of the responsible officers at the head office.

Mr. Taylor: It is going to a very important centre, Leederville.

Hon. FRANK WILSON: It is much too early for the Minister even to become jubilant over the results of his administration of this department. I certainly cannot join him in his congratulations. I prefer to wait until the scheme has proved itself, until we get these detailed balance sheets which are promised to us of each sub-department showing that the proper expenditure is charged to the people who legitimately and legally are to carry it under the Act, until the confusion which is apparent in the statements of the Minister himself, with regard to the finances of this great department, has been removed, and until we know that no one is being injuriously affected by that system. Shareholders are apt to view the protestations of efficiency and economy and more effective administration with suspicion when loss is immediately admitted as a result of those acts, and that I maintain is the position of the Minister on this occasion. He ought, I think, to contain himself in all modesty and frankly admit that the administration has not yet had time to get into proper swing and going order, and that, whilst he is sorry and regrets that he has to announce a loss on this occasion he is quite prepared to give his word that such will not be the case at the end of the next financial year.

Mr. Gill: Will you take his word?

Hon. FRANK WILSON: The Premier has promised to wipe out his deficit every year. He has failed, it is true, but we credit him with the inclination to keep his promise, although we doubt and have reason to doubt his ability. The Minister, I think, had better occupy his spare time—he has evidently got some—in attending to the detailed administration of this department, instead of attempting to discredit previous Administrations. I think, also, I am justified in saying that it is undignified on his part to read a carefully prepared speech to this House which was certainly a thinly-veiled attack upon the previous Government which I had the honour of leading. It is more undignified still to employ the State's highly paid officials to work up a case against any previous Administration. It does not redound to his credit and it places those officials in a very invidious position indeed.

On motion by Hon. J. Mitchell debate adjourned.

House adjourned at 9.40 p.m.

Legislative Council,

Tuesday, 2nd September, 1913.

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

QUESTION—FREMANTLE DOCK.

Hon. J. W. KIRWAN asked the Colonial Secretary: What was the total amount of money spent on the Fremantle Dock up to the date of the abandonment of the work?

The COLONIAL SECRETARY replied: £207,417 18s. 11d.

PRINTING COMMITTEE.

Change of Member.

On motion by the COLONIAL SECRETARY, resolved: That the Hon. R. G. Ardagh be appointed a member of the Printing Committee in the place of the mover, who had resigned.

BILLS (3)—THIRD READING.

1. North Fremantle Municipal Tramways Act Amendment, *passed.*

2. Fisheries Act Amendment, transmitted to the Legislative Assembly.

3. Wagin Agricultural Hall Transfer, *passed.*

PAPERS PRESENTED.

By the Colonial Secretary: 1, Roads Act, 1911.—Toodyay Road Board—Scale of Trespass and Poundage Fees. 2, Report on the working of the Government Railways for year ended 30th June, 1913. 3, Map of the Henty Estate. 4, Papers in connection with the retirement of Captain Hare, ex-Commissioner of Poilce, and papers relating to the charge laid by Constable Campbell against Captain Hare.

MOTION—FOOD AND DRUGS REGULATIONS.

Debate resumed from the 26th August on the motion of the Hon. W. Kingsmill: "That Subsections 6, 7, and 8 of Regulation 16 and the whole of Regulation 62 of the Food and Drug Regulations, 1913, be disallowed."

The COLONIAL SECRETARY (Hon. J. M. DREW): It is no matter for surprise that steps have been taken to disallow these regulations. It was an event that could have been expected. For some months past the Press has been reeking with criticisms of the Government in connection with the adoption of these regulations, and there is no doubt that this adverse criticism has had its influence. In the first place I would ask hon. members to remember that the newspapers are not capable of forming an unbiassed judgment in connection with this particular matter. They are very interested parties indeed, because they reap a rich harvest from the publication of advertisements.

Hon. J. F. Cullen: Some of them.

The COLONIAL SECRETARY: In consequence of the attitude adopted by the Press a fictitious public feeling has been pictured, and indignation has been represented which is not existent, and it is not existent even in the imagination of the leader-writers of the newspapers in question. It was to have been expected that some members would be deluded by these criticisms, but I am very much surprised to find that a gentleman and a legislator of Mr. Kingsmill's experience, and a gentleman who had control for some years of the Health Department of the State, should have taken a step which is directed at blocking the Government in their efforts to ensure that pure drugs shall be supplied to the people. The attitude of the hon. member is all the more surprising in view of his absolute silence last session when the Health Act Amendment Bill was under consideration. A Bill was introduced by the Government giving full power to make these very regulations. It gave power to make regulations:—"Ordaining that any food or drug shall be labelled; prescribing what information relative to the food or drug shall be set out on the label; ordaining that a label used in compliance with a requisition of this Act shall contain information in addition to that required by this Act; regulating generally the wording, printing, size, colours, and style of labels to be used in conformity with any requisition of this Act or any regulation; prohibiting the sale or offering or exposure for sale of any food or drug which is not labelled as prescribed." That Bill was introduced last session, and every member of the House who was present knew exactly what the measure meant. I told them; I clearly explained what the Government proposed to do, and I stated that the patent medicine proprietors had the option of either placing the formula on the label or depositing it with the Commissioner of Public Health.

Hon. W. Kingsmill: Look at the results.

The COLONIAL SECRETARY: I said it was very necessary that the widest power should be given to make regulations with regard to the labelling of food and drugs. I said—

> The obvious object of such control is to ensure that purchasers shall know

exactly what they are getting. If preservatives and colouring must be added then it is only right the buyers should be made aware if it. This clause also gives power to set up standard methods of analysis, to be observed in certain cases. . . . . Paragraph (f) of Subclause 2 is necessary. In the first place the general regulations will, no doubt, provide for the name of the manufacturer to be stated on the label; but it must be remembered that it is a custom in some cases for articles to be sold under a trade name. In some of the Eastern States it has been arranged that goods can be so sold provided they are registered by the Department of Public Health and a prescribed number appears on each label. Of course it is stipulated that a manufacturer or firm thus using a number on the label is responsible for the contents of the package. This will also give power to permit the formula of a patent medicine to be deposited with the Department of Public Health instead of being stated on the label.

No member raised any objection to the power thus given. No one protested against the proposed action of the Government in insisting that the bottles shall either contain a label setting forth the formula or that the formula shall be deposited with the Commissioner of Public Health. Mr. Connolly made a slight reference to the matter and suggested that the Bill should not be immediately proceeded with, that the Committee stage should be postponed, and in accordance with his request I postponed consideration of the Bill, so far as the Committee stage was concerned. Under these circumstances the House cannot reasonably disallow these two regulations. They are not *ultra vires* of the Act: they are in perfect harmony with the Act and the members of this Chamber would be stultifying themselves if they refused to approve of them unless they can say plainly that they are inconsistent with the original Act or its amendment. I clearly explained when I was introducing the Bill what the Government proposed to do, and in face of that the House enabled us to do what Mr. Kingsmill is now protesting against.

Hon. D. G. Gawler: They did not realise what the effect would be.

The COLONIAL SECRETARY: Why is Mr. Kingsmill asking that subsections 6, 7, and 8 of Regulation 16 should be disallowed? The proprietors of these patent goods are not worrying over the matter. They have lodged the kind of information that is required. It is quite true, as the hon. member stated, that they have not lodged the formulae——

Hon. W. Kingsmill: Why did you say they lodged the formulae?

The COLONIAL SECRETARY: They have lodged an analysis. They placed the matter before the Commissioner of Public Health and he said an analysis would fulfil all the requirements of the Act.

Hon. W. Kingsmill: Why was a false statement published in the *Government Gazette*?

The COLONIAL SECRETARY: There is a very little difference between the formula and the analysis. The formula is the recipe. It shows each ingredient, while the analysis gives the chemical result of the combination of the whole of the ingredients. Now these firms have lodged their analyses, and so far as the Government and the Commissioner of Public Health are concerned they are perfectly satisfied with the lodgment of the analyses in connection with infants' and invalids' foods.

Hon. J. F. Cullen: Whether they are pure or not?

The COLONIAL SECRETARY: The Commissioner of Public Health can tell from the analyses whether they are pure or not.

Hon. D. G. Gawler: Then why can he not do that without this regulation at all?

The COLONIAL SECRETARY: I will deal with that at a later stage. In addition to that, we have obliged them to go further. They have given a written guarantee of constancy in regard to the elements of the foods. Not only have they lodged the analysis but they have given a guarantee that the ingredients will not be changed except they furnish an amended analysis. Mr. Kingsmill

referred to a letter published in the *West Australian* on the 12th May from the British manufacturers of infants' and invalids' foods, protesting against these regulations. That particular letter was very strongly repudiated by the manufacturers of infants' and invalids' foods. They said that it was published without their authority, and I have here letters from these particular firms expressing their views on the subject.

Hon. W. Kingsmill: What about the statements in the letters which I read?

The COLONIAL SECRETARY: Here is an extract from a letter received from Horlick's Malted Milk Company—

> We beg to acknowledge receipt of your letter of the 17th May. We were not aware of any statement being published in the Press under our name, nor have we given authority for such to be done, and we shall be obliged if you will let us have some further particulars in connection therewith, namely, the date and name of the newspaper in which it appeared, etc.

Hon. W. Kingsmill: What is the date of that letter?

The COLONIAL SECRETARY: It is dated the 20th June, 1913. Here is an extract from a letter received from Allen & Hanbury's Limited, dated the 18th June, 1913. I may say a copy of this letter referred to by Mr. Kingsmill was sent to the various firms here represented as having signed the letter. Now, Messrs. Allen & Hanbury's Limited wrote—

> We are very much annoyed to hear that there has been published in the Press a statement signed by our firm. We have to say most emphatically that we had no knowledge of it; nor have we authorised anyone to make any statement on our behalf. We should, therefore, be much interested to hear how this letter got published, and by whose instructions.

