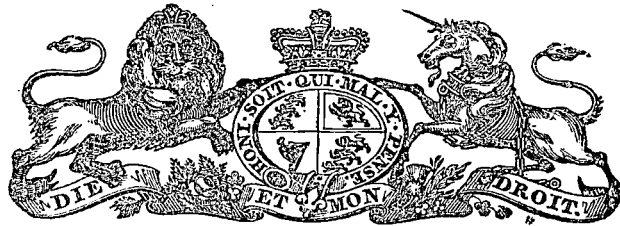


(No. 112.)



1861.

T A S M A N I A.

I R R I G A T I O N.

REPORT FROM THE SELECT COMMITTEE.

Presented by Mr. Archer, and ordered by the House to be printed,
22 October, 1861.



SELECT COMMITTEE appointed on 11th September, 1861, to consider and report upon the subject of IRRIGATION generally, as it regards this Colony; with power to send for papers, persons and records.

M E M B E R S.

MR. MEREDITH.	MR. HODGSON.
MR. SHERWIN.	MR. MACLANACHAN.
MR. GRANT.	MR. ARCHER (<i>Mover.</i>)
MR. KERMODE.	

DAYS OF MEETING.

No. 1.—18 September, 1861. *Present*—Mr. Archer, Mr. Meredith, Mr. Grant, Mr. Maclanachan, and Mr. Sherwin.
 No. 2.—8 October, 1861. *Present*—Mr. Archer, Mr. Meredith, and Mr. Grant.
 No. 3.—16 October, 1861. *Present*—Mr. Archer, Mr. Grant, Mr. Maclanachan, Mr. Sherwin, Mr. Kermode, and Mr. Hodgson.
 No. 4.—22 October, 1861. *Present*—Mr. Archer, Mr. Maclanachan, and Mr. Sherwin.

R E P O R T.

YOUR Committee have carefully considered the subject referred to them, in connection with the Report of the Commissioners appointed by His Excellency the Governor "to enquire into the question of Irrigation as regards this Colony," and the Reports of Major Cotton and Mr. Martelli.

They have also weighed well the great importance of the subject, as regards the supply of meat and other produce,—both for home consumption and for exportation,—and are fully impressed with the desirability of securing the adoption of Irrigation throughout the Island.

Considering the elaborate Reports which are in the possession of your Honorable House, your Committee conceive that it is unnecessary for them to enter into a disquisition upon the benefits derivable, directly or collaterally, from the extensive carrying out of works of Irrigation in this Colony, and therefore restrict themselves to giving their earnest recommendation that the Government should be asked to frame and introduce a Bill into Parliament as soon as possible during the present Session, for the purpose of promoting so beneficial an object.

They are of opinion that such a measure ought to embrace the following provisions, viz.—

1. That all Streams and Lakes should be declared Public Property, subject to existing rights,—in regard to which there should be an appeal to the Supreme Court from decisions under *The Lands Clauses Act*.

2. That the Government should be requested to direct the Surveyor-General to notify to them all Swamps and other portions of the Land which may possibly be required for Reservoirs and other works of Irrigation, with a view to their being reserved from sale by His Excellency the Governor in Council.

3. That a Right of Passage for Water should be afforded across all Lands, on compensation being given,—both for a Term of years (in the case of tenants), and in perpetuity,—for works both of Irrigation and Drainage.

4. That a Right of Purchase should be given of Land for Reservoirs, Dams, Watercourses, &c.

5. That the Governor in Council should be empowered to proclaim any portion of the Colony to be an Irrigation District, on the application of one or more landholders: such District to contain only the Land of the parties capable of being benefitted by Irrigation within it.

6. That the Governor in Council should be empowered to alter and redefine the boundaries of Irrigation Districts.

7. That, in the event of more than five Ratepayers being included within an Irrigation District, three or five Trustees should be appointed, by election from among the Ratepayers within such District. In the event of there being less than five Ratepayers, that all should act as Trustees.

8. That the Trustees should be empowered to hold Meetings to purchase and take Lands; to take materials from adjoining Lands, on giving compensation; to construct and maintain Dams, Reservoirs, Watercourses, and Drains; to fix the price, and mode of distribution, of Water; to make and levy Rates on those portions of Land within their District which the proprietors or occupiers thereof declare to the Trustees their desire to irrigate; and to have power of recovery of Rates: and, generally, to do all things necessary to carry out a system and works of Irrigation within their District.

9. That the Trustees shall be liable to erect a sufficient fence on one or both sides of their Watercourses and Drains, on being required to do so by the proprietor or occupier of the Land through which such Drains or Watercourses are cut.

10. That the Trustees should be employed to borrow money for carrying out works of Irrigation, on the security of the ordinary Rates, or of a Special Rate, or of the Land of the Ratepayers.

11. That the Government should be empowered to advance moneys out of the Land Revenue on loan to the Trustees, or to guarantee the payment of the Interest on Debentures issued by the Trustees, for works of Irrigation, (the scheme and plans of which have been submitted to them for their approval,) at £6 10s. per cent. per annum interest, in the proportion of £2 for every £1 raised by the Trustees, and on the security of a Special Rate, or of the Land of the Ratepayers; such loans to be repayable within 22 years: the Government having power to cause the works of Irrigation within any Irrigation District to be inspected at such times as they shall think proper.

12. The Trustees may appoint a Treasurer and other Officers, who are to be accountable to them for the proper discharge of their duties.

13. The Trustees to publish Quarterly Accounts.

14. The Trustees to publish in the *Gazette*, during the month of July in each year, an Annual Report of the state of the works of Irrigation within their District for the 12 months ending on the 30th day of June in every year.

15. The property in all works of Irrigation, and in the Land purchased for the same, to be vested in the Trustees.

16. All moneys levied, received, or recovered under the Irrigation Act, to be at the disposal of the Trustees.

17. The Trustees to make good all damage caused by the leakage, escape, or overflow of Water from their Reservoirs or Watercourses.

18. The Trustees to be empowered to sue, and to be sued, in the name of the Trustees of the Irrigation District of (*naming the District*).

19. Trustees refusing to act after their due election, or neglecting their duty, to be liable to a penalty.

20. Any person taking Water without the authority of the Trustees, without right; or opening, or shutting, or altering Sluices; or hindering the use of Water by Ratepayers; or causing stoppages in Watercourses; or damaging works of Irrigation; or obstructing the Trustees in the performance of their duties, to be guilty of a misdemeanor, and to be liable to a fine, or to imprisonment, or to both.

21. All offences under the Irrigation Act to be dealt with summarily under *The Magistrates Summary Procedure Act*.

22. All appeals from penalties under the Irrigation Act to be made under *The Appeals Regulation Act*.

23. And generally, the provisions of the Irrigation Act to be, as far as possible, analagous to those of *The Cross and Bye Roads, 1860*.

W. ARCHER, *Chairman*.

Committee Room, 22nd October, 1861.

CORRIGENDUM.

PARAGRAPH 20. *For*—Any person taking water without the authority of the Trustees; without right, &c.

Read—Any person taking water without right; or opening or shutting or altering sluices; or hindering the use of water by Ratepayers; or causing stoppages in water-courses, without the authority of the Trustees; or damaging, &c.