

Mr. Moody's care until a few weeks before the orchard was uprooted. The Fruit Industries Commissioner is no longer an employee of the Government, and so from that standpoint the Royal Commission is not needed. I do not know what could be gained by appointing the Royal Commission.

Hon. J. Ewing: It would serve to rehabilitate the district.

Hon. C. F. BAXTER (Honorary Minister): I do not think it could do any good in that direction. Since the motion was moved I have obtained a copy of the "South Western Times" of 11th May, 1918, which contains a detailed report of the meeting at Brunswick at which Mr. Clarke was requested to move for a Royal Commission. The motion carried stated definitely "The experience of practical orchardists in the district proves that fruit can be profitably grown in the district." A long discussion followed on that, but no proof was given that fruit could be grown commercially in that district. I myself have seen in the district plots on which fruit was growing well. But that does not apply to the whole of the district, nor does it say that the fruit I saw growing so well was being produced on a commercial basis.

Hon. J. Ewing: That does not square with Mr. Price's statement.

Hon. C. F. BAXTER (Honorary Minister): There again, Mr. Price is not speaking from a commercial standpoint. Whether the orchard I saw is commercially successful is another thing altogether. One might take a plot of ground, put into it an enormous amount of money, and as a result grow good fruit. But the cost would preclude the orchard returning a profit. That would not be a commercial success. At the meeting referred to, no proof was given that fruit could be commercially grown in the district. Mr. Clarke stated that he himself had grubbed up 15 acres of orchard, and that he had only done this after thoroughly testing the land for 15 years. In view of this, is it not reasonable to suppose that Mr. Willmott, who issued the instructions for the grubbing up of the orchard, was guided by Mr. Clarke's experience? I just mention these points to show how inconclusive would be the evidence submitted to the members of the Royal Commission. Hon. members will agree that when thousands of pounds have been put into a small orchard it never could be a commercial success. The total quantity of the fruit which would have been taken off the orchard this year was estimated at a value of £48, provided that the whole of the fruit on the trees ripened. Mr. Price, whose judgment in connection with the uprooting of the orchard has been questioned, has had nursery experience in this State for very many years.

Hon. E. Rose: Where? Not between here and Bunbury.

Hon. C. F. BAXTER (Honorary Minister): He is acknowledged by all connected with the industry to be one of the ablest orchardists in Western Australia. There is no doubt about his ability. He has a good practical knowledge of both the coastal and the inland country in this State. Suppose Mr. Price were called as a witness before the Royal Commission. His evidence would certainly outweigh that of a number of other witnesses. In these circumstances it would be a waste of time and of money to appoint the Royal Commission to go into this matter. Mr. Price has not only written a report on the subject, but he has given us illustrations showing the root

system as it existed at Brunswick, as against the proper root system. I do not pose as an expert but the roots I saw down there proved conclusively to me that the ground they were in was not suitable for fruit-growing. The roots were running along only a few inches below the surface. There is there a very hard claypan only a few inches down. It is all very well for hon. members to talk about there being no expense in connection with the proposed Commission, but I remind them that witnesses cannot be called to give evidence without the incurring of expense. Then there would be the taking down of the evidence, and the cost of the whole of the printing. Therefore although members of the Commission would not receive any fees, the Commission would nevertheless be expensive, just the same. I am opposed to the motion on the ground that the appointment of the Commission would result in no good, but would merely increase the financial burden of the State.

On motion by Hon. V. Hamersley debate adjourned.

House adjourned at 10.31 p.m.

## Legislative Assembly,

Tuesday, 28th May, 1918.

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

[For "Questions on Notice" and "Papers Presented" see "Votes and Proceedings."]

### BILLS (3)—RETURNED FROM THE COUNCIL.

- 1, Fire Brigades Act Amendment (without amendment).
- 2, Insurance Companies (with amendment).
- 3, Stamp Act Amendment (with amendments).

### BILL—VERMIN.

In Committee.

Resumed from the 24th May; Mr. Stubbs in the Chair, Hon. F. E. S. Willmott (Honorary Minister) in charge of the Bill.

The CHAIRMAN: The position is that we are considering Clause 83, Subclause 2 (applicant to secure repayment of cost by mortgage), to which Mr. Johnston has moved an amendment that a proviso be added as follows:—"Provided that such advances shall only be made when the existing mortgagees of the holding have given their consent in writing."

Hon. F. E. S. WILLMOTT: I am prepared to accept the amendment if it is put in different form. The amendment should be inserted after the word "taxes" in line 8, and should read "provided that existing mortgagees, if any, shall have consented in writing to the application."

Mr. JOHNSTON: In view of the Minister's remarks, I will withdraw my amendment.

Amendment by leave withdrawn.

Hon. F. E. S. WILLMOTT: I move an amendment—

"That after 'taxes' in line 8, the following be inserted:—'Provided that existing mortgagees, if any, shall have consented in writing to the application.'"

Hon. T. WALKER: We have here a provision for a first charge on land. What becomes of the other mortgagees? Suppose there is already an advance from the Agricultural Bank for improvements. Can we make a conflict of Acts of this nature? Already by Act of Parliament the Agricultural Bank is the first mortgagee.

Hon. F. E. S. Willmott: It is my intention to move another amendment at the end of the Bill.

Hon. T. WALKER: That may be all right. The Minister might explain that proposed amendment, and at the same time state what the possible effect of this may be upon the holder. Suppose the holder has given a mortgage to the Agricultural Bank and another to the Industries Assistance Board, and has also had to go to a private institution. It may be possible that there are three or four mortgages upon the one holding. Whilst I do not think the Agricultural Bank would object to anything that would increase the security of the holding, I can easily understand a prior mortgagee objecting to loading up the property with obligations. What, then, will be the position of the holder? He may be compelled by the board to fence, yet if any of the mortgagees withhold his consent the holder cannot obtain the necessary wire-netting. That might be a hardship upon the holding. The settler cannot get his supply anywhere else but from the Government, and yet the private mortgagee can step in and withhold his consent with the result that the man cannot get his wire netting.

Hon. F. E. S. WILLMOTT: I propose to move a new clause later on which will do away with the hon. member's first objection. In all cases it is necessary to give the mortgagee a chance to say whether or not he will have further incumbrances put upon the property. The man who has received notice to fence may be in such financial circumstances that the mortgagee could not give his consent. In that case the mortgagee would foreclose and would have to fence himself. It is only fair that the mortgagee should have to give his consent in writing.

Mr. Johnston: Otherwise we will not get any money from the newer districts.

Hon. T. WALKER: The proposed new clause does not answer my objection in regard to the case of priority. All that it says is that notwithstanding that a new

mortgage is created, it shall not exceed the existing mortgage with the Agricultural Bank, and shall not preclude the Agricultural Bank from making further advances. By two Acts of Parliament we shall have two priority mortgages, which is an absurdity. Now we have by Act of Parliament priority given to the Agricultural Bank.

Mr. Johnston: The Agricultural Bank would only lend upon a first mortgage.

Hon. T. WALKER: That is so. We could say, however, "the first charge upon land after the claim or mortgage of the Agricultural Bank." The further difficulty in regard to wire netting has not been settled by the Honorary Minister. The board may order a settler to put up wire netting, but the settler may be unable to procure it. What is the position of the mortgagee who has already got his money from the Agricultural Bank and the Industries Assistance Board, and given a mortgage to private financial institutions, when on top of all this the board comes along with a demand that he should fence in his holding? I ask the Honorary Minister to give some further explanation in the matter.

Hon. J. MITCHELL: Where the owner desires to fence his land he may apply for netting. This clause is a dangerous one, and will do incalculable harm, and it will be impossible to borrow money if it is allowed to stand. The Honorary Minister has outlined the direction in which he proposes to meet the case. The Minister read a second amendment which makes it necessary for the owner to obtain the consent of the mortgagee. That will cover the Agricultural Bank. If the farmer wants wire netting, let him go to the Agricultural Bank. The House and the country would know then how much money was being advanced to the settler. It is quite useless to order a farmer to do something which he cannot do because of the absence of material and to fine him if he does not do it. Therefore, there should be a right of appeal to the Minister.