Then again we have this letter from Benger's Food Limited, dated the 20th June, 1913—

> With reference to the first paragraph in your letter. This is something that has been done without our knowledge or consent, and we are trying to ascertain who is responsible for it. May we ask you to send us a cutting of what appeared?

Here is an extract from another letter, received from Virol Limited, dated 20th June, 1913—

> We have to acknowledge receipt of your letter dated 19th ultimo, and your remarks contained therein have our best attention. We did not give authority for the publication of the statement which you mention was published in the Press, and we are endeavouring to obtain copies of the paper containing such statement.

I suppose they propose to start an action for libel. With regard to Regulation 62, dealing with the so-called patent medicines, there is a feeling abroad that we are in some way interfering with patent rights. But we are doing no such thing. I am sure every hon. member is well aware of that.

Hon. W. Kingsmill: I said nothing about interfering with patent rights.

The COLONIAL SECRETARY: In fact, the vast majority of these alleged patent medicine proprietors would be unable to obtain a patent. They could not prove that their medicines are novel. In fact, there is nothing original about them except the name. The term "patent medicine" is a misnomer. Supposing they had been patented, they would have to be published in the first instance, and when patented they would be fully protected; anyone infringing the patent could be prosecuted and damages claimed from him. But as I said before, strictly speaking there is no patent medicine. Power is contained in the Health Act with regard to so-called patent medicines. Section 186 provides that any advertised food, drug, or appliances may be examined and reported upon by the Commissioner of Public Health, and such report, with the approval of the Minister, may be published in the *Government Gazette*. Section 187 gives power to prevent the sale of any patent medicines which contain injurious ingredients. Section 188 penalises a newspaper proprietor who, after receiving due warning, continues to publish any advertisement for patent medicines or appliances which is false or

misleading. The majority of these so-called patent medicines are admittedly composed of harmless ingredients, therefore they cannot be dealt with under Section 187. So long as the advertisers do not exceed certain limits they cannot be dealt with under Section 188. But if the proprietors continue to circulate extravagant literature and sell medicine which does neither harm nor good, but simply filches money from the public, all that is left for the Government to do is to secure the services of an analyst and have a report made on these medicines, and publish the report in the *Government Gazette*. Now, if the report to which I have already referred, is published in the *Government Gazette*, the proprietors of these medicines almost always say that the analysis is incorrect. Sir Joseph Beecham said that in regard to his famous pills when he was giving evidence before the select committee appointed by the British Medical Association. He said the analysis was not correct.

Hon. W. Kingsmill: Do you think that was not so?

The COLONIAL SECRETARY: I will deal with that later on. With the formulæ deposited with the Commissioner of Public Health, comparisons can be made, and in the event of any discrepancy between the analyses and the formulæ the proprietors can be referred to, and can be called upon for an explanation. If the explanation is not satisfactory then a report on the medicines can be published under Section 186. In that case, the patent medicine proprietors affected are no longer able to shelter themselves under the plea that the analyses are inaccurate. In the second place, there is evidence that the composition of these medicines is frequently changed. Now, some people regularly take these medicines. According to Mr. Kingsmill they form a large part of the daily sustenance of a vast proportion of the people of Western Australia. If this is so it is very desirable that there should be no change in the elements of these medicines. With the analyses in the hands of the Commissioiner of Public Health, the elements of which the medicines are composed can be checked from time to time. The regulation, as I have shown, provides for a guarantee from the patent medicine proprietors that the medicines shall be retailed in the State in a manner complying with the formulæ deposited. Then, again, it is admitted in some cases, and it has been represented here by Mr. Kingsmill, that an exact analysis is not always possible. Therefore, in the absence of a definite statement from the proprietor as to the contents, an injurious substance might be foisted on the public.

Hon. W. Kingsmill: But you absolutely prohibit the sale of these medicines which have not deposited their formulæ.

The COLONIAL SECRETARY: No, we do not. The effect may be to prohibit the sale, but it is the fault of the proprietors concerned. The regulations when first drafted simply required a formula to be deposited. Later on, at the request of certain chambers of commerce, the regulation was amended and the formula was treated as absolutely confidential, and any person divulging the contents would, under the regulations, be guilty of a breach of the Act and would not only be liable to dismissal but to prosecution also.

Hon. J. F. Cullen: If you caught him.

The COLONIAL SECRETARY: These formulæ are carefully kept, I am informed, in a specially manufactured box provided with locks so as to be at the disposal of the only person who holds the key. The box is deposited in a drawer of a safe of which another person holds the key. There are two locks, the keys of which are kept by separate individuals, so it will be seen that every precaution is taken to preserve the great secret. Mr. Kingsmill referred to the powellising agreement.

Hon. J. F. Cullen: Was that not in a locked box?

The COLONIAL SECRETARY: No, it was not. It was available to every officer in the department, down to the office boy. But, as will be seen from what I have already stated, the formula in every case will be kept in such a manner that there is little possibility of the secret becoming known.

Hon. W. Kingsmill: That is when you get the formula.

The COLONIAL SECRETARY: The hon. member must have forgotten that the principle adopted in connection with these regulations has been recognised in the case of fertilisers. The Fertilisers and Feeding Stuffs Act requires that in the case of artificial manures (a) the formula shall be lodged with the Agricultural Department, (b) the department may publish the formula in the *Government Gazette*, and (c) the seller shall deliver to each purchaser of any quantity over half a hundredweight a copy of the analysis, which shall show not less than the deposited formula. No objection has ever been raised to this enactment. Indeed, it is considered necessary in the interests of the agriculturists of Western Australia. When we propose to adopt a similar, but less stringent, regulation in regard to patent medicines, a section of the community is at once up in arms.

Hon. E. M. Clarke: Will the Minister answer this: does this bring us into line with the law prevailing in other parts of the Commonwealth?

The COLONIAL SECRETARY: I propose to deal with that later on. A few months ago a deputation from the Chamber of Commerce waited on the then deputy Premier and requested that these regulations should remain in abeyance pending the proposed interstate conference which was to be held shortly. That deputation probably considered that that conference would reject the Western Australian regulations. They evidently thought so. But the result had been entirely different from what they conceived. When consideration was given to the drug regulations at that conference, the delegates from this State submitted regulation No. 62, which Mr. Kingsmill has asked the House to disallow. They submitted that regulation, which requires a formula to be lodged, and, after some discussion, it was unanimously resolved by the conference that this regulation should be adopted in the suggested standards for the whole of the Commonwealth. They adopted the whole of the Western Australian regulation as it stands.

Hon. J. F. Cullen: When was this conference held?

The COLONIAL SECRETARY: A few months ago.

Hon. J. F. Cullen: This year?

The COLONIAL SECRETARY: Yes. I have here literature dealing with it. That conference was composed not only of medical men and analysts, but a section represented the commercial interests, and as I said before the regulation was adopted unanimously.

Hon. W. Kingsmill: Who went from here in the commercial interests?

The COLONIAL SECRETARY: The tendency of the proprietors of these nostrums——

Hon. W. Kingsmill: Do not call them nostrums.

The COLONIAL SECRETARY: The tendency of the proprietors is by making extravagant claims to encourage the public to use their mixtures, not only for the alleviation of simple complaints, but also for serious disorders, and the result in some instances has been—it has been so in Western Australia, and it has been proved to have been so elsewhere—that men and women use these medicines until the time has gone past when they can receive effectual medical treatment. Now, supposing these formulæ did leak out; supposing I got hold of the recipe for making Painkiller and sold it to a chemist, I ask hon. members of what possible use would it be to him. He could make stuff like Painkiller, but could not sell it as such. He could adopt some other name for it, but he could not sell it as Painkiller, inasmuch as the proprietors would be protected under the Trades Mark Act. He could call it agony-destroyer, but I do not think it would have very much sale. Those who are accustomed to take Painkiller would refuse to accept it; they would say that they wanted Perry Davis's. The chemist might protest, "This is the same; I have gained possession of the secret; it will do you as much good," but the lady or gentleman accustomed to taking Painkiller all his or her life would insist on having Perry Davis's.

Hon. W. Kingsmill: That is just what the Government are doing, trying to make

the public take something which is "just as good."

The COLONIAL SECRETARY: If the chemist to whom I sold the recipe spent an enormous amount of money in every part of the world in advertising his mixture, eventually he would be able to sell it as "agony-destroyer," perhaps as readily as Perry Davis's, but the object of my remarks is to show that even if the secret leaked out it could do no possible harm to patent medicine proprietors who have been advertising their drugs for many years.

Hon. Sir E. H. Wittenoom: He could refill an old bottle.

The COLONIAL SECRETARY: The Hon. Mr. Kingsmill gave a list of medicines which would be affected by this regulation, but it must be remembered that they would only be affected if the proprietors refused to deposit the formula. The remedy is in their own hands; all we ask them to do is to deposit the formula.

Hon. W. Kingsmill: And if they do not do so?

The COLONIAL SECRETARY: The Hon. Mr. Kingsmill said, "These medicines deal with many of the ailments which men and women and even animals suffer from, and they are to be found in every household. They have stood the test of time and have saved life in many cases." Let us now carefully examine this list.

Hon. W. Kingsmill: You will find it in *Hansard*, page 717.

The COLONIAL SECRETARY: The following patent medicines were referred to by the hon. member as some which would be wiped off the local market if the regulations were insisted upon. The first one is Beecham's pills. The formula of these pills has been frequently quoted. It is given in *Secret Remedies*, and in O. C. Beale's report——

Hon. W. Kingsmill: Not the formula; the analysis.

