to a head and get it decided early we submitted an offer to the Senate which, with some alterations and modifications, embraced in the schedule of this Bill, the Senate eventually adopted. I am no going to express any opinion as to whether Crawley is the most suitable site for a University. That, I think, can better be left to the Senate; who have had a fair opportunity of considering it from every point of view, and have at last arrived at a decision and are prepared to ratify the agreement embodied in the two schedules of the Bill. I trust, therefore, that the House will pass this measure in order that the matter may be finally adjusted, and that we may have an opportunity of proceeding with other work which is of an urgent nature. I beg to move—

That the Bill be now read a second time.

Hon. FRANK WILSON (Sussex): I suppose it is due from me to say a few words in connection with this measure. I agree with the Premier that it is sufficient for hon. members to know that the Senate have threshed this matter out in its entirety. They have considered it from every aspect and whilst they have concluded that Crawley was the best available site for university purposes, taking everything into consideration, they would have been better pleased had the Government handed over Crawley and the adjoining lands without asking for any exchange of the lands held under the University Endowment Trust. But the Premier, with his usual commercial instincts, wanted a *quid pro quo*; he was not satisfied to give the site which the Senate had selected without getting something in exchange of equal or perhaps slightly greater value. As a matter of fact, I believe that the valuation of the lands which are the subject of this transaction, gives the Government £2,000 or £3,000 the better of the bargain. Be that as it may, I have always held the opinion that this university movement is practically a Government movement. It belongs to the Parliament and the people, and, therefore, whether the Government get a thousand or two the better in the exchange, or the university does, matters not one iota. After all, we have to look to the Government and Parliament for the very existence of the University. We have to look to Parliament and the people for the money for establishing our university buildings, and carrying on the great work which we believe this institution is destined to do. Therefore, I do not think we need quibble as to the exact valuation of the different properties which we propose to exchange.

The Premier: The departments tell us it is only a book-keeping entry.

Hon. FRANK WILSON: Exactly. The point is whether the interests of the people have been properly conserved. The Senate have come to the decision that Crawley is the right place for the

University. Many arguments have been brought against this site. Some people have been bitterly opposed to it, but the majority have decided, knowing full well that Parliament and the people would not be in favour of surrendering a large slice of King's Park for this purpose, that it is the best site available. I agree with that view. Therefore, the Senate are attending to the interests of the people in getting a suitable site for the University. The Government, on the other hand, are looking after the interests of the people in deciding that they shall have returned to them certain lands which are adapted for workers' homes. The valuations are so nearly equal that they matter not, and I think the House can safely pass this measure which endorses the exchange. I hope that later the Government will see fit to provide the necessary funds, and that Parliament will endorse the Government's action, in order that we may obtain competitive designs, not only of a university block of buildings, but also of a complete university town. After all is said and done, we are not finished when we erect the educational institution. We shall require buildings of many descriptions—professors' homes, hostels for the different churches which wish to have their schools on the University grounds as preparatory establishments for their children to enter the University, and the dwelling places for the students when they are admitted. Many buildings besides the University block itself have to be provided for, and I hope that we shall get designs for laying out these grounds in such a manner that we shall have a university second to none in Australia, or any other part of the world. I believe we shall do so, for we have all the advantages of the experience of other places. We know that many universities are troubled to-day through insufficiency of area. We hear of Queensland which started its university in a small way, the main buildings being on an area of about 30 acres, removing to a new site three miles away from the central post office in Brisbane in order to get sufficient area for all the different playgrounds, agricultural

plots, and buildings that are required to make a complete university *seben e*. We are trying to benefit by the experience of Brisbane and other universities, and we shall start with an area commensurate with the importance of our undertaking. We have at Crawley an area of about 165 acres, and I hope that later on we may induce the Government to introduce a measure—on this the Senate have not yet decided—to deviate the Fremantle road so that it will follow the contour of the high land and permit of the University main block being placed on a spot where it will make a commanding appearance, whether approached by river or by road from the capital. It is not necessary to labour this question. The Senate having threshed the matter out amongst themselves and with the Government for several months; after all the agitation and correspondence in the daily Press; after the hostile criticisms by the medical profession, and by others who think that we should have our university planted in King's Park itself; after having taken expert advice from architects, medical men, and surveyors that Crawley is suitable in every respect for our purposes; knowing full well that if we condemn it on account of altitude, half of the city of Perth could be condemned on similar grounds; having come to the conclusion that Crawley is a proper site for the University, and the Government having agreed to transfer the property to the Senate in exchange for other lands, I think the members of this House may safely pass the Bill. I have very much pleasure in supporting the second reading.

Hon. J. MITCHELL (Northam): I have no wish to discuss the merits of Crawley site, but the Premier has told the House that the area of 360 acres taken back from the University Endowment Trust is to be used for the purpose of workers' homes. The people are losing 104 acres of a public reserve by giving up the Crawley site, because it was always intended that land should be added to King's Park and made a public reserve.

Hon. Frank Wilson: Oh, no.

Hon. J. MITCHELL: The people are losing some land that would, of course, have become part of the public park.

Hon. Frank Wilson: It was never intended for that purpose.

The Premier: The people never had it.

Hon. J. MITCHELL: The people would have got it. We are asked to exchange Crawley site for 361 acres of endowment lands. I am not saying one word against Crawley as a site for the University, but I hope that the Premier will not take the whole of the 361 acres for workers' homes, but that an area equal to that given up at Crawley will be reserved for park purposes.

Mr. B. J. Stubbs: This land is scattered about where there is no need for park reserves.

Hon. J. MITCHELL: I am not concerned about the opinion of the member for Subiaco. My point is that we are giving away 104 acres which would, in the ordinary course, be reserved for the people.

The Minister for Lands: All along they had that site in view for the University.

The Premier: The real object was to have a continuous road right along the foreshore.

Hon. J. MITCHELL: I am asking the Premier to pledge himself to set aside for park purposes a portion of the 361 acres equal to the area taken for the University. That is not asking very much, especially as the workers' homes scheme will be greatly helped by the acquisition of this land. I should like the Premier to tell us that he has no intention of reducing the area of the public reserve available for the people of the metropolitan area. I have no intention of opposing the Bill, but I have spoken in order that the people may understand they are losing some portion of the public estate by this exchange. I ask the Premier to see that the least possible harm is done, and that can be ensured only by setting aside for the purpose of reserves 104 acres of the endowment lands which the Government are acquiring.

Question put and passed.

Bill read a second time.

PAPER PRESENTED.

By the Premier: Return *re* tobacco and liquors purchased for sale in State hotels and steamships.

The House adjourned at 10.15 p.m.

Legislative Council,

Tuesday, 24th September, 1912.

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

PAPERS PRESENTED.

By the Colonial Secretary: 1, Annual Report of the Department of Land Titles. 2, Annual Report of the State Labour Bureau. 3, Geological Survey Bulletin No. 45. 4, Annual Report of Chief Inspector of Fisheries.

PETITION—TRAMWAYS PURCHASE BILL.

Hon. C. SOMMERS presented a petition from the mayor and councillors of the city of Perth against the Tramways Purchase Bill, and praying that the mayor of Perth be heard at the Bar of the House.