Hon. W. C. ANGWIN: If we turn to Clause 91 we find that every owner and every occupier of a holding shall at all times, and at his own cost and expense, destroy all vermin upon such holding, or upon any roads bounding or intersecting that holding. Therefore, the occupier or owner is compelled to destroy all vermin. He might find the cost is excessive owing to the fact that so much land surrounding him is a breeding place for the vermin, and he might find that it would mean driving him off the land. Then he must get permission from the mortgagee before he can fence and if the mortgagee says, "No; I will not allow you to increase the amount owing on your land by giving you permission to fence," the man will on that account also be driven off the land. Seeing that it is necessary that the vermin should be destroyed, I agree with the member for Northam. So far as the Government are concerned, they will have no difficulty but it is in connection with a private mortgagee that the difficulty will arise.

Hon. F. E. S. WILLMOTT: Under Clause 91 the mortgagee is equally responsible with the owner. Is it likely that the mortgagee is going to do anything to make it a more ex-

pensive matter for the owner? If the mortgagee considers that the destruction of vermin is going to be more expensive than it would be put to a fence around the holding, the mortgagee will give his consent immediately to have the fence erected. If he considers it will be too great an expense to fence, but that the vermin can be destroyed, he will say, "I will not agree to give consent for the purchase of the netting" and the owner or occupier must keep down the vermin without the fence. Then the mortgagee will be equally responsible.

Hon. T. WALKER: Subclause 2 reads: "Before any wire netting, or other appliances, are supplied, the applicant or applicants, shall execute a mortgage of his or their holdings," and the difficulty might be overcome by adding to that sentence the words, "to the Agricultural Bank who, for the purpose of this clause, shall be deemed to be the mortgagee." The clause provides for supplying a holder with wire netting from the Government, and if we make the bank responsible for advancing the cost of the wire it will do away with the difficulty of the priority of a mortgagee.

Mr. Teesdale: It will tie the whole thing up if one man objects.

Hon. T. WALKER: Yes, it may be some small mortgagee who wants to get hold of the property. Such a thing has happened and we must legislate to meet it if such a case occurs. I want to get over the difficulties of the first mortgagee and in some way to get the fencing done.

Hon. J. MITCHELL: You will not. Where the mortgage is given to the Government, it will be given to the bank.

Hon. T. WALKER: Yes. But before I can move my amendment it will be necessary for the Minister to withdraw his.

Hon. F. E. S. WILLMOTT: If I can move my amendment later, I will withdraw it now.

Amendment by leave withdrawn.

Hon. T. WALKER: I move an amendment—

"That in line 3 of Subclause 3 after 'holdings' the words 'Agricultural Bank, which bank for the purpose of this clause shall be deemed to be the mortgagee' be added."

Amendment put and passed.

Hon. F. E. S. WILLMOTT: I move an amendment—

"That after the word 'taxes' in Subclause 2, line 8, the words 'providing that the existing mortgagees, if any, shall have consented in writing to the application' be added."

Amendment put and passed.

Hon. T. WALKER: Cannot the hon. member do something provided the mortgagee objects? Is there any way to overcome the difficulty? The objection of the mortgagee stops the man getting the wire netting.

Hon. F. E. S. WILLMOTT: The mortgagee has all the responsibilities of the owner.

Hon. T. WALKER: I do not pay much attention to the obligation of the mortgagee.

Hon. F. E. S. WILLMOTT: Should the occupier of the land demand that his land be fenced and the Agricultural Bank does not

agree, and the owner says, "Well, I will go off the land if you do not," then the Agricultural Bank is responsible under "owner" to keep the land free from vermin and it will never be able to do it.

Hon. T. WALKER: Any lesser mortgagee can object. There is divided responsibility. First of all, the occupier is responsible, and then the owner is liable, and now is brought in the mortgagee. The whole burden will fall on the occupier. I want to show by the statements of the Minister that it would be a long time before reaching the mortgagee to make him responsible for destroying the vermin. There is the board, then the Minister, then the owner living off the land, and then the mortgagee.

Hon. J. MITCHELL: As far as the owner is concerned, we are making it possible for him to obtain money only from the Agricultural Bank. That is not advisable. When we say to the mortgagee who may be living at Wyndham or Encla, "You have got to see that the occupier carries out the provisions of the Bill," that is a mistake. We must be particularly careful that we do not insert a word that does not mean something. I do not see how we can make the mortgagee consent if he does not wish to consent; neither would it be wise to attempt to make him. In the back country fencing is more necessary for keeping out dingoes and keeping in sheep than as a protection against rabbits. Since in the back country we have not fenced to keep in stock, it would be wise, when we do fence, to put up rabbit-proof fencing.

Mr. GRIFFITHS: It would be as well to leave the provision as it is now. Under it the position is met as well as we can expect. Investment in town properties to-day is far more profitable, and therefore far more popular, than investment in country properties; and we do not wish to discourage the latter form of investment. Under Clause 81 we gave a right of appeal, and something similar should be provided here.

Mr. HICKMOTT: I am opposed to any compulsory fencing, either fencing in water or fencing out rabbits. The board will have power to make the holder of any property destroy any vermin on it, failing which the board may enter. In a fertile district of Victoria which I know, a district containing a string of lakes and therefore never dry, hardly an acre is fenced with wire-netting, the matter of fencing being left entirely to the individual owner's discretion; and the results there have been very satisfactory.

Hon. J. MITCHELL: Subclause 3 provides a penalty of as much as £2 per day for every day during which a land holder makes default in keeping his fences in complete repair. But no man could guarantee to inspect all his fences daily. The clause as it stands would compel an owner to go round his fences very frequently indeed.

Mr. Teesdale: Do not you think it is important that he should?

Hon. J. MITCHELL: Yes; but we must make the provision practicable. No holder of a pastoral lease could inspect all his fences daily. In this respect the clause is harsh. Per-

haps the Minister would recommit the clause if, upon consulting with the Chief Inspector of Rabbits, he finds that it could be modified.

Hon. T. WALKER: Subclauses 3 and 5 ought to be deleted. My whole objection to the Bill is that it will entail much irritation and heavy expense on land holders. Attention to fencing is generally a matter left for slack periods; but if an inspector comes along during the busy period and finds a fence not in order, he may direct the farmer to repair it immediately. Then, if the farmer is a sensible fellow and does the more urgent work first, he makes himself liable to a penalty of £2 per day. The whole clause is nothing but a series of penalties and threats against the settler who is struggling to develop the country. Indeed, the Bill seems one for making the life of the cocky hard. If I borrow money to fence my farm, and the mortgagee is willing to lend on the security I can offer, the matter is one between myself and the mortgagee; chiefly a matter for myself, because it is the land that is the security. I intend to move the deletion of Subclause 3.

Mr. HARRISON: I agree with the hon. member that the penalty is altogether too much. Why should we penalise a man in respect of his own property, unless indeed it was a menace to others? It is at his own option that he is supplied with wire netting, and for his own security, having incurred that outlay, he will see to it that his fence is not allowed to fall into disrepair. I think the provision is too drastic.

Mr. GRIFFITHS: There are in the Bill 20 clauses providing for the infliction of penalties. Some of them appear to be very drastic. Hon. members should watch these penalty clauses and seriously consider whether the penalties are not too heavy. Most of them have been taken from existing Acts.

Hon. F. E. S. WILLMOTT: The Government have no wish to be harsh in this matter. If hon. members think that a proviso should be inserted, I will consult the Crown Solicitor and see that such provision is made.

Hon. T. Walker: How would you do it?

Hon. F. E. S. WILLMOTT: It is a matter for the owner to say whether or not he will fence. If he fences, it is said he is not likely to let his fence get into disrepair. Well, if that be so he is not likely to become liable to this penalty. However, if hon. members desire it I will have a proviso inserted.

Hon. J. MITCHELL: I move an amendment—

“That after ‘duty’ in line 6 the words ‘when required to do so by the inspector’ be inserted.”

The amendment will sufficiently protect the owner.