The COLONIAL SECRETARY: Mr. Beale was a Commonwealth Royal Commissioner appointed in 1907, and he stated that Beecham's Pills are composed of aloes, ginger and soap. These pills differ in no important particular from numerous other pills on the market. Elliman's Embrocation—this line does not come within the terms of the regulation at all. It is an embrocation, not a medicine. Collis-Brown's Chlorodyne—this will not be available, it is true, but the *British Pharmacopoeia* provides a formula for chlorodyne and many chemists keep a standard mixture composed according to the pharmacopoeial formula.

Hon. W. Kingsmill: Just as good.

The COLONIAL SECRETARY: And another maker named Freeman puts forward a claim that he is the inventor of the original chlorodyne. Kay's Essence of Linseed—a label for this was submitted from England, which label would comply with the regulations, as it disclosed the ingredients used in the mixture. The firm is evidently willing to comply with the regulations. Sanatogen—this line would be thrown off the market. The position it at present occupies is entirely due to the extremely skilful, extensive, and costly advertising campaign, which from a business point of view certainly redounds to the credit of the manufacturers. The price is 5s. 6d. for a small tin, which is, according to the Health Department, abnormally high and makes the article practically prohibitive to the general public. Antiphlogistine—this is a plaster for external application and really does not come within the terms of the regulation. St. Jacob's Oil—this, according to Mr. Beale, is composed of gum camphor, hydrated chloral, chloroform, and sulphuric ether, of each 1oz., tincture of opium, oil of origanum and oil of sassafras, of each ½oz., alcohol (92 per cent.) ½gal. The oil is applied externally, a small bottle containing only about 2ozs. costs 1s. 3d., and it claims to be a cure for rheumatics, neuralgia, colds in the joints, and all bodily aches and pains. Seigel's Syrup—according to Mr. Beale's report this is composed of concentrated compound decoction of aloes, borax, capsicum. gentian, oil of sassafras, oil of wintergreen, taraxacum, treacle and rectified spirit. This mixture as a tonic laxative has no advantage over numerous others on the market, and, therefore, should be given no special value.

Hon. W. Kingsmill: What special authority has Mr. Beale's report?

The COLONIAL SECRETARY: I take it that he would not have been appointed by the Commonwealth unless he had good qualifications.

Hon. J. F. Cullen: Unless he had served the party well.

The COLONIAL SECRETARY: All the Hon. Mr. Kingsmill's interjections, and many of his arguments, go to urge the necessity for the formulae being deposited and to dispute everyone's ability to analyse these medicines. Bonnington's Irish Moss—Mr. Beale states that this stuff contains chloroform and morphine. No formula has been deposited. If Mr. Beale's report is correct, this is a dangerous medicine to give to children. Cockle's pills, according to Mr. Beale's report, consist of aloes, colocynth, and rhubarb. These pills differ in no wise from the majority of purgative pills. Eno's fruit salts—the formula for this is fairly well known and is as follows:—bicarbonate of soda, tartaric acid, and citric acid. There are numerous lines on the market, and in the opinion of the Public Health Department many in the community can manufacture salts as good as those manufactured by Eno's and at one-tenth of the expense. Powell's balsam of aniseed—this is said by Mr. Beale to contain opium. According to *Secret Remedies,* the analysis is, benzoic acid 1.8 parts per cent., extract of liquorice about 4.2, sugar 2.0, alcohol 40.0 by volume, oil of aniseed, aromatic resin (small quantity), alkaloid (probably a morphine derivative) 0.012. This, according to the Medical Department, is a very simple cough mixture and has no very great value. Another referred to by the Hon. Mr. Kingsmill was Singleton's eye ointment. *Secret Remedies* gives the analysis as follows:—Red mercuric oxide 7.4 per cent., beeswax about 4.0, lard, Japanese wax and cocoanut oil, 88.6 per cent. This is an ordinary prescription for eye ointment. Scott's emulsion—this is an emulsion of milk and cod liver oil and is not a secret preparation as the ingredients are known. It is more properly styled a food. Painkiller—Mr. Beale in his report quotes the formula of this line as follows:—tincture of capsicum 1oz., spirits of camphor 2oz., guaicum resin ½oz., tincture of myrrh, alcohol. According to its own label it confesses to 91 per cent. proof spirit and to ¼ grain of opium to the dram. According to the dosage recommended on the label a child of four may easily be given half a grain of opium in the day, which is positively dangerous.

Hon. W. Kingsmill: It is not a beverage.

The COLONIAL SECRETARY: The reason why these formulae are not lodged is not due to any bona fide fear that the secrets will become known; I am satisfied about that. It is due to a dread on the part of these people and to the result of a confession that they have been practically defrauding the general community.

Hon. W. Kingsmill: You say that in respect to these medicines?

The COLONIAL SECRETARY: I do, when I take into consideration what they claim to cure. There is no secrecy whatever in regard to the ingredients of most of these patent medicines. They have been published in *Secret Remedies* and in the *Lone Hand,* and also in several medical works. I have read them myself for years past. Supposing, in connection with these publications, the ingredients had been incorrectly stated, one would have thought that the first thing the proprietors would do would be to begin an action for libel against the publishers of these periodicals and books, but I cannot call to mind one instance where any such action has been taken. Writs have been issued in America but the cases have never gone into court, and there has never been a settlement so far as I can discover on the part of authors of the works which criticised them.

Hon. W. Kingsmill: Perhaps they would have had to disclose their formulae.

The COLONIAL SECRETARY: If the analyses were incorrect, if the formulae were wrongly stated by those who had started out to criticise patent medicines, hon. members can rely upon it that the manufacturers, with all the capital which they possess, would have brought into court those who had wrongly criticised and stated the formulae and

claimed thumping compensation; but it has never been done, and why? For this reason, that the critics have been right. We can come to no other conclusion.

Hon. W. Kingsmill: Yes, you can.

Hon. D. G. Gawler: Why do not you prohibit all these under Section 187?

The COLONIAL SECRETARY: We are prohibiting them as far as the Act and regulations will allow.

Hon. D. G. Gawler: You can do it without all this business.

The COLONIAL SECRETARY: The entire popularity of these patent medicines, as I have said before, is due to wholesale advertising. About two millions sterling a year has been spent by the Patent Medicine Proprietary Section of the London Chamber of Commerce in this direction. If the sale of patent medicines was due to their intrinsic merit there would be no reason to advertise in this huge way. Take up any newspaper you wish and you will find large advertisements, even in the smallest country newspaper, proclaiming the merits of patent medicines. If they possess all the curative properties which the advertisements depict, there would be no necessity in time to continue advertising. The medicines themselves would be their own advertisement. The newspapers a little while back got a gentle reminder from the patent medicine proprietors as to what attitude they should adopt in face of the regulations which the Government of this State had prepared. The newspaper proprietors were not only asked to show a little gratitude for favours they had enjoyed, but also gratitude for favours to come, and to a certain extent they were threatened. It was clearly pointed out to them what the consequences would be to their purse if they did not assist the proprietors of the patent medicines in their campaign against the Government. I have a copy of one of these circulars which was sent to the newspapers. It is a letter from Foster, McLellan Company, of Sydney, and it has been addressed to many of the newspaper proprietors in Western Australia, if not all of them.

Hon. W. Kingsmill: Who are the Foster, McLellan Co.?

The COLONIAL SECRETARY: They are advertising agents for various drugs and they are connected too, I think, with the patent medicine trade. This letter reads—

> If this law comes into force there is a matter that will affect all the newspaper proprietors of W.A. to a considerable extent, and that is advertising. You will readily understand that immediately the well-known proprietary medicines are withdrawn from sale in your State, the advertising of same will cease. This will be a big loss to you and other newspapers, as the advertising of proprietary medicines must add very largely to the revenue of a paper. We feel sure you will see, apart from the fact that the new law is unnecessary and unfair, that it will be for your interests to do all you can by personal influence and private interviews with Ministers of the Crown and others to have the law amended in such a way that will prevent the loss to W.A. of practically the whole of the proprietary medicine trade.—Yours faithfully, Foster, McClellan & Co.

Hon. F. Davis: It is the funniest thing I have ever heard of.

The COLONIAL SECRETARY: This firm represent in Sydney a number of medicine proprietors.

Hon. Sir E. H. Wittenoom: They are very honest.

Hon. W. Kingsmill: They are extremely frank.

Hon. R. J. Lynn: You surely got that letter by error.

Hon. Sir J. W. Hackett: It was sent to the *Express*.

The COLONIAL SECRETARY: In that circular the newspaper proprietors are told clearly that if they do not start some agitation against the regulations their revenue will be seriously affected and they are advised to use all possible personal influence with the Ministers of the day.

Hon. J. F. Cullen: The Colonial Secretary does not suggest that any newspaper man would be influenced by such a letter?

The COLONIAL SECRETARY: I do not know. I think perhaps a news-

paper man after receiving a circular of that kind would be unconsciously biassed.

Hon. J. F. Cullen: It would be thrown into the waste-paper basket.

The COLONIAL SECRETARY: The loss of revenue to newspapers is certainly a matter to be deplored. Many have a severe struggle for existence as it is, but that is not a question which should weigh one moment with the Government. What we have to consider is the health of the community and that is certainly involved in the consideration of this question. Mr. Kingsmill says that this is a chance for the second-rate patent medicine man, who will take refuge behind the screen of secrecy.

Hon. J. F. Cullen: So he will.

The COLONIAL SECRETARY: The lodging of the formula will not protect the second-rate man. He will not be in a better position than the man who has refused to lodge the formula. If we discover that he is foisting on the public an injurious drug, an analysis will be made and the result will be published in the *Government Gazette*.