Hon. T. WALKER: It is understandable that a pastoralist, using a Government fence for his own convenience, should pay for the maintenance of that portion of the Government fence which he uses. But this is not a Government fence which we are considering; it is strictly a private fence. A settler anxious to be free of vermin goes to the expense of putting a rabbit-proof fence all round his holding.

Hon. J. Mitchell: It is a national question.

Hon. T. WALKER: But this provides that a man must maintain his own fence at his own cost. It is tantamount to saying that once a man has built his fence it is no longer a private fence, but becomes a public fence.

Hon. F. E. S. Willmott: This refers to only persons who agree to fence under Clause 79.

Hon. T. WALKER: It is a private fence on a private property.

Hon. J. Mitchell: But Government money was used in the building of the fence.

Hon. T. WALKER: Money borrowed on security. The question of repairs is for the private owner's own convenience and consideration.

Mr. Teesdale: He must keep his security in good order.

Hon. T. WALKER: It is the farm, and not the fence, which constitutes the security.

Hon. F. E. S. Willmott: The man gets the wire netting under certain conditions. If the conditions do not suit him he need not get the wire.

Hon. T. WALKER: But you are harassing him. You are putting up absurd conditions against him. He must be allowed to be his own judge as to the maintenance of the fence.

Mr. HARRISON: The Minister said that the provision refers to only persons who agree to fence under Clause 79. I do not think that is so. Let us say that several holders want to get a boundary fence round their blocks. The holder on the boundary fence has to keep the fence in repair under this clause.

Hon. F. E. S. Willmott: How can he be on the boundary of several blocks?

Mr. HARRISON: There would be several holdings enclosed, and each owner is responsible for the upkeep of the fence on his particular boundary. One holder may have a small acreage only, but the fence might include a large acreage. I think those who are protected by the fence ought all of them to be responsible for the upkeep of the boundary fence.

Hon. F. E. S. Willmott: No one with his eyes open would put forward such a silly argument as that. The man would not join in.

Mr. HARRISON: Then there is an advantage to the small holder who joins in with the larger holder. It would be more equitable if the area protected was paid for by all included within the area, on a pro rata basis. There ought to be some mutual arrangement in the matter. Is there any clause in the Bill which protects holders with regard to the maintenance of the boundary fence?

Hon. T. WALKER: I am surprised at the way in which the Honorary Minister has misled the Committee. This clause does not alone concern those who enter into an agreement under Clause 79.

Hon. F. E. S. Willmott: I do not agree with you. It deals only with the particular fence.

Hon. T. WALKER: There are two sets of persons mentioned, and one set has nothing to do with the other set of persons who enter into an agreement under Clause 79. Anyone under this clause who wants to fence in his

holding with wire netting can apply to the Minister.

Hon. F. E. S. Willmott: That is what I said.

Hon. T. WALKER: The Honorary Minister said this only applied to those who were governed by Clause 19. The man who gets his own wire netting should not be at the beck and call of any inspector.

Hon. J. MITCHELL: The Government are to find a large sum of money for wire netting as a protection to settlers' holdings, and it would be futile to advance the money unless the fences erected with the money so advanced were kept in order. I do not want anyone persecuted who happens to borrow money for the purpose of wire netting, but I want to see the interests of the State considered. The netting ought to be advanced to the settlers at a low rate of interest, say a half per cent. in excess of what it costs the State to get the money. The Government should then see that the settlers take reasonable care of the fence, and that it does the work that is expected of it. Unless the amendment is accepted, it would be possible for an unfriendly neighbour to watch a hole in the fence of an adjoining holding for a month, and to prove that for 30 days the owner had been negligent. It would then be possible for the magistrate to impose a fine of £2 for each of the 30 days. We cannot agree to legislation of that kind going on the statute-book. This, after all, is a national work, and we should get the best possible results from the money to be spent.

Hon. T. WALKER: If this were a national work, it ought to be contributed to by all those who benefit from it. A man may have mortgaged his farm in order to procure wire netting, and at that moment a stranger may come along and tell him how he should repair the fence and so on, and threaten him all the time with penalties. The farmer may claim that he is putting up the fence with his own money, and then someone else says it is a national fence. It is not a national fence. There is a provision for national fences in the Bill, and the obligations of those people who benefit by those fences can be well understood. The owner of a holding may desire to put wire netting round his fence in preference to sheep-proof material, and from the moment that he does this is made liable for all these penalties. It is outrageous in that sense, and a man would not feel that he owned his property.

Hon. F. E. S. Willmott: If he does not like the conditions he need not get the wire netting from the Agricultural Bank.

Hon. T. WALKER: If a man procures his wire netting from a private firm, would an inspector have any right over him?

Hon. J. Mitchell: He is not then controlled.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. T. WALKER: I am convinced that this clause is a disfigurement of the Bill. It does not effect any wise purpose at all; it makes a distinction between wire netting got from the Government and wire netting got from any other source. The Government will revolutionise all our ideas of ownership. We shall never get the ownership of things we

have bought and paid for. I am not for one moment objecting to the Government keeping command of their own fence or of a property which they have an interest in, but this is simply on the footing that any man in this State wherever he lives may have a fancy for a certain kind of fence in preference to any other, yet the Government can step in and say, "We can keep a supervision over it; it is never yours, it is ours and we will see that our inspector keeps an eye upon it." We are a vast number of people who are threatened by the inroads of rabbits and the Minister can step in and construct a fence and that fence must be supported by everybody who makes use of it in the protection of his holding. That is done purely for the prevention of the inroads of vermin. But in this case it is not. This is quite distinctive. This is where any individual owner has a preference for his own reasons to have another kind of fencing.

Hon. J. Mitchell: I think it would be as well to withdraw all the fencing clauses, because we shall not be able to fence for many years.

Hon. T. WALKER: I agree with the hon. member, but we should not have such an innovation in a measure of this kind as to the ownership of property. Let a man own what he pays for. I would like to know whether I would be permitted to ask the Committee to vote against Subclause 3 notwithstanding the fact that here is an amendment before the Committee. I do this because I think the amendment of the member for Northam will only add to the irritation. It will give an inspector instructions to see that a particular owner is keeping his fencing in order. I think I can ask the Committee to vote against the subclause.

The CHAIRMAN: That can only be done if the member for Northam withdraws his amendment first.

Hon. T. WALKER: I want the Committee to be free to vote on the principle.

Hon. J. MITCHELL: I have no objection to giving the Committee an opportunity of voting on the subclause. If the credit of the country is to be pledged to buy this netting then the fence must be kept in good order. To-day the vermin fence in the Gascoyne district is not doing the work it should do, because it is not properly looked after. If the Government were not to be parties to exterminating the pest I would vote against the whole Bill. I should like to see £10,000 set apart for assisting boards, and I think the Minister should say what the Government intend to do. Will the Government charge agricultural rates for the netting?

Hon. F. E. S. Willmott: The netting has been promised at cost price.

Hon. J. MITCHELL: When the netting has been obtained it must be sold at the cheapest rate possible to the farmers, because it is a national work. I am not in love with the clause, and the member for Kanowna has made out a strong case against it. I ask leave to withdraw my amendment temporarily.

Leave not given.

Mr. MALEY: A great deal of confusion exists as to the meaning of some of the clauses. Subclause 2 of Clause 81 deals with compulsory fencing, and Subclause 3 deals with ring fencing by one or more individuals.

Hon. F. E. S. WILLMOTT: It deals with individuals who wish to borrow money from the Agricultural Bank.

Mr. MALEY: Nothing of the kind. There is some ground in the argument of the member for Kanowna in regard to inspectors, who would have to see that the provisions of the Bill are carried out. It will take more than one inspector to see that the fencing is kept in repair. I object to this tendency to build up a huge department which will have to be paid for and will run into great expense. There is no reason why we should make work for inspectors.

Hon. F. E. S. WILLMOTT: The amendment might well be accepted. If a holder wishes to borrow money from the Agricultural Bank to buy netting, then the Agricultural Bank says, "We will lend it to you on certain conditions," and the conditions are set out. If a holder prefers to get his wire-netting in some other way the conditions do not apply. If I mortgage my house does not the mortgagee see that I keep it in repair, and are not the conditions set out? If a holder does not like the conditions he need not accept them. The member for Kanowna said the Agricultural Bank should not follow up and see that its advances are safeguarded. If we are to compare the advances made by the Agricultural Bank to advances made by a private bank, we find that the Agricultural Bank advances are made piecemeal on the reports of the inspectors that the work has been done. But a private bank gives a lump sum, and the borrower does what he likes with it. Some such clause as this is necessary to see that the fence is kept in good order and condition. If the fence is not in good order the holders will be called upon to pay rates. It has been said that the inspectors will save their billets. These inspectors will be appointed by the boards, and the funds of the vermin boards will come out of the pockets of the ratepayers. The inspectors will be more than inspectors, and they will not be kept in billets when the settlers have to find a large proportion of the money to keep them there. If the people find the money, they will see that it is not wasted. The hon. member tried to make out that the Agricultural Bank is a grasping institution, and that it will foreclose without any consideration. I hope the Committee will carry the amendment as moved by the member for Northam. Later we might agree to reduce the penalty, which is rather heavy. My desire is to safeguard the Agricultural Bank's interests. If the Government are to advance money for these fences, Parliament must see that the Bank is protected.

Hon. W. C. ANGWIN: The Honorary Minister has not grasped the question. The point is that the Agricultural Bank are concerned with the fence only so long as the amount owing to them has not been repaid. After that, the individual surely has a right to say what he shall do with his own fence.

Hon. T. WALKER: In order to make the amendment of the member for Northam clear, there should be added to it the words "by an inspector under this Act."

Hon. J. MITCHELL: I ask leave to add to my amendment the words "by an inspector under this Act."

Leave given.

Amendment, as amended, put and passed.

Hon. T. WALKER: I move an amendment—

"That in Subclause 3 the words 'Any occupier who fails to fully and continuously perform such duty shall be liable to a penalty not exceeding two pounds a day for every day such default continues' be struck out."

Amendment put and passed.

Mr. MALEY: Are members now prevented from moving a reduction in the penalty?

Hon. T. Walker: You will have the opportunity now. This clause will have to be recommitted.

Mr. MALEY: I wish to have the Chairman's ruling on the point. A desire was expressed on these benches to move an amendment reducing the penalty.

The CHAIRMAN: That cannot be done at present.

Mr. MALEY: When you put the amendment of the member for Northam, Mr. Chairman, you split the clause.

The CHAIRMAN: All that was carried on that occasion was what the member for Northam moved.

Hon. F. E. S. Willmott: The clause as it stands is now senseless.

Mr. MALEY: I submit that the clause as it stands is, in fact, ridiculous. I move an amendment—

"That the following words be added:— 'shall be liable to a penalty not exceeding 10s. for every day such default continues.'"

Hon. T. WALKER: I suggest we let this clause be recommitted. At the present moment we are only guessing at what is wise. I detest these irritating penalties. As it stands it is an imperfect clause; but already the Minister has provided for a recommitment, and there will be no difficulty in recommitting this clause for further consideration.

Hon. F. E. S. Willmott: Is it right that we, as a Committee, should send along a clause without a meaning?

The PREMIER: In Subclause 3 we provide that fences shall be maintained. There must be some penalty for default, or the provision will be ineffective.

Hon. T. Walker: Do not you think the next clause provides sufficient penalty?

The PREMIER: No, I do not. If we provide that a certain thing must be done, we must also provide a penalty. I submit that the amendment will complete the clause. We do not want to be kept here six months over this Bill. We have now been three hours over one clause, and if we continue at the same rate we shall be here for weeks and weeks. I ask the Committee to accept the amendment.

Hon. W. C. ANGWIN: I rise to a point of order. When the Committee has already decided that the words "shall be liable to a penalty not exceeding £2 a day for every day such default continues" shall be struck out, it

is not competent in the hon. member to move his amendment, which consists of the same words with but two alterations.

Hon. F. E. S. WILLMOTT: They are not the same words.

Hon. W. C. ANGWIN: They are exactly the same words, with the exception that a reduction of the fine from 40s. to 10s. is provided. I realise the position. I gave my vote just now with the object of inducing the Government to reconsider the penalty and recommend the clause.

The CHAIRMAN: The member for North-East Fremantle has raised a point of order on the score that the amendment is on all fours with the words previously deleted. Mr. Maley's amendment may be somewhat similar to the words deleted, but there is a slight difference. It would be possible, as we know, for Mr. Maley to move the insertion of such words as "may incur a penalty of 10s. a day" and I think any chairman would be bound to accept it. But the Committee might stretch a point and allow more suitable words to be moved.

Hon. T. WALKER: If you give that as a ruling, Sir, I must move to disagree with your ruling. The privileges and customs of the Committee are too sacred for any points to be stretched. We do not stretch the rules. Under the Standing Orders the recommitment of the clause is now the only possible way out of the difficulty. When words have been omitted they cannot be replaced except by recommitment, and with the exception of two words all the words deleted are to be found in the amendment.

Mr. MALEY: With the permission of the Committee I will withdraw the amendment, conditional on the Minister undertaking to recommit the clause.

Amendment by leave withdrawn.

Mr. JOHNSTON: I move an amendment—

"That the following be added to the sub-clause:—'commits an offence against this Act; penalty not exceeding 10s. a day.'"

Amendment put and passed.

Hon. T. WALKER: Of what benefit is Sub-clause 4? It provides for another penalty. Sub-clause 3 compels the holder to fence and keep the fence in repair, and the following sub-clause further irritates him. Are not these three subclauses sufficient for the purpose? What sort of wretch is this pioneer farmer that he should be pursued right to the dregs? I will not insist upon a further amendment, because the settler will by this time be in such a state of mind that he will be beyond torture.

Mr. GRIFFITHS: The clause was put in with the object of meeting the case in which a man might be off his farm. It is only reasonable that this right to insist upon the fence being kept in repair should be given to the Minister.

Hon. T. WALKER: I move an amendment—

"That the following words at the end of the sub-clause be deleted:—'payment thereof shall not relieve such person from any penalty incurred under Subsection 3 of this section.'"

Surely the settler is bound fast enough under the other subsections of this clause.

Hon. F. E. S. WILLMOTT: I am prepared to agree to the amendment.

Amendment put and passed.

Hon. T. WALKER: Sub-clause 5 is also very harsh. We have already provided for this, and yet on the report of an inspector which may be inaccurate or malicious, the whole debt immediately accrues and the Minister can call it all in. Surely this is too severe. The ordinary conditions of a mortgage should apply and no more. I move an amendment—

"That Sub-clause 5 be deleted."

Hon. F. E. S. WILLMOTT: I am sure the Committee will not agree to this. This is only giving the ordinary powers that we always have. Furthermore, the sub-clause is only permissive. Is it likely that any Minister would use the power in such a drastic way as is suggested?

Hon. W. C. ANGWIN: The Honorary Minister has put up a strong argument as to why the sub-clause is unnecessary. The effect of his argument is that it is useless, because he would never use it.

Amendment put and negatived; clause amended agreed to.

Clause 84—agreed to.

Clause 85—Expenditure by mortgagees or trustees:

Hon. T. WALKER: Will the Honorary Minister explain this clause? What is the difference between the obligation of the mortgagee and the owner? The mortgagee who has lent the money for a specific purpose, namely the erection of this fence, is to get off scot-free. Can the Minister enter upon a property then, and keep it in order? Can he send in a body of workmen to carry out what is required and charge him with the cost? The Minister does not interfere with the man who finds the money, but when it is the owner or occupier the Government is harassing all the time. The man who has only a monetary interest in the land is immune.

Hon. F. E. S. WILLMOTT: The mortgage is the owner, if necessary. If the occupier does not carry out what this Bill says he shall carry out, the mortgagee is answerable. The reason for the clause is thus seen. The mortgagee is exempted from these harassing conditions, to which the occupier is subject, and it is that to which I object.