Hon. W. Kingsmill: This is not for stopping injurious drugs.

The COLONIAL SECRETARY: Mr. Kingsmill is prepared to allow the public to judge which is good and which is bad, but how on earth can we expect them to be put in the position to judge?

Hon. W. Kingsmill: By results.

The COLONIAL SECRETARY: How can we expect them to judge whether or not they are taking slow poison into their system? In the case of whisky, if it is found to contain fusel oil or other injurious ingredients, the seller is prosecuted. The same thing will happen in regard to tobacco or rum, and the man who is selling an inferior article is brought into a court and fined heavily.

Hon. W. Kingsmill: This is outside the regulations.

The COLONIAL SECRETARY: The same thing applies to foodstuffs, and there is provision for the punishment of those who descend to that sort of thing. Surely if we take such steps in the direction of seeing that our foodstuffs are pure, we should be all the more careful to make provision that medicines are not circulated and used by sick people unless they are free from deleterious substances. Mr. Kingsmill asks whether it would be a breach of confidence to publish the reports on those medicines in connection with which formulæ have been lodged. It would be if the reports were taken from the formulæ deposited, but they will not be so taken. Even the public analyst will not be afforded an opportunity of perusing the formulæ deposited with the Commissioner of Health, but must make the analysis on his own account, and that analysis alone will be published.

Hon. Sir E. H. Wittenoom: What is the good of the analysis then if you cannot discriminate between good and bad?

The COLONIAL SECRETARY: That is what I contend, and if we cannot rely upon an analysis we should compel these people to furnish the formula. Mr. Kingsmill has accused the Honorary Minister, Mr. Angwin, of a breach of faith. He said that Mr. Angwin promised to introduce an amending Bill giving patent medicine proprietors the power to appeal to the Supreme Court against any report of the Government Analyst. Mr. Angwin did no such thing.

Hon. W. Kingsmill: He says he did not.

The COLONIAL SECRETARY: He did not. He said he was prepared to amend the regulations and he approached the Crown Law Department to see whether power was given under the Act to amend the regulations in that direction, but was advised there was no such power and he made no promise that he would introduce an amending Bill. The proprietors, or at any rate, some of them, of these patent medicines know that perfectly well. Mr. Angwin was communicated with by Mr. Rex Cullen Ward, the secretary of the Manufacturing Chemists' Association, 113 Pitt-street, Sydney, and in reply to the communication Mr. Angwin wrote—

> Sir,—Yours of the 25th ult. to hand. It is impossible for me to assure you any further as far as the confidential lodgment is concerned. I am pleased to state that a large number of people have confidence in the departmental

officers, if you have not. Amongst these are W. E. Woods, of Sydney, The Twentieth Century Manufacturing Co. and Agency Coy. Prop., Melbourne, The Senior Pharmacy Coy., Ltd., Sydney, The New York and London Drug Coy., Sydney, and many others. In fact we have between 700 and 1,000 formulæ lodged for patent medicines. *Re* matter of appeal: I am confident that if you cannot trust the officers in regard to the confidential holding of formulæ by regulations, neither could you trust any matter as far as appeal is concerned.

It is evident, therefore, from that letter which was written on the 12th May, 1913, that Mr. Angwin had no intention whatever of introducing an amending Bill. He was, however, prepared to amend the regulations.

Hon. W. Kingsmill: I wonder why Mr. Ward says directly the contrary in his statement.

The COLONIAL SECRETARY: Probably he misunderstood. Some people think it is necessary to introduce an Act of Parliament to amend the regulations.

Hon. W. Kingsmill: It is the question of appeal.

The COLONIAL SECRETARY: When the matter was submitted to Mr. Angwin he thought and still thinks it would be a good thing to have a Court of Appeal in connection with these matters——

Hon. W. Kingsmill: He said he would do so.

The COLONIAL SECRETARY: He made no promise to amend the Act.

Hon. J. F. Cullen: Why not, if it is a good thing?

The COLONIAL SECRETARY: There is plenty of time if it is necessary. Just now we have to defend our present position. Mr. Kingsmill then goes on to say that, "The hon. member was good enough to promise that no criticism or report would be made until an amending Bill was brought in." I have seen both Mr. Angwin and Mr. Huelin, and they state that no such promise was ever made. I now come to the point where Mr. Kingsmill assured the House that analyses are liable to mislead in the extreme and he quotes Mr. Umney in support of his contention. Mr. Kingsmill was a little inconsistent. In the early part of his speech he held that an analysis was all that was necessary and that to ask for the formulæ was to ask for something unreasonable.

Hon. W. Kingsmill: When did I say that? I did not say anything of the sort.

The COLONIAL SECRETARY: Now the hon. member says that analyses are unreliable.

Hon. W. Kingsmill: I really object to being misquoted by the Colonial Secretary. The hon. Minister misunderstood what I said or he is misquoting me. What I said was that the Public Health Department considered that an analysis was equal to a formula. I always maintained and do now maintain that there is the utmost difference, and that an analysis in no way replaces a formula.

The COLONIAL SECRETARY: A large portion of the hon. member's speech was built up on the assumption that the analyses were unreliable and he quoted authorities to lead the House to believe that we could not depend upon the reliability of the analyses.

Hon. W. Kingsmill: I will quote a few more when I reply.

The COLONIAL SECRETARY: I cannot understand the hon. gentleman's attitude now. Anyhow, it appears to me to be utterly inconsistent.

Hon. W. Kingsmill: Certainly not.

The COLONIAL SECRETARY: If analyses are unreliable, and I take it the hon. member said so, it would be an utter farce for the Government analyst to report on these medicines.

Hon. W. Kingsmill: So it is.

The COLONIAL SECRETARY: Then the formula should be deposited.

Hon. J. F. Cullen: He is reporting on the medicines for which formulæ have not been deposited.

The COLONIAL SECRETARY: How can we have protection unless we can show what ingredients these medicines have? In one instance Mr. Kingsmill referred to the difficulties encountered in the analysis of Gripe Water. Those difficulties are admitted by the department, and that is one of the reasons

why we insisted on the retention of these regulations. Mr. Kingsmill also alluded sarcastically to Murine and stated that he had never heard of it. The medicine referred to has such a large sale in Western Australia that certain people have been appointed sole agents, and yet Mr. Kingsmill said that he had never heard before of the medicine.

Hon. W. Kingsmill: It was Mer-syren I spoke of.

The COLONIAL SECRETARY: That is not correct. It was Murine.

Hon. W. Kingsmill: I spoke of Murine also.

The COLONIAL SECRETARY: The whole of Mr. Kingsmill's speech was built up on the evidence of Mr. Umney before the Select Committee of the House of Commons. On Mr. Kingsmill's own admission Mr. Umney is closely associated with the patent medicine people. He is, I think, president or chairman of their asciation, and he was the only witness which the hon. member quoted out of the numerous body who gave evidence. What about the dozens of others who gave evidence before the Committee?

Hon. H. P. Colebatch: Evidence to the same effect.

The COLONIAL SECRETARY: No, in other directions, and to the opposite effect. Mr. Kingsmill stated that Dr. Ashburton Thompson had dealt with this regulation and had stated that it required very careful examination. That allusion is very misleading. Dr. Ashburton Thompson referred to another regulation altogether, and then he proceeded to make in a general way the remark ascribed to him by Mr. Kingsmill. We are told by the hon. member that we should wait for uniformity throughout Australia. That statement only requires examination for its unsoundness to be discovered. Each State has to act individually, and obviously if every State waited for the others nothing would be done. Mr. Kingsmill agreed that misleading advertisements should be prohibited, but if the analysis is unreliable, and he says it is, and if the formulae should not be deposited, and he says it should not be, how can we tell whether the advertisements are misleading or not? It is impossible for us to do so.

Hon. W. Kingsmill: It is fairly obvious in some cases.

The COLONIAL SECRETARY: As regards the Government accepting tenders for the supply of patent medicines, it is true that some lines were listed by officers connected with the department, but as soon as the matter came under the notice of the Department of Public Health, all those particular lines were struck out.

Hon. W. Kingsmill: And the patients had to suffer.

The COLONIAL SECRETARY: We were told that these regulations would mean great hardship to the country districts and that point was very strongly stressed by Mr. Kingsmill. I think residents of the backblocks are the worst sufferers through the sale and distribution of these patent medicines. They are seduced by the alluring advertisements and deceived by the misleading particulars of diagnosis; they may be suffering from simple ailments, they purchase these drugs, use them, and the result often is that they become seriously ill, and perhaps beyond the scope of medical skill. One important point is lost sight of when those who are hostile to the regulations criticise them. They say that if these patent medicines were excluded the result to the community would be very serious indeed, but they entirely forget that there are other patent medicines equally as good. There are eleven hundred formulæ deposited with the Department of Public Health, and I am given to understand that provision is made, as far as patent medicines are concerned, for the treatment of common ailments, in fact, all ailments that possibly can be cured even by those who have refused to allow their formulæ to be deposited. I could go on without end, but I do not wish to weary the House. I may say that the Government are prompted by only one desire, and that is to safeguard the interests of the community. We have no private interest to serve—I think the House will admit that—and if these regulations are disallowed the responsibility will rest

with the Legislative Council. The Government will bear no part of the burden.

Hon. J. F. CULLEN (South-East): I do not think that any hon. member in this House will question the excellence of the Government's intentions, nor would any hon. member say that the power to make regulations under such an Act as the Health Act should be denied. There must be power to make regulations, but the House assumes that the regulations will keep not only within the power of the Act, but also within the intention of the Act. There is always the strong temptation to an administrator to extend an Act of Parliament. Administrators who are supposed to be familiar with their business, if not experts in it, naturally say, "Well, the legislators went a certain distance: they did not go quite far enough, and it would be a quite legitimate thing for us under the power to make regulations to perfect this Act." Now, I think this will explain what the framers of the regulations under the Health Act have done in the direction challenged by Mr. Kingsmill's motion. Their intention was to make the Act more effective and carry out their own ideas as to what would be best for the public. I credit them with the best intentions, but I would like the House and especially the Minister to weigh this point. The Minister was fairly generous in his admissions on behalf of the newspaper people as to their liability to bias when profits have to be considered. Of course, it is not necessary for me to say that I differ from him entirely. I not only believe, but I know that not alone the best journalist but the average journalist would not be moved one hair's breadth to publish what he thought was not for the public interest. Journalists are the readiest men in the world to use the waste-paper basket, and I make bold to say that not only the best journalist, but the average journalist would not be influenced one iota by that literature which the Minister read to the House. But as regards unconscious bias, which is an entirely different thing, I would like the Minister to reflect whether the framers of these regulations are not very liable to that form of bias. The officials—not counting in the Minister who has been appointed to handle this Health Act, and who perhaps is the most guiltless amongst Ministers of qualifications for such administration—I am not referring to him, but to the board who framed these regulations—and are they not just such a board as would be liable to unconscious bias in favour of the academic as against the practical? Are they a board that might be expected to extend any sympathy to patent medicines? I do not believe for a moment that any member of that board would act from a pecuniary point of view for the profession he represents. I would not like to be supposed to entertain such a notion, but is it not natural to suppose that a trained medical man should think that nothing was necessary beyond his own profession? I ask again, are they a board such as would be likely to deal liberally with proprietary medicines? I do not think they are. I recognise that there must be power to frame regulations, but the legislation in this case, and in pretty well every case now, provides that there shall be a further protection in that either House of Parliament shall be able to disallow the regulations. I am not going to refer to the very narrow escape these regulations had from the revision of Parliament. These regulations were practically out of the power of Parliament to revise until the Minister in his wisdom, after consulting with his colleagues, decided to do the right thing and recognise that Parliament must be given its rights. Now I hold that this motion is necessary and ought to be passed by this House, but something will require to be added to it. I would not like the public to imagine that this House thought its duty would be done by simply disallowing these regulations. Such an impression might do an injustice to the members of this House. I am satisfied that every member of this House is ready to put down firmly all charlatans. Every member here is anxious to deal trenchantly with charlatans, and to disallow the regulations would be to leave things as they are. I do not think the House is willing to do that. My instructions to all Press agents are that no quack medicines

shall be advertised in my newspapers. I am not saying this to reflect on any journalist who may not take the same view, but I am satisfied that every member of this House is ready to discountenance quackery and protect the health of the people. I agree with the Minister to this extent, that any compound in the world can be sold and a fortune made out of it, it does not matter what it is. The inventor has only to find the necessary money for wholesale advertising and secure an *up-to-date* Ananias to write the advertisements, and he can sell anything and get people to swallow it wholesale. That, unfortunately, is a fact. Not very long ago a man came to me for advice. He said a "bloke" came to him and said, "I have a chance of earning a £5 note but I want you to help me, and I will halve it with you. You are to take such and such a pill and sign this testimonial." The "bloke" had prepared the testimonial and the man was to sign, saying the usual things, that he had been very ill, that he had consulted so many doctors; that he had been in so many hospitals and had been turned out a hopeless invalid, but that he had heard quite accidentally about this wonderful medicine and almost from seeing the bottle, he began to get well, and so on and so on. This man had signed the testimonial, which had been published in the usual course, but the "bloke" did not come up with the money, and he came to me for advice what to do. I said to him, "That is beyond me, you had better go to a solicitor straight away." The next time I happened to see the man in the street he did not stop, but the next time I met him I stopped him and asked him how he had got on and he said it was settled. As soon as he threatened a prosecution the people concerned settled it, and his testimonial is no doubt as good as most of the others that are printed. I hope this House will not leave any opening at all for the supposition that any member here is in sympathy with the quacks who are living by lies, and I want to propose to add some words to Mr. Kingsmill's amendment. I think the regulations in Mr. Kingsmill's motion must certainly be disallowed for the time being. I move an amendment that the following words be added to the motion :—

> *With a view to securing uniform provisions on the subject throughout the Commonwealth, as recommended by the Royal Commission appointed by the Governments of all the Federated States on the question.*

Dr. Ashburton Thompson, who was, perhaps, as capable an authority as could have been found, the chief medical officer in New South Wales, was entrusted by all the Governments with the taking of evidence and collating it, and making recommendations for a uniform defining and standardising of patent medicines and foods, and he makes this summing up in Clause 86 of his report—

> It may be assumed, I think, that the necessity for a further conference of Commonwealth and State officials, composed as was the conference of 1910, would be the only possible body, by which the contents of a code which will, beyond any doubt, be fit for adoption by all the States within the Commonwealth, and by the Department of Trade and Customs, can be settled.

I understand that the further conference has been held. I was not aware, until I heard the Minister's speech tonight, whether or not the recommendations of Dr. Ashburton Thompson had been adopted. It is not desirable that any one State shall take action to the prejudice of its own business people in advance of concerted action by the whole of the States. We have no right to assume that there will be any great difficulty in getting this concerted action. The fact that all the Governments concurred in the appointment of Dr. Ashburton Thompson, and concurred in the conference he recommended is quite sufficient evidence that concerted action is not far off. I think that for the time being these regulations must be disallowed if only on the business ground.

Hon. W. Kingsmill : That is the least ground.

Hon. J. F. CULLEN : Yes, I say, if only on the business ground, the lowest ground; why should the business people of the State be penalised in this way. The sale will be stopped of a number of lines of trade and orders for all such lines would be sent to the business men of the other States. Why should this be done, in order that this State, for a few months, or for a few years, shall be ahead of the other States of the Commonwealth. It is not a sufficient reason. But that is not the only ground for disallowance. I am satisfied that when all the Governments and parliaments have handled this question, a way will be found for putting down quackery without penalising sound and safe patent medicines. There will be no difficulty in finding that happy midway course. I am not going at any length to criticise the details of the Minister's speech, but I shall say this, that in order to bolster up his case he has done, I think, a great deal of injustice. not only to the proprietors of certain medicines and foods, but to those who conscientiously and honestly have been defending these manufactures. Here is a very singular situation. The Minister claims that some 1,100 formulæ have been deposited with the Government. He admits that the proprietors of most of the well known, popular and trusted remedies have refused to deposit their formulæ. What does this mean ? Why have so many of the other kind of proprietors rushed to the Government? Why have they done that ? I think the Minister has given us the explanation. In answer to a question the other day he said, in effect, this : the Government would respect and reciprocate the confidence reposed in them. I think this is the explanation. Mr. Kingsmill laid his finger on it in his speech. The proprietors of hopeless quackeries say, "Our only safeguard is to fall in with the letter of the law, in order that our subserviency to the Government may earn us some impunity. Whether that is so or not, up to this point it has been the result. Possibly Ministers will say, "We have not had time to look into these formulæ; probably very many of them are scandalous compounds, but we have not had time to look into them." But the Ministers have had time to look into some of the proprietary medicines for which the formulæ have not been submitted, and they have published, on what I hold to be disputable evidence, scathing denunciations of these medicines. Is it possible to get such an explanation of this particular situation, as will do credit to the Government? How is it, when they know that in these 1,100 medicines there must be many of the very worst compounds, they have not touched these, but have gone out after other people and have said, "We will pay you off, we will analyse your preparations and, although an analysis is only a partial piece of evidence, and an unreliable piece of evidence, we will take the risk of scathing you and denouncing you, and you cannot go to the law for remedy."

Hon. W. Kingsmill: T[illegible]e is no risk; the Act provides there [illegible]all be no risk.

Hon. J. F. [illegible] : That is to say, the Government may do it?

Hon. W. Kingsmill: Yes.

Hon. J. F. CULLEN: I would like the Government to explain this peculiar situation. How is it that, knowing the best and most popular preparations are outside, and that they must have the worst outside the formulæ deposited, how is it they have not instructed an analyst to touch these, but have set him on the popular remedies, whose proprietors have been defying the Government? How is it they have gone after the best and not the worst?

The Colonial Secretary: In the cases where misleading advertisements have been published.

Hon. J. F. CULLEN : How did you know they are misleading until you instruct an analyst to go into them?

The Colonial Secretary: I can give you more information if necessary.

Hon. J. F. CULLEN: I think it will be necessary for the Minister to give

more information. I should like to hear an explanation which would enable me to conclude that Ministers, or the board, have not been actuated by reprisals, I will not say spite or malice, that they have not been actuated by a desire to get home on these other persons and have allowed the worst formulæ to remain untouched. I hope, in regard to the answer given by the Minister to the effect that the Government will respect the confidence of all the proprietors who have lodged their formulæ that this will not mean immunity to the quacks. I recognise at once that very stringent legislation and administration will be necessary to safeguard the credulous public. I do not take quite the same stand as Mr. Kingsmill. I admit that there is great need to protect credulous people. It is amazing how much rubbish they will swallow just because it has been boomed in print, and how much evil may be wrought by quacks. I think that for the time being these regulations should be withdrawn, and I therefore submit my amendment to the House. I consider that Mr. Kingsmill's motion must be accepted with a view to secure concerted action by all the States.

Hon. C. SOMMERS (Metropolitan): I second the amendment.

The PRESIDENT: The amendment is now before the House.