Clause put and passed.

Clause 86—agreed to.

Clause 87—Wire netting not to be sold or disposed of otherwise than for the purpose for which it was supplied:

Mr. BROWN: This clause appears to be most drastic as it is framed. It says—

It shall be unlawful for any person who has been supplied with wire netting under this Act, or any Act hereby repealed, to sell such wire netting, or dispose of or use it otherwise than for the purpose for which it was supplied (whether such wire netting shall have been paid for or not).

If anyone wants to make a subdivision of his own holding he will not be able to use his own netting.

Hon. F. E. S. WILLMOTT: Without the consent of the Minister.

Mr. BROWN: If the owner has paid for the netting he should use it for any purpose he desires. Then again, the penalty is to be £100

I intend to move in the direction of altering that.

Hon. T. WALKER: The clause is very badly constructed, and moreover I object to making it unlawful for any person to use netting otherwise than for the purpose for which it was supplied, whether such netting shall have been paid for or not. The whole clause will require to be reconstructed. I move an amendment—

"That the clause be amended to read as follows:—'It shall be unlawful for any person who has been supplied with wire netting under this Act, or any Act hereby repealed, until paid for, to dispose of or use it otherwise than for the purpose for which it was supplied, without the consent in writing of the Minister, or if the wire netting has been supplied by a board, without the consent in writing of the board.'"

Amendment put and passed.

Mr. BROWN: I move a further amendment—

"That in line 8 after the word 'penalty' the words 'not exceeding' be inserted."

Amendment put and passed.

Mr. HARRISON: The penalty of £100 seems to be excessive. I move an amendment—

"That the words 'one hundred' be struck out and 'twenty-five' inserted in lieu."

Hon. F. E. S. WILLMOTT: I hope the Committee will not strike out the penalty as it appears in the clause. The amount was fixed at £100, and while it may appear excessive, I do not suppose such a fine would ever be inflicted, but it is there in case it is required.

Amendment put and negatived; the clause as previously amended put and passed.

Clause 88—Penalty for misuse of wire netting provided by Government:

Mr. GRIFFITHS: This clause is a duplication of the previous one, and might well be deleted.

Clause put and negatived.

Clause 89—Powers of the Minister and boards:

Hon. F. E. S. WILLMOTT: I move an amendment—

"That the following subclause to stand as Subclause 3 be added:—'It shall be the duty of a board to secure the enforcement against all owners and occupiers of holdings within its district of the provisions of this Act relating to the suppression and destruction of vermin.'"

Hon. T. WALKER: It is absolutely unnecessary; it is a repetition. All the powers conferred on the Minister are conferred on the board. This is an addendum without any meaning.

Amendment put and negatived; the clause put and passed.

Clause 90—Notice of vermin to be given by occupiers:

Mr. BROWN: I move an amendment—

"That in line 4 after 'penalty' the words 'not exceeding' be inserted."

The PREMIER: Is it not a fact that where a penalty is mentioned in a clause, according to the Interpretation Act it means not exceeding that penalty?

Hon. T. WALKER: That is provided for in the Interpretation Act Amendment Act.

Amendment put and passed.

Mr. MALEY: I move an amendment—

"That in line 3 the words 'inspector whose residence shall be nearest to such holding' be struck out and the following inserted in lieu: 'to the secretary of the local vermin board, or failing the board, to the Minister.'"

Amendment put and passed.

Mr. JOHNSTON: The Government ought to notify the operations of the clause by advertisement, otherwise there are hundreds of settlers who will become liable.

Hon. T. WALKER: An inspector may discover rabbits on a man's holding and the occupier may not know of the existence of the vermin. I move an amendment—

"That after the word 'Minister' the following be inserted: 'provided that it can be shown that the occupier was aware of the presence of vermin on his holding.'"

Mr. HARRISON: How can a man report if he does not know anything exists? The clause says, every occupier shall report. Is the occupier supposed to report generally that vermin are on his property, or is he to give the number of his blocks on which the vermin are supposed to be?

Hon. T. WALKER: The clause says that every occupier shall give notice if there are vermin or signs of vermin on the land.

Mr. MUNSIE: If this clause is allowed to pass, the Bill will become useless. There are many persons who are neglectful and do not care whether they report or not.

Amendment put and negatived; clause, as previously amended, put and passed.

Clause 91—Duty of owners and occupiers to destroy vermin:

Mr. BROWN: I move an amendment—

"That in line 2 the word 'all' be struck out, with a view to the insertion of other words."

Mr. MALEY: It would be impossible for a man under any circumstances to destroy all vermin on his property.

Amendment put and passed.

Mr. BROWN: I move a further amendment—

"That after 'expense,' in line 2, there be inserted 'take such action as provided by this Act.'"

Mr. WILLCOCK: Is the amendment in order? The words proposed to be inserted go back further than the word "destroy," which, in striking out "all," we have passed.

The CHAIRMAN: I am greatly afraid that the point of order raised by the member for Geraldton is a sound and valid one. I rule the amendment out of order.

Mr. HARRISON: I move an amendment—

"That after the word 'vermin,' in line 2, there be inserted 'in accordance with the provisions of this Act.'"

This should meet the views of Mr. Brown.

Hon. W. C. ANGWIN: The amendment does not read well. It would be better to insert after "intersecting the same" such words as "to the satisfaction of the inspector."

Amendment put and negatived.



Mr. WILMOTT: I move an amendment—  
 "That after the word 'same,' in line 3, there be inserted 'to the satisfaction of the inspector.'"

Mr. Johnston: "To the satisfaction of the Minister" would be better.

Hon. F. E. S. WILLMOTT: No.

Mr. MALEY: I propose to move an amendment on the Honorary Minister's amendment, substituting, for his words, the following: "to the satisfaction of the local board or the Minister."

Hon. T. WALKER: This is one of the clauses to which I objected on the second reading as being most unsatisfactory. The owner or occupier cannot do more than what is the utmost of his power, and if he does that he should not be penalised, whether the utmost of his power is to the satisfaction of the inspector or not. We cannot possibly fix a standard of what shall be considered satisfactory.

Mr. Munsie: If the owner or occupier satisfies the board that he is doing his utmost, the board will not inflict a penalty.

Hon. T. WALKER: But what is the "satisfaction of a board" or what is "satisfaction of an inspector"?

Mr. MALEY: The proposal to vest these powers in the inspector may lead to a great deal of friction. Already there has been in my district friction as regards the extermination of rabbits, and this has been caused by the drastic powers vested in the inspector. Every man in my district is in arms against the exercise of those powers. If this clause provides that the extermination of rabbits shall be "to the satisfaction of the inspector," it means that one would have no defence whatever in a court of law against the inspector. All the inspector need do would be to tell the Bench that he was not satisfied, and then one would have no defence. It would allay the fears of the agriculturalists whose land is infested with vermin to know that the board who instruct the inspector have the final say in regard to the exercise of these powers.

The Premier: The clause might read "board or inspector."

Hon. F. E. S. WILLMOTT: With the permission of the Committee I will withdraw the amendment.

Hon. W. C. ANGWIN: No, I object. This deals with the person who neglects to clear his holding. Is it possible for the board to say whether or not a holding is clear of vermin? The only man who can administer the clause is the inspector. The board cannot hold a meeting to deal with each particular case.

Mr. MALEY: The argument of the hon. member is very weak indeed, because in the case of non-compliance with the clause it will be the inspector and not the board who will prosecute.

Mr. HICKMOTT: The usual course is for the inspector to report to the board at its quarterly meeting. I think three months is too long a period to elapse between those reports.

Amendment put and negatived.

Mr. MALEY: I move an amendment—

"That the following be inserted—'to the satisfaction of the Minister or board.'"

Amendment put and passed.

Hon. J. MITCHELL: I think the penalty of £50 altogether too great. I move an amendment—

"That in line 4 the words 'on a second or subsequent conviction £50,' be struck out."

Mr. GRIFFITHS: Only the other evening the member for Brownhill-Ivanhoe pointed out that in New South Wales defaulters were fined up to £40. Although I think such a fine is too heavy, I am not convinced that the amendment meets the case.