Hon. Sir E. H. WITTENOOM (North): I congratulate the Government on their pluck in bringing forward these regulations and also for trying to get so far ahead in the van of public opinion. Of course they have personally no interests to serve. I am quite certain they are actuated by the best motives and for the good of the whole of the community, but at the same time I think they have taken in hand a matter which deserves the most careful consideration. I have listened to the speech of the Hon. Mr. Kingsmill and the reply of the Minister, and I must congratulate Mr. Kingsmill upon the thorough manner in which he went into the whole question. He had evidently carefully prepared his remarks and he dealt with practically every point. I had several on which I intended to speak, but he anticipated them and that prevents the necessity for me to refer to them this evening. I must admit that he made out a very strong case from his point of view. I listened equally as carefully to the reply of the Minister and he was certainly not so strong. He showed that the intentions of the Government were excellent and that their efforts were directed in trying to improve the conditions under which these patent medicines are issued to the public, and there is one condition which puzzles me, and I am not at all clear upon it yet; that is, if these formulæ are submitted to the Government in secrecy, if they are handed in confidentially, so confidentially as the Minister told us to-day that not even the Government Analyst sees them, how are we to know the good ones from the bad? I ask the Minister how he would discriminate between the good and the bad if these formulae were confidentially submitted and had to be put away.

The Colonial Secretary: The Commissioner of Public Health knows.

Hon. Sir E. H. WITTENOOM: If these were confidential, would the Commissioner of Public Health be in a position to analyse them and give the result out to the public if they were proved to be not for the good of the public?

The Colonial Secretary: He could have a medicine analysed and make the analysis public.

Hon. Sir E. H. WITTENOOM: Would not that be a breach of the confidential disposition of the formulae? From the arguments I heard I understood that they were to be deposited confidentially and not even the Government Analyst saw them, and I was wondering what good there would be in depositing them unless it was made known to the public that some were good and some were bad. Now I understand that they go before the Commissioner of Public Health, who exercises his discretion, and who is in a position to announce to the public what are good and what are harmful.

The Colonial Secretary: That is so.

Hon. Sir E. H. WITTENOOM: I have given this matter much consideration and perhaps it comes home to me more than to any other member of the House, as I represent a constituency where these patent medicines are used perhaps more than in any other part of Western Australia. Those hon. members who have knowledge of the country from the Murchison up to Kimberley understand how the people rely to a large extent on patent medicines, and many of these medicines are the very ones the proprietors of which are enumerated as having refused to deposit their formulæ. I think it will be agreed that it will be a great drawback to people living in these out of the way places to be deprived of these particular medicines, which cannot be harmful from the fact that the people have used them for years. When I was a boy on a station a great many of these very medicines were used and no doubt their use is continued to the present day, and if they were harmful the people must have suffered to a tremendous extent, but no doubt numbers of them are good. I have had discussions with people who are expert in this matter and they say that if Perry Davis's painkiller or Beecham's pills are sent in for and are not obtainable they will give the people something else, but the people say they have been used to Perry Davis's painkiller and Beecham's pills and do not want to have anything else. The Minister said that if people were accustomed to taking Perry Davis's painkiller and were asked to have something of the same kind, supposing it were better, those people would not buy it, as they wanted Perry Davis's. I thank the Minister for giving me the argument. In these outback places the people will have their particular medicine and say, "It has stood us for so long, and we wish to have it." That is not the best of arguments, but it is a very strong one and can only be argued against by the State saying, "We are prepared to put in place of these medicines something equally as good," which the public would have to be educated up to. Why I object to these regulations is that I think, as stated by the hon. Mr. Cullen, that it is far too comprehensive a question to be dealt with by one State. If we were to adopt these regulations here I do not think we would be doing much good, and it would prevent a great deal of trade in Western Australia, because if people found they could not procure these particular articles in Western Australia they would send off to the other States for them. In the circumstances, I cannot see that any good would be served by promulgating these regulations. It is a matter which should be left to the Federal Parliament to deal with, so that it may be made comprehensive and all the States may be included in whatever regulations are made. There has been no demand on the part of the people for these regulations. Whoever has asked that these particular medicines should be inquired into or stopped? I cannot remember having heard anyone say anything against them. I will not say that anyone is taking this action from a personal point of view. I think the Government consider they have the best interests of the people at heart, but at the same time they are going in the van of public opinion and there has been no demand for it.

Hon. W. Kingsmill: I do not think they are going in the van; I think the doctors have got them in the cart.

Hon. Sir E. H. WITTENOOM: I always like to hear a smart remark of that sort. I say that we are going a little bit too fast, and I think it will do a lot of harm to the people out back, and therefore, taking all the circumstances into consideration, it would be wiser not to allow these regulations, but we should leave the question to be dealt with in a comprehensive manner by the Commonwealth so as to embrace the whole of the States.

Amendment put and passed.

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

Ayes	14
Noes	5
Majority for	9

AYES.

Hon. E. M. Clarke	Hon. C. McKenzie
Hon. H. P. Colebatch	Hon. E. McLarty
Hon. J. F. Cullen	Hon. C. Sommers
Hon. Sir J. W. Hackett	Hon. T. H. Wilding
Hon. V. Hamersley	Hon. Sir E. H. Wittenoom
Hon. A. G. Jenkins	Hon. D. G. Gawler (*Teller*).
Hon. W. Kingsmill	
Hon. R. J. Lynn	

NOES.

Hon. J. Cornell	Hon. J. M. Drew
Hon. F. Davis	Hon. B. C. O'Brien (*Teller*).
Hon. J. E. Dodd	

Question as amended thus passed.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—FRIENDLY SOCIETIES ACT AMENDMENT.

Second Reading.

Debate resumed from the 27th August.

Hon. H. P. COLEBATCH (East): I do not intend to detain hon. members more than a few moments, for there is only one point to which I wish to draw the attention of the Minister in regard to this short Bill. I think every hon. member of the House will be entirely in sympathy with the motive of the Government in bringing down this Bill. The reason for it is well understood—it is intended to facilitate the operations of the friendly societies. I suppose all of us admire the work that the friendly societies are doing, and all are anxious to assist in every possible way. The desire of the friendly societies in this one particular is that they shall only be compelled to earn interest at the rate of 4 per cent. in any particular fund before transferring the balance, with the permission of the Registrar, to another fund. At the present time they have to earn 5 per cent., and the Government propose to meet them half way and make it 4½ per cent. The last report of the Registrar shows how urgently this amendment is needed, because it reveals very large balances to the credit of the sick and funeral fund, and in many cases a great difficulty on the part of the societies in meeting obligations under the management and medical fund. It has been suggested by the Minister that the Registrar deems it unsafe to allow societies the privilege of transferring to other funds balances earning interest at a rate less than 4½ per cent. I only wish to direct the attention of the Minister to the original Act. Paragraph (b) of Clause 2 of the amending Bill proposes to delete the word "five" in paragraph 4 of Section 12 of the Act of 1894. That paragraph reads—

> Societies and branches which have been reported to possess a surplus at the last valuation made under this Act, and whose scales of contributions for new members have been certified to as adequate by (a) the Registrar; or (b) any public valuer under this Act; or (c) any actuary approved by the Registrar may apply all interest over and above five per centum per annum

It is proposed to reduce that to 4½ per cent.

> accruing from capital funds invested to such purposes as may be approved by the society or branch, as the case may be, and the Registrar.

So that if the Minister would go the whole direction requested by the friendly societies and reduce that from 5 per cent. to 4 per cent. instead of to 4½ per cent., the Registrar would still be able to intervene to prevent any society transferring a balance from one fund to another unless he thought it entirely desirable. Even if the Minister gives all they ask for—and I am sure there are many friendly societies in respect to which that amendment is desirable—it will still be in the power of the Registrar to prevent any society doing it unless he thinks proper. I do not propose to move any amendment to the Bill, or to take any action which may involve its rejection, but I say the Minister should look carefully at that paragraph 4 of the original Act and ask the Registrar if he does not think it would be quite safe to grant the societies all they ask, and make the amendment 4 per cent. instead of 4½ per cent.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. Kingsmill in the chair; Hon. J. E. Dodd (Honorary Minister) in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 12:

Hon. J. E. DODD: The point raised by Mr. Colebath had already received the consideration of the Registrar of Friendly Societies. Those who had met the Registrar would agree that he was one of the keenest officers in the public service. The Registrar was opposed to any further reduction of the rate per cent., and held that it would mean increasing the reserve fund, that from his standpoint as Government Actuary the societies would have to increase their reserves. Consequently that officer did not recommend that the rate should be decreased below 4½ per cent. The trouble to-day was that there was too big a reserve fund. Of course we did not see it in the same light as did the actuary, but most people were of opinion that the reserve funds of friendly societies were maintained on too high a level. The Government Actuary was of opinion that if the rate per cent. was decreased those reserve funds, from his point of view, would have to be increased.

Hon. H. P. COLEBATCH: It was not easy to see why the Registrar should be anxious over this point, when the Act gave him the power to prevent any such transfer even if the rate were reduced to 4 per cent., because such transfer could only be made with the consent of the Registrar. When we looked at the returns and found that the sick and funeral fund had a reserve of £168,000, and that a couple of years ago it was not possible for the societies as a whole to pay their way in respect to the medical and management fund, it would be realised that these societies required a little more latitude. He could appreciate the necessity that there should be absolute protection, but when we had this protection, when the Registrar could still refuse to permit a transfer, it was difficult to see why we should not reduce the rate to 4 per cent., as asked for by the societies. In paragraph (c) it was recognised that 4 per cent. was an adequate interest for the fund to earn, because it was there provided that in the event of the fund being invested in Government securities 4 per cent. would be deemed sufficient. Consequently he could not see why the Government would not give the societies all they asked for, in view of the fact that the Registrar would still have power to intervene.

Hon. J. F. CULLEN: Mr. Colebatch's desire was practically met by paragraph (c). As a matter of fact, nearly all the friendly societies funds were invested in Government or municipal securities.

Hon. H. P. Colebatch: No.

Hon. J. F. CULLEN: The tendency was to invest more and more in Government securities.

Hon. H. P. Colebatch: The Registrar says just the opposite.

Hon. J. F. CULLEN: At all events, in the other States the tendency was to invest more and more in Government securities. Under paragraph (c) all moneys invested in Government and municipal securities, if earning 4 per cent. were deemed to come within the clause. It would be very desirable to encourage friendly societies to invest more and more in Government and municipal securities. All members would agree that the friendly societies were doing splendid work, and would commend them on the wonderful safeguards provided against failures in connection with their funds. By the encouragement of economy and thrift the friendly societies were doing wonderful work.

Hon. J. E. DODD: Members should do all they possibly could to assist the friendly societies, but in a matter of this kind we had to be guided largely by the administrator of the funds. It was wise to act upon the advice of a man like Mr. Bennett. On Mr. Colebatch's line of argument we might as well limit the rate to 2 per cent., or even 1 per cent.

Hon. H. P. Colebatch: The Registrar would have too much power then.

Hon. J. E. DODD: The Registrar was of opinion that 4½ per cent. was just about the extent to which we could go. Therefore we would not be justified in accepting any amendment in the direction of lowering the rate.

Hon. H. P. COLEBATCH: For the benefit of Mr. Cullen it might be pointed out that the sick and funeral fund amounted to £168,000, of which £132,000 was invested in mortgage. Practically

nothing was invested in Government or municipal security.

Clause put and passed.

Title—agreed to.

Bill reported without amendment, and the report adopted.

BILL—GAME ACT AMENDMENT.

In Committee.

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill.

Clauses 1, 2, 3—agreed to.

Clause 4—Insertion of new sections after Section 12 :

Hon. R. J. LYNN : In view of a question asked the Colonial Secretary that afternoon, he would like progress to be reported pending a reply. He understood that there was a considerable amount of trafficking going on in connection with opossum skins, and certain licenses had been granted in order to permit certain individuals to buy and export opossum skins. If that was so, progress ought to be reported in order that hon. members might have a definite statement from the Minister. He had seen a signed letter which stated that a certain person had full authority to trap and issue licenses and trade generally in opossum skins. If such an agreement existed the clause would give the Minister considerable power which would nullify the effect of the Bill.

The COLONIAL SECRETARY : There was no truth whatever in the assertion that the department had licensed any person to kill opossums. It had been reported that opossums were being killed, and only last week instructions had been given, in consequence of a letter received from the Great Southern district, for the Inspector of Fisheries, who was entrusted with the administration of the Act, to investigate the matter and prosecute the party.

Hon. R. J. Lynn : No trading ?

The COLONIAL SECRETARY : There might be, but the Government intended to put it down. There was no power to grant a permit to anyone to kill opossums for the purpose of selling their skins. The Government had prohibited the destruction of opossums in Western Australia for another twelve months, a proclamation for which went through Executive Council only about a fortnight ago.

Hon. R. J. LYNN : From the information received by him the individual was offering so much a dozen for opossums to stock a farm—15s. alive and 20s. dead, clearly indicating that the opossums were not required for stocking a farm but for trading purposes. In trapping opossums a considerable number were killed, and this individual, he understood, held a license to enable him to export the skins. The fact that more was offered for them dead than alive was clear indication that the animals were required for trading and not for farming purposes. With the Minister's assurance that no lease or license had been given to any one man to do this, he was satisfied.

The COLONIAL SECRETARY : There could be no permit granted until the Bill became law. If it was passed, the Minister could grant a permit for persons to take opossums to stock a farm, but before that was done, regulations would be framed and all possible safeguards would be adopted. In fact, the Government were going into the matter now and were preparing very strict regulations.

Hon. R. J. Lynn : You have absolutely prohibited the exportation of skins ?

The COLONIAL SECRETARY : Yes, for twelve months.

Hon. J. F. CULLEN : In the course of the debate on the second reading, it was pointed out that the clause assumed that only leased land could be occupied for the purpose set out by the clause. There was no reason why freehold land should not be occupied as owners of freehold might apply for permits for opossum farming. He therefore moved an amendment—

That the words in line 29 "have obtained a valid lease" be struck out and the words "be in lawful possession" inserted in lieu.

Amendment passed.

On motions by Hon. J. F. CULLEN clause further amended by striking out of line 36 "leased" and inserting "said" in lieu; also in line 37 by striking out "lessee" and inserting "person"; also in line 48 by striking out "lessee" and inserting "licensee."

Clause as amended agreed to.

Clause 5—agreed to.

Clause 6—Insertion of new section after Section 14.

The COLONIAL SECRETARY moved an amendment—

That in line 22 "September" be struck out and the word "October" inserted.

The clause provided for the punishment of a person dealing in native game during the close season. The object of the amendment would be to give people 30 days notice, which was reasonable.

Amendment passed.

The CHAIRMAN: Line 25 will be consequentially amended.

Clause as amended agreed to.

Clause 7—agreed to.

Clause 8—Amendment of Section 23:

The COLONIAL SECRETARY: The object of inserting this clause was to make Section 23 clearer, but on examination the clause appeared to be just as vague as the original section. It could be read in two ways. An amendment had been drafted which made the matter perfectly clear. He moved an amendment—

That all the words after "deletion" be struck out and the following inserted in lieu:—"of the words 'that the same has not been illegally bought or sold, or is illegally in the possession of any person,' and the insertion of the words following: 'that such game has not been illegally bought or sold and has not been killed, taken, or acquired contrary to any provision of this Act.'"

This meant that the person must make a statutory declaration that such game had not been illegally bought or sold or acquired contrary to any provision of the measure.

The CHAIRMAN: The attention of hon. members might be drawn to the addendum to the Notice Paper on which the amendment appeared. This was unauthorised inasmuch as it did not come from the proper channel. Mr. Hillman, the Clerk, had been instructed to make necessary inquiries as to how this had come about. Otherwise the amendment as it appeared was in order.

Amendment put and passed, the clause as amended agreed to.

Clauses 9, 10—agreed to.

Title—agreed to.

Bill reported with amendments.

BILL — FREMANTLE HARBOUR TRUST ACT AMENDMENT.

In Committee.

Hon. W. Kingsmill in the Chair, the Colonial Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Security to Customs:

Hon. D. G. GAWLER: The Colonial Secretary might refer this clause to the draftsman to ascertain whether the Commonwealth Customs Act was properly referred to in the Bill as "Customs Act, 1901."

The COLONIAL SECRETARY: The matter would be referred to the Parliamentary draftsman, and if necessary the Bill would be recommitted.

Clause passed.

Clause 3—agreed to.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—RIGHTS IN WATER AND IRRIGATION.

Second Reading

The COLONIAL SECRETARY (Hon. J. M. Drew) in moving the second reading said: This Bill is practically the same as the one introduced last session, and as I then explained its provisions at considerable length, I do not propose tonight to weary hon. members with needless repetition. In order, however, that hon. members may be fully seized with the proposals it is necessary that I should pass a brief review of the purpose of the Bill and the objects sought to be achieved.

I shall, of course, be careful to point out to members the salient points of difference between the present proposals and the Bill of last year. The possession by the State of an extensive and valuable area suitable for intense culture is well known to all hon. members, and there is no need to stress that particular point, but the mere possession of that area is in itself of no advantage to the State, and it becomes our duty as legislators to consider the means by which that country can be put to practical use in adding to the productiveness of the State as a whole. This Bill represents the Government's idea of achieving that desirable object. For years past public men and thoughtful citizens have deplored the fact that although we have made wonderful strides in certain phases of agricultural development, little or no headway has been made in the direction of overtaking the huge leeway in the matter of daily products. It is no exaggeration to say that to-day our State is as dependent as ever on outside sources of supply for such necessaries as butter, eggs, bacon, ham, cheese, and so forth. I think it will be admitted it is an ever present reproach with us, and I use the word reproach for the reason that I feel this condition of things is removable. It is not due to any cause which cannot by our own efforts be removed. When we realise how much has been done in other countries to supplement nature it must be admitted our State has been somewhat laggard in this particular respect. Though the South-Western districts of the State have been extolled as ideal for the production of foodstuffs, the fact remains that we do not produce a fraction of what is needed in order to supply the requirements of our own people. As in the case of last year's Bill we propose at the outset to commence operations in the South-West, utilising the various rivers and watercourses for impounding water for the purposes of irrigation. Though considerable difficulties were presented to the House last year as to the capacity of the proposed reservoirs in connection with the rivers, more extensive surveys have since demonstrated that there is considerably more water available than was considered to be the case last year. The administration of this measure when it becomes an Act is to be placed under the Minister for Works, who will have the assistance of three commissioners to be appointed by the Governor, and provision is made for the constitution of irrigation districts by the Governor, on the recommendation of the Minister, acting on the advice of the commissioners. Necessary provision is also made for the amalgamation and subdivision of districts and for the definition by Order-in-Council of the conditions governing the supply of water. There are various proposals as to the constitution of the irrigation boards, either by the appointment of local governing bodies or by the nomination of the Governor, or by election by the owners of irrigable land. Pending the formation of a board in any district or on the dissolution of a board, all lands dedicated to the purpose of the Bill and also all irrigation works are vested in the Minister. Rights in natural waters are defined under Part III. of the Bill. Subject to certain restriction and until appropriated to the purposes of the Bill, it is declared that the waters of any watercourse, lake, marsh, spring, or subterranean flow shall vest in the Crown.