Amendment put and passed.

Hon. J. MITCHELL: I move an amendment—

"That in line 4 the words 'on a second or subsequent conviction £50' be struck out."

Amendment put and passed.

Mr. PICKERING: Are not the Government at present providing free poison, and will not this have an effect upon that provision?

Hon. F. E. S. Willmott: No, certainly not. It will not have any effect upon the free distribution of poison.

Clause as amended put and passed.

Clauses 92 and 93—agreed to.

Clause 94—Owners and occupiers not commencing and continuing to comply to be in default.

Hon. J. MITCHELL: I think the penalty of £100 is too much.

Hon. F. E. S. WILLMOTT: Although we have in many of our Acts a penalty of £100 laid down, yet considering that the full penalty is never inflicted, I think perhaps we can reduce this to one half. I therefore move an amendment—

"That '£100' be struck out and '£50' be inserted in lieu."

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

Clause 95—Powers of Minister or board in case of default:

Mr. MALEY: I move an amendment—

"That in line 6 the word 'him' be struck out and 'the board' inserted in lieu." To my mind this clause conflicts with Clause 93, Subclause 2.

Hon. F. E. S. Willmott: This follows or Clause 93 and amplifies it.

Hon. W. C. ANGWIN: Would the hon member have the board visit the place and instruct persons as to what steps to take? The hon member has not gone very deeply into the clause. This is all to happen after the inspector has reported a default. Imagine the board visiting a place and giving instructions as to what is to be done!

Mr. MALEY: This man has power to do anything he likes. He may enter on the land and take such measures and perform such acts as may appear to him to be proper and necessary. This power will always be an fiction on the land holder, and he would feel far safer if the power was vested in the board.

Amendment put and negatived; the clause put and passed.

Clause 96—Liability of owner or occupier for expenses incurred.

Mr. PICKERING: In view of the assurance given by the Honorary Minister I cannot see the necessity for the clause. He said that assistance would be given to the settlers to assist them in destroying vermin.

Hon. F. E. S. WILLMOTT: This is for doing what the owner should do.

Clause put and passed.

Clauses 97 to 102 agreed to.

Clause 103—Bonuses for destruction of vermin.

Mr. MALEY: I move an amendment—

“That the following new subclause be added:—‘Any landholder may grant bonuses for the destruction of vermin on his own property.’”

This will give the land holder an opportunity of exterminating the vermin on his property by contract.

The PREMIER: I do not see the necessity for the amendment, in view of the fact that it is provided that permission may be obtained from the Minister.

Amendment put and negatived; the clause put and passed.

Clause 104—Penalty for destroying and injuring fence.

Mr. MALEY: In my opinion the penalty here provided of £100 is too heavy against anyone who leaves a gate open on a private holding.

Hon. F. E. S. WILLMOTT: There has been a great deal of trouble in the past in regard to gates being left open, and it is necessary that this provision should exist in order that persons may be deterred from wilfully leaving these gates open.

Clause put and passed.

Clauses 105 to 108—agreed to.

Clause 109—Reward for destruction of rabbits prohibited:

Mr. JOHNSTON: Would the Honorary Minister agree to the deletion of this clause?

Hon. F. E. S. WILLMOTT: The Minister would not refuse a genuine application for permission to pay a bonus for the destruction of rabbits on a private holding, but we do not want any vested interest in scalps.

Clause put and passed.

Clause 110—Sale of rabbits prohibited:

Mr. MALEY: I move an amendment—

“That all words after ‘may’ in line 1 be struck out for the purpose of inserting other words.”

The amendment which I propose to move will safeguard any question of trapping being made an industry. The amendment I propose will confine trapping to persons engaged in the destruction of rabbits on their own holding and it will tend to give them some return for the expense they have entered into. I might quote from Federal “Hansard” to show that it was stated in the Federal Parliament recently that skins which are bringing 1s. 2d. a pound in Australia are sold in England for as high as 11s. and 12s., while in America they are being sold at 10s. 6d. The rabbit pool in the Eastern States, I might mention, last year made a profit of over a quarter of a million pounds.

Hon. F. E. S. Willmott: At the expense of two million pounds' worth of sheep.

Mr. MALEY: At the expense of nothing at all.

Mr. GRIFFITHS: I appreciate the motive of the hon. member. At the present time the arrangements which are in existence are meeting all that the hon. member is asking for. The Minister gives a permit but it is to allow these people to turn skins or carcasses of the rabbits into money. We should endeavour to keep going what the Minister now allows.

Hon. W. C. ANGWIN: If the hon. member's amendment is lost other hon. members will be debarred from moving further amendments to the clause. If we cannot improve the clause we can vote it out and then put a new clause in the Bill.

Mr. MALEY: I cannot see that the adoption of my amendment will affect in any way the amendment which the member for Kalgoolie wants to move.

Hon. F. E. S. WILLMOTT: If the clause is amended as suggested by the member for Greenough, only owners of property west of the fence will be able to trap and sell rabbits. We have returned soldiers to-day trapping rabbits and they are not holders of land, but they are trapping by special license from the Minister in such districts where it is considered by the chief inspector that such licenses can be granted without any risk. For that reason alone I would be prepared to oppose the amendment of the hon. member, but there are other reasons as well. This clause, as it stands, is perfectly sound. We say east of the fence, “all right,” west of the fence, “No, without permission.” If that is not fair to all concerned, I do not know what is. I hope the Committee will pass the clause as it is printed.

Mr. MALEY: The Minister is prepared to encourage professional trapping west of the No. 1 fence.

Hon. F. E. S. Willmott: Nothing of the sort.

Mr. MALEY: The Minister virtually claims that the original section does not say that the area east of the No. 1 fence applies equally to the amendment I have suggested.

Mr. Pickering: Suppose that poisoning is going on at the same time. Certain provisions should be made to safeguard other areas.

Hon. F. E. S. Willmott: Where trapping is allowed there is a strip of 25 miles.

Mr. Green: The member for Greenough in pursuing the tactics he is adopting will prevent anyone else moving an amendment.

Mr. MUNSIE: I am in favour of the amendment suggested by the member for Kalgoolie because the clause as it stands is not definite enough as to whether a man can sell rabbits trapped east of the fence. I could not vote for the amendment of the member for Greenough as it does not provide a sufficient safeguard. We have had statements from the Minister that rabbits may be trapped within a certain area of where poisoning has taken place. It is absolutely dangerous to permit of rabbits being trapped within an area where poisoning has been taking place. I realise the difficulties of settlers who, in many instances, could have made money had the regulations not been in

force when the rabbits came to the fence. If trapping had been allowed we would not have the rabbits in Western Australia to-day. The settlers would have trapped them in such numbers that we should have got rid of the rabbits.

Mr. PICKERING: Under the heading of "Trapping" in the select committee's report we find these words—

Notwithstanding the deep-rooted objection to trapping by the department, we recommend that no restrictions be placed on bona fide farmers and their employees in trapping and marketing rabbits, and that all fees in connection therewith be abolished. We do not think that trapped rabbits from districts where poison is being laid should be sold, although there is no evidence of any danger.

Who is to discriminate between the areas where the trapping may take place and where not? And who is to say who is to poison and who is not? If the amendment of the member for Greenough were passed it would be a danger.

Mr. GRIFFITHS: Before the select committee there was no end of evidence that rabbits that had been poisoned were freely sold and no harm had resulted. The amount of poison is so infinitesimal that it does no harm.

Mr. MALEY: With the permission of the Committee I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

Mr. PICKERING: I move an amendment—

"That after 'who,' in line 1, 'except during the months of June, July, August, and September' be inserted."

Mr. HICKMOTT: When a crop has been growing and green I have poisoned rabbits in scores alongside the growing crop, both in August and September.

Mr. MUNSIE: I oppose the amendment. I realise the hardship. A man might have a dozen poison carts going round his holding on the 30th May and on the 1st June he could trap the rabbits. I think it would be dangerous to allow these rabbits to be sent in for human consumption.