Hon. D. G. Gawler: Does that include artesian waters?

The COLONIAL SECRETARY: It does not interfere with artesian wells; it will not affect artesian supplies in the future. As I was saying, the waters of any watercourse, lake, marsh, spring, or subterranean flow shall vest in the Crown. The rights of the individual to construct a dam or a storage tank on any land of which he is the owner or occupier, will not be interfered with in any way whatever, so long as the flow of water is not sensibly diminished.

Hon. Sir E. H. Wittenoom: It includes artesian wells.

The COLONIAL SECRETARY: But not existing artesian wells. The Bill does not apply to the waters of a spring until such water has passed the boundary of the land on which it has its source. Another exception of some importance is

that the Bill does not apply to water from any subterranean source from which there is not a natural flow, that is, from which the water has to be pumped. The Bill declares in respect of any watercourse, lake or lagoon which form the boundary or part of the boundary of a parcel of land heretofore alienated by the Crown, the bed thereof shall be deemed to have remained the property of the Crown, and for the future alienation of such land will not carry with it alienation of the bed of the river or watercourse. Under this Bill water cannot be diverted except under legal sanction, although right of access by any owner or occupier is preserved. In addition to that, the owner or occupier will have all rights to sue for trespass. What hon. members will desire to know is what is the difference between the Bill now and the Bill presented to the House last year. It is not necessary for me to refer to all the clauses of this measure. It has been before the House before and very carefully considered by, I think, every member. Therefore, what I propose to do is to explain as clearly as I can what alterations have been made in the Bill since it was presented to the House before. On page 2 the definition of banks has been deleted from the interpretation clause, so that banks of rivers or streams will not be included in what some hon. members might characterise the confiscatory provisions of the Bill. The first paragraph on page 3 reads—

> In the expression "Lake, lagoon, swamp or marsh," each term means a natural collection of water into and out of which passes either continuously or intermittently in a natural channel a current forming the whole or part of the flow of a river, creek, stream or watercoursse.

Last year instead of reading "natural collection of water into and out of" it read "into or out of." Now it is necessary before the water can be utilised that the stream shall run into and out of a lake, lagoon, swamp or marsh; in fact, that the lake shall be part of the river or stream.

Hon. D. G. Gawler: It does not include still water.

The COLONIAL SECRETARY: That is the whole thing.

Hon. J. F. Cullen: Intermittently may mean only at flood time.

The COLONIAL SECRETARY: Well, there may be great floods and it may be necessary to conserve the water. On the same page there is a definition of spring as meaning "A spring of water naturally rising to and flowing over the surface of the land." "Swamp lands" have been deleted and "Spring" has been inserted instead, and therefore a definition of spring is given, but if hon. members will turn to Clause 4 they will see a proviso that affords ample protection to property owners—as much protection, anyhow, as they can reasonably expect. This is the third paragraph of Clause 4—

> Provided also that this Act shall not apply to the water flowing from any spring until it has passed beyond the boundaries of the land belonging to the owner or occupier of the land whereon such spring exists; and it shall also not apply to any subterranean source of water from which the water does not flow naturally, but has to be raised by pumping or other artificial means.

Sub-clause 4 of Clause 3 on page 4 reads, "The Governor shall from time to time appoint three or more persons, who may be officers of the public service, as commissioners." In last year's Bill the commissioners had to be members of the public service, and now this measure says they may be members of the public service, but not necessarily. On the same page in Clause 4, after the word "Spring," in the third line the words "artesian well" appeared last year. The clause now reads—

> 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 spring

Here the words "artesian well" appeared in last year's Bill—

> and subterranean source of supply shall, subject only to the restrictions hereinafter provided, and until appropriated under the sanction of this Act, or of

some existing or future Act of Parliament, vest in the Crown.

"Artesian well" has been deleted.

Hon. D. G. Gawler: But you still retain "subterranean source of supply."

The COLONIAL SECRETARY: Yes.

Hon. D. G. Gawler: That means "artesian well."

The COLONIAL SECRETARY: That is not the interpretation. "Artesian wells" already in existence are not affected.

Hon. Sir E. H. Wittenoom: Subterranean source of supply would mean any artesian well in existence that happened to be running over.

The COLONIAL SECRETARY: Well, we can discuss this matter when the Bill is in Committee. Clause 7 means exactly what Clause 8 in the Bill of last year meant, but it has been condensed. On page 8, in Clause 14, there is an alteration. The latter part of the clause now reads—

> and every owner of land alienated from the Crown before the commencement of this Act shall have a further right to such water for the irrigation of a garden not exceeding five acres in extent, being part of such land and used in connection with a dwelling.

Last year the owner was entitled to water for the irrigation of only a garden not exceeding three acres in extent, and that has been increased to five acres. In Clause 15 there is a similar consequential amendment.

Hon. E. M. Clarke: Will the Minister explain if it is imperative that the water shall be used in connection with a garden, or is it optional to irrigate for any purpose?

The COLONIAL SECRETARY: It can be used for the purposes of a garden only. It cannot be used for industrial purposes.

Hon. E. M. Clarke: This could only be used in connection with a dwelling, whereas it may be necessary to use it for growing stuff for commercial purposes.

The COLONIAL SECRETARY: If the use of the water went outside this clause a license would be necesary. The owner would then be required to pay rates and water would be supplied to him. The water allowed under this clause is confined to that for use on a garden not exceeding five acres in extent, being part of land in connection with a dwelling. If the owner wants water outside of this provision he will have to pay for it. The next amendment is in Clause 16, which reads now "The Minister may, on the advice of the commissioners, grant a license to any owner or occupier of land." Last year the clause simply read "The Minister may grant a license." He could do it without the advice of the commissioners and simply on his own responsibility, but by this amendment he can do it only with the advice of the commissioners. Then in Clause 17 line 22 reads—

> but in no case shall he be entitled to a greater quantity of water than five thousand gallons per day for domestic and ordinary use—

Last year the Bill read "four thousand gallons."

> and for watering cattle or other stock, in respect of every mile of frontage measured by the general course to such watercourse, or to such lake, lagoon, swamp or marsh, and three hundred thousand cubic feet per annum—

Last year the clause read "two hundred thousand gallons."

> for the irrigation of a garden not exceeding five acres in extent, being part of the land adjoining the bed thereof, and used in connection with a dwelling.

Last year the provision was for a garden not exceeding three acres in extent. The third paragraph of Clause 23, dealing with the control of artesian wells, provides that the Governor may reserve an area at the actual site of the well. Last year the words "At least forty acres" were inserted after "area," but these have been omitted from this measure. Thus, under last year's Bill the Governor had to reserve at least forty acres. So great an area might not have been necessary, but he could not reserve less. There might, however, be cases where 20 acres would be enough.

Hon. J. F. Cullen: He may be able to reserve more under this clause.

The COLONIAL SECRETARY: I think he could under last year's Bill, but

he had to reserve a minimum of forty acres. The old Clause 25 is deleted. It dealt with the waste from artesian wells and empowered the Minister to put on a meter at his discretion. That was a bone of contention in this House and the Government have not included that clause in the Bill this year. Clause 26 was inserted in another place. It was not necessary, because all it does is covered by the interpretation clause. However, there is no objection to it. Clause 27, dealing with the constitution of the irrigation districts, reads "The Governor may, on the recommendation of the Minister, acting with the advice of the commissioners." These words, "acting with the advice of the commissioners," have been added this year; they were not in last year's Bill. In Clause 32, "Construction and maintenance of works," the powers of the Minister have been restricted this year. The clause originally provided that the Minister might exercise all the powers conferred by the measure on a board, but the words added are "Except the power to borrow money conferred by Section 51."

Hon. J. F. Cullen: Is there no remuneration for a board?

The COLONIAL SECRETARY: It does not appear to be provided in the Bill.

Hon. C. Sommers: Is there no power to raise money to carry on the work?

The COLONIAL SECRETARY: Under Clause 39, "Irrigation Rates," the board, with the approval of the Minister, has power to levy rates. Clause 51 is entirely new. It gives power to a board, with the approval of the Governor, to borrow money for the construction of works, for the payment of the cost of works charged to the board under Clause 45, to discharge the principal money of any loan to or other indebtedness of the board, or for any other purposes approved by the Governor in connection with the board's administration. Clause 63 is necessary for the purposes of enabling the Midland Railway Company to use water in connection with the carrying on of their railway operations, and not to interfere with their rights in any way, and the following words are used after "railway": "Constructed under the authority of a special Act; and, subject only to riparian rights under this Act, water may be lawfully taken for such purposes."

Hon. E. M. Clarke: Mr. Murdoch, manager of the Midland Railway, claimed in his evidence that that would not suit him.

The COLONIAL SECRETARY: Last year.

Hon. E. M. Clarke: Or this either. He said he wanted to be in a position to dispose of certain dams.

The COLONIAL SECRETARY: What dams are those?

Hon. E. M. Clarke: The dams referred to in Clause 63.

The COLONIAL SECRETARY: That is a matter to be considered in Committee. I am given to understand that the company asked for this particular clause, and it was drafted by someone outside the Government service, at their suggestion. Those are the only alterations, and I sincerely hope the Bill will pass in such a form as will be acceptable to the Government. I move—

That the Bill be now read a second time.

On motion by Hon. H. P. Colebatch debate adjourned.

ADJOURNMENT—SPECIAL.

The COLONIAL SECRETARY (Hon. J. M. Drew) moved—

That the House at its rising adjourn until Tuesday, the 16th September.

Question passed.

House adjourned at 8.36 p.m.