Mr. TROY: How will the hon. member provide against what he fears? He opposes anything that will restrict the rabbits for food and he will not allow people to sell rabbits because he is afraid that people will be poisoned.

Mr. Munsie: In the poison areas.

Mr. TROY: There are lots of settlers east of the rabbit-proof fence laying poison to-day and the Bill provides that they shall poison rabbits. I do not think there is as much to fear as the hon. member thinks. I do not think people will start on the 1st June to export rabbits that may have picked up poison on the 30th May. The majority of rabbits sent to market are those that have been trapped or shot.

Mr. Munsie: Forty-three dozen rabbits a week are sold by Robins in Kalgoorlie.

Mr. TROY: I cannot understand any reputable person sending poisoned rabbits to market. Such people are few and far between, and we are legislating, not for them, but on general principles. I am inclined to support the amendment.

Mr. MUNSIE: While the member for Magnet seems desirous of securing permission during certain months of the year, for farmers inside the fence—

Mr. TROY: For anybody.

Mr. MUNSIE: To send rabbits to market it is certain that after to-night's discussion there will be no market to send them to if the amendment is carried, simply because people will not buy them. I hope the amendment will be defeated.

Amendment put and negatived.

Mr. GREEN: In order to make the position absolutely clear, and assurance double sure I move an amendment—

"That after '£50,' in line 6, there be inserted:—'Provided this section shall not apply to the trapping for sale or offering for sale of dead rabbits eastward of the No. 1 barrier fence, or in respect to the right of marketing dead rabbits in any part of the State.'"

On the outskirts of the town which I represent, Kalgoorlie, there are eight or nine men including a naval pensioner, earning a livelihood by trapping and selling rabbits. In this connection I observe that the last contract made by the Imperial Government with the Commonwealth authorities was for 19,250,000 rabbits.

Mr. Johnston: And Western Australia gets none of it.

Mr. GREEN: True; and it is most extraordinary in view of the fact that we have the largest area in Australia—I refer to the position of this State east of the No. 1 barrier fence—which can be treated as a rabbit reserve without any risk to agricultural interest. There is no reason why the rabbit should not be made an industry where it is in no way menace to the farming community. The amendment will extend to our own people the benefit granted to Eastern States residents by the provision that it is a defence to prove that a rabbit was brought from outside this State.

Amendment put and passed.

Mr. MALEY: I move an amendment—

"That the following further proviso be added to the first paragraph of the clause:—'Provided also that no license shall be granted to any person by the Minister in the area west of the No. 1 barrier fence other than the landholder engaged in the destruction of rabbits by trapping on his own holding.'"

When I moved my last amendment, which I withdrew, the Honorary Minister distinctly stated that he was issuing permits to return soldiers for trapping and marketing rabbits within the area west of the No. 1 barrier fence. That, to my mind, is encouraging what the Rabbit Department have absolutely set their face against—professional trapping. I can conceive of no objection to the carrying of this amendment.

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

Ayes	..	..	..	12
Noes	..	..	..	12
				—
A tie	..	..	..	0
				—

## AVES.

Mr. Broun	Mr. Maley
Mr. Brown	Mr. R. T. Robinson
Mr. George	Mr. Teesdale
Mr. Green	Mr. Underwood
Mr. Griffiths	Mr. Hardwick
Mr. Lefroy	(Teller.)
Mr. Hickmott	

## Nocs.

Mr. Angwin	Mr. Plesse
Mr. Chesson	Mr. H. Robinson
Mr. Collier	Mr. Troy
Mr. Harrison	Mr. Willcock
Mr. Johnston	Mr. Munsie
Mr. Mitchell	(Teller.)
Mr. Pickering	

The CHAIRMAN: I give my casting vote with the "Nocs."

Amendment thus negatived; the clause as previously amended put and passed.

Clauses 111 to 117—agreed to.

Clause 118—Service of notices:

Mr. PICKERING: I move an amendment—

"That the following new subclause be added:—In the case of service by post, there shall be written or printed on the envelope the words, 'If this letter is not delivered it must after the expiration of seven days (or such other period as may be necessary) be returned to the Vermin Board or Roads Board of the district.'"

Amendment put and negatived; the clause put and passed.

Clauses 119, 120—agreed to.

Clause 121—Proof of ownership:

Hon. F. E. S. WILLMOTT: I move an amendment—

"That in paragraph (c) the words 'or of a sawmilling permit in respect of any land' be struck out."

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

Clauses 122 to 128—agreed to.

New Clause:

Mr. GRIFFITHS: I move an amendment—

"That the following clause be added to the Bill." "Where in a Vermin District complaint is made that unoccupied Crown Lands not in process of alienation are infested with rabbits, the Minister shall instruct the Chief Inspector or authorised officer to examine and report thereon, and if he deems them rabbit-infested, the Minister may, from such funds as are granted by Parliament for rabbit destruction, grant a sum to such Vermin Board not exceeding £100 in any one year to be expended only on the Crown land referred to. Any Board receiving any such money must, before the 31st day of May in each year, forward to the Chief Inspector a return showing in detail all particulars of such sum, and that it was expended on such infested land. Any money not so expended up to the 31st of May in each year must, at once, be refunded to the Treasury, accompanied by a statutory declaration."

My idea is that something specific shall be placed on the statute-book in regard to what shall be the policy of the Government. A

clause of this sort will enable the Minister to allocate a large sum of money wherever it may be wanted for the purpose of keeping down the pest on Crown lands.

Hon. P. COLLIER: There is ample power in the Bill to utilise funds provided by Parliament for this as well as for other purposes. Moreover, the new clause moved by the hon. member states that the Minister "may." The Minister has power already to do so. I do not think the proposed new clause will do very much for the hon. member. There are places in this State where the Crown lands are so large and the number of rabbits so great that the £100 suggested would be a mere drop in the ocean in the way of ridding those lands of the pest, whereas under the Bill, as we have passed it, the Minister has power to expend any sum of money in any way he likes on Crown land.

Hon. F. E. S. WILLMOTT: If the mover of the amendment insists upon it, I will agree to it, because it will relieve the Government of the responsibility of spending more than £100 in any district in any one year. In the Toodyay district, in less than two years, we have spent over £4,000 in this same direction. If the amendment is insisted upon it will defeat the purpose of the mover. Without the amendment, in many cases the Government will have to spend very much more than £100.

Hon. J. MITCHELL: I hope the hon. member will not press the amendment, for it will only serve to restrict the Government expenditure. The amendment has already achieved all that it is capable of, by bringing a very distinct expression of opinion from both sides of the House as to the responsibilities of the Government.

Mr. GRIFFITHS: It was my intention to delete the words "not exceeding £100." The amendment to Clause 9 paragraph (d) really covers the object I have in view.

The Premier: That is quite right.

Mr. GRIFFITHS: I know that the Government are recognising their responsibilities in this direction, and so I will withdraw my amendment.

New clause by leave withdrawn.

New Clause:

Hon. F. E. S. WILLMOTT: I move an amendment—

"That the following be added to stand as Clause 124:—'124. Notwithstanding the provisions of section thirty-one of the Agricultural Bank Act, 1906, a mortgage or charge created under this Act shall not preclude advances under the first-mentioned Act on the security of the land so charged.'"

It is practically a consequential amendment.

New clause put and passed.

First Schedule—agreed to.

Second Schedule:

Hon. J. MITCHELL: This schedule sets up a fence which it will be impossible to maintain.

Hon. F. E. S. Willmott: It is exactly the same in South Australia.

Hon. J. MITCHELL: If we accept the schedule it will leave no option to the Minister to allow the conversion of an existing fence into a vermin-proof fence. We should provide for the conversion of fences. The

Minister ought to have power to vary the conditions.

Hon. F. E. S. WILLMOTT: I will make a note of the objection, and see if we can fix up the desired provision.

Hon. J. MITCHELL: I doubt if one fence in 50 will be a complete new fence.

Hon. P. COLLIER: Why not provide that the fence may be prescribed by regulations?

Hon. J. MITCHELL: The regulations would have to be laid on the Table of the House. This schedule could be dispensed with altogether.

Hon. F. E. S. WILLMOTT: The schedule in its entirety has been taken from the South Australian Act, except as regards the size of mesh, which in that measure was 1½ inches. My own view is that the enormous expense of putting up such fences as specified by the schedule may be unnecessary. The standard is, perhaps, beyond what is absolutely required.

Mr. PICKERING: If it is possible for the Minister to declare dingo infested areas under this Bill and enforce fencing on this basis, what would be the position of men like myself, who have fenced with 4-inch mesh?

Hon. F. E. S. WILLMOTT: The measure cannot apply in such a case.

The PREMIER: The schedule merely specifies a vermin fence. The interpretation clause provides that a vermin fence shall be a substantial fence, such as described in this schedule, or any other substantial vermin fence approved in writing by the Minister or the Chief Inspector.

Hon. P. COLLIER: Then the schedule is contradictory to the interpretation clause.

The PREMIER: I do not think so. A fence already erected, though it is not in exact conformity with this schedule, may be accepted by the Minister or the Chief Inspector as a vermin proof fence.

Mr. PICKERING: I see no occasion for our having to seek permission to retain fences already erected.

The Premier: But it is a good thing to have a standard.

Mr. BROWN: I move an amendment—

“That in Part II., line 2, the word ‘half’ be struck out.”

The reason for my amendment is that it is argued a 1½-inch mesh will stretch sufficiently to admit a rabbit old enough to live without its mother. I consider a 1½-inch mesh large enough.

Hon. P. COLLIER: The position stated by the Premier is a good one. The Minister may vary the standard of the fence as he pleases. The schedule, therefore, is really unnecessary.

Hon. J. Mitchell: The Bill really means that if a new fence is erected this schedule applies.

Hon. P. COLLIER: Is it wise to limit the discretion as proposed by the amendment? And, if the amendment is carried, will the Minister be bound by it or by the interpretation clause?

Amendment put and passed.

Mr. BROWN: I move a further amendment—

“That the word ‘quarter’ be inserted.” Amendment put and passed.

Mr. BROWN: I move an amendment—

“That in lines 10, 11 and 14 the word ‘hook’ be struck out and ‘lace wire’ inserted in lieu.”

Amendment put and passed.

Mr. BROWN: I move an amendment—

“That in line two the word ‘half’ be struck out, and ‘quarter’ inserted in lieu.”

Amendment put and passed.

Mr. PICKERING: If this schedule is given effect to it will bring about a great injustice in the South-West of the State, where people have spent a lot of money in an endeavour to keep dingoes out. This will place these people entirely at the mercy of the Minister and is inimical to their interests.

Schedule as amended put and passed.

Third schedule—agreed to.

Title—agreed to.

[The Speaker resumed the Chair.]

Bill reported with amendments.

Recommittal.

Bill recommitted for the purpose of further considering Clauses 12, 13, 16, 17, 18, 19, 20, 49, 56, and 76.

Mr. Stubbs in the Chair; the Honorary Minister (Hon. F. E. S. Willmott) in charge of the Bill.

Clause 12—Vermin districts:

On motions by Hon. F. E. S. WILLMOTT clause amended by adding to paragraph (d) of subclause (1), the words “or ward”; also by inserting a new paragraph as follows:—“(h) abolish all or any of the wards of a district”; also by adding a proviso to subclause (1) as follows:—“Provided that a district shall be or continue divided into wards only whilst it has an elected board of for the purpose of the election of a board.”

Clause as amended agreed to.

Clause 13—Bonds:

On motion by Hon. F. E. S. WILLMOTT clause amended by adding a subclause as follows:—“(2) When a district has been divided into wards the Governor shall, from time to time, determine the number of members of each ward.”

Clause as amended agreed to.

Clause 16—Elected boards and periodical retirements:

On motions by Hon. F. E. S. WILLMOTT clause amended by the addition to Subclause (1) of a proviso as follows:—“Provided that the retirements shall be apportioned amongst the respective representatives of the wards (if any) in proportion to their respective number or in accordance with the determination of the board in as nearly as may be such proportion”; also, in Subclauses 4 and 5, after the word “members” in the first line by inserting “for a district or ward.”

Clause as amended agreed to.

Clause 17—Qualification of members:

On motion by Hon. F. E. S. WILLMOTT clause amended by inserting after the word "board" the words "for the district or any ward thereof."

Clause as amended agreed to.

Clause 18—Qualification of electors:

On motion by Hon. F. E. S. WILLMOTT clause amended by the addition of the following subclause:—“(4) When a district is divided into wards, every person entitled to vote (a) shall be so entitled for the ward only in which his qualifying holding is situated; and (b) shall be so entitled for every ward wherein he has any qualifying holding: Provided that where a person is the owner of a holding not situated wholly in one ward, the holding shall be deemed to be situated in such one of the wards in which it is partly situated as such person shall choose or as the chairman shall, in the absence of such choice, determine.”

Clause as amended agreed to.

Clause 19—Number of votes:

On motion by Hon. F. E. S. WILLMOTT clause amended by inserting after the word "election" in line 1 the words "for any district or ward."

Clause as amended agreed to.

Clause 20—Electoral list to be kept:

On motion by Hon. F. E. S. WILLMOTT the following words were added to Subclause 1:—"When a district is divided into wards a separate list shall be made out for each ward."

Clause as amended agreed to.

Clause 49—Adjustment of rights or alterations being made in boards, etc.:

On motions by Hon. F. E. S. WILLMOTT the following words were inserted after "district" in line 3:—"or on a district being divided or re-divided into wards, or the wards or any of them being abolished"; also the following words were inserted after "board" in line 4:—"for any district or ward"; also in paragraph (b) of Subclause 1 after the word "district" the words "or ward" were added.

Clause as amended agreed to.

Clause 56—Power to levy rates:

On motion by Hon. F. E. S. WILLMOTT the following proviso was substituted for the proviso added to Subclause (2):—"Provided that whenever and so long as a holding is and remains enclosed with a rabbit-proof fence, and such fence is maintained in good repair, the holding shall not be liable to be rated under this Act."

Clause as amended agreed to.

Clause 76—Contribution to vermin and rabbit-proof fences by adjoining owners:

On motion by Hon. F. E. S. WILLMOTT the words "half of" in paragraph (c) were struck out and the following added:—"or of making the fence vermin proof or rabbit proof, as the case may be."

Clause as amended agreed to.

[The Speaker resumed the Chair.]

Bill again reported with further amendments, and the report adopted.

## BILL—GENERAL LOAN AND INSCRIBED STOCK ACT AMENDMENT.

Message as to Conference.

Message received from the Legislative Council stating that the request for a conference on the disagreement with reference to the further amendment made by the Council in the General Loan and Inscribed Stock Act Amendment Bill had been agreed to; that the Hons. H. P. Colebatch, A. Sanderson, and Sir Edward Wittenoom had been appointed managers, and that 5 p.m. in the President's room had been fixed as the time and place for the holding of the conference.

On motion by the ATTORNEY GENERAL, Message forwarded to the Council agreeing to the time and place for the holding of the conference.

## BILL—DIVIDEND DUTIES ACT AMENDMENT.

Message received from the Legislative Council requesting the Legislative Assembly to make the amendment set out in the schedule.

## ADJOURNMENT—SPECIAL.

The PREMIER: I move—

"That the House at its rising adjourn to 4.30 p.m. Wednesday.

Question put and passed.

House adjourned at 11.36 p.m.

## Legislative Council,

Wednesday, 29th May, 1918.

The PRESIDENT took the Chair at 3.0 p.m., and read prayers.

[For "Questions on Notice" and "Papers Presented" see "Minutes of Proceedings."]

## BILL—WHEAT MARKETING.

Select Committee's report.

Hon. J. F. ALLEN brought up the report of the select committee appointed to consider the Wheat Marketing Bill.

Report received and read.

## BILL—LAND AND INCOME TAX ASSESSMENT ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

Hon. J. E. DODD (South) [3.6]: I think we may congratulate the members of another place upon the fairly equitable measure they have sent