

whether or not all those people whose names are on the petition were within the three-mile radius, or how many were within that limit, and whether they constituted the majority. Under the Bill certain people sent in a petition to the Minister and, apparently, the Minister who desires to establish the hotel is to be made plaintiff and judge in his own case, and he is to decide whether those people live within the three-mile radius or how many of them live within it, and whether they constitute the majority.

Hon. J. D. Connolly: How would you get at a majority in the metropolitan area?

Hon. H. P. COLEBATCH: They would have to send the police out to get a census. This Bill as it stands is another illustration of that principle which is so objectionable, of making each Minister a law unto himself. A promise was made a few days ago that a comprehensive Licensing Bill would be introduced. If that is to be submitted, what is the use of bothering about this small Bill now? For that reason I intend to vote against the second reading.

Hon. A. SANDERSON (Metropolitan-Suburban): This question came up for discussion in the course of the election I contested, and I expressed myself ready to support the experiment in connection with the establishment of State hotels. Fortunately for myself, however, I put in a proviso that I would not go quite so far as had been suggested. I ask the Minister now if he considers this a fair way of dealing with the problem? We have been promised a comprehensive Bill to deal generally with the liquor question and surely we can then deal with the matter as a whole. We should not now consider this one aspect of the question. I have a perfectly free hand, so far as my constituents are concerned. I said I would not pledge myself until I saw the Bill, and having seen it now I intend to vote against the second reading. The local option question in the metropolitan area was followed at that election with special interest, the Government nominee being a particularly strong supporter of the new principle of State control of the liquor traffic. I said that,

so far as the bare majority was concerned, I was opposed to that, but I would be prepared to give the establishment of State hotels a trial. It is an unfair way, however, to introduce the matter by means of an isolated measure, especially when we shall shortly have to discuss the general question.

On motion by Hon. A. G. Jenkins, debate adjourned.

House adjourned at 8.54 p.m.

PAIR.

Hon. H. P. Colebatch | Hon. J. W. Kirwan

Legislative Assembly,

Thursday, 10th October, 1912.

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

PAPER PRESENTED.

By the Minister for Lands: Lands and Surveys Department, Annual Report for 1911-12.

QUESTION—OBSERVATORY GROUNDS.

Mr. GEORGE (for Mr. Allen) asked the Premier: 1, Are the Observatory grounds closed to the general public? 2, If so, will the Government take steps to open them for the use of the citizens?

The PREMIER replied: 1 and 2, No. Certain restrictions have, however, been considered advisable in order to prevent the intrusion of undesirable characters.

QUESTION—ARBITRATION AWARD.

Mr. McDOWALL asked the Premier: 1, Has his attention been called to the award of the Arbitration Court in the matter of the hotel and restaurant employees? 2, Is he aware that it is believed that the amounts given by the award do not constitute in all instances a living wage? 3, What action will he take in the matter?

The PREMIER replied: 1, Yes. 2, As the terms of the awards given by the Arbitration Court do not come within the province of the Government the one in question has not been considered. 2, All awards given by the court are in accordance with powers conferred by Act of Parliament, and the Government have no power to interfere; consequently no action is proposed to be taken.

LEAVE OF ABSENCE.

On motion by Mr. HEITMANN, leave of absence for four weeks granted to the member for Albany (Mr. Price) on the ground of urgent private business.

BILL—DISTRICT FIRE BRIGADES ACT AMENDMENT.

Introduced by the Hon. W. C. Angwin (Honorary Minister) and read a first time.

BILL—RIGHTS IN WATER AND IRRIGATION.

Recommittal.

On motion by the MINISTER FOR WORKS, Bill recommitted for further consideration to Clauses 23, 60, and 70.

Mr. Holman in the Chair, the Minister for Works in charge of the Bill.

Clause 23—Control of artesian wells:

The MINISTER FOR WORKS moved an amendment—

That in lines 13 and 14 of Subclause 1 the words "an area of at least 33 feet" be struck out and "a strip of land not exceeding 33 feet in width" inserted in lieu.

The clause as originally worded did not convey what was desired.

Amendment passed, the clause as amended agreed to.

Clause 60—Land may be acquired and leased for cultivation:

The MINISTER FOR WORKS moved an amendment—

That the following be added to Subclause 1:—"Provided that land actually under irrigation shall not be acquired by compulsory process except so far as the land may be required for the construction of works."

Members had spoken of the necessity for protecting areas already under irrigation. There was no desire on the part of the Government to interfere with land already under irrigation, and this proviso was brought forward to indicate the intention of the Government in that direction.

Hon. J. MITCHELL: It was pleasing the Minister had become a little more reasonable and now intended to somewhat limit the area that could be acquired by compulsory purchase. There was a limitation in the Bill for the construction of railways in the wheat belt, and there should be a limitation in regard to the land in the South-West that could be acquired by compulsory purchase. It was suggested nothing less than 50 acres should be resumed. Unless such restriction were imposed it would be possible to compulsorily purchase three or four acres from a man who might be looking forward to irrigating that land at some future time. The Bill should not provide for the compulsory purchase of such small irrigable areas as were to be found on the farms in the South-West. However, the proviso was a good one and would have a wide application.

Amendment put and passed.

The MINISTER FOR WORKS moved a further amendment—

That in line 2 of paragraph (a) of Subclause 8, after "acquired" the words

"and the value of any improvements on the land" be inserted.

Amendment passed.

Hon. J. MITCHELL: What was the intention of the Government with regard to the control of irrigation? It was wrong that the Minister for Works should control irrigation or have anything to do with it, beyond construction. The irrigated area ought to be under the control of the Minister for Lands and Agriculture. The clause placed the control under the Minister administering the Act and, therefore, made it impossible for the Minister for Works to relinquish control after the construction was complete.

The MINISTER FOR WORKS: At the present time he was not in a position to say what the intentions of the Government were. It was distinctly laid down that the Act should be administered by a Minister to be selected in Executive Council. In the Eastern States dual control had worked to the detriment of irrigation, and the matter of control in this State had yet to be decided by the Government after the Bill should have become an Act.

Hon. J. MITCHELL: It was to be hoped the Government would decide that the Minister for Lands should have control of irrigation. We did not require two land authorities.

Clause as amended put and passed.

Clause 74—Property of water board not to be taxed:

The MINISTER FOR WORKS moved an amendment—

That the words, "All lands and works vested in or under the management and control of" in lines 1 and 2 be struck out.

A doubt had been expressed as to whether the clause would exempt land actually under irrigation and held by the Crown? There was no desire to do this. The object of the clause was to exempt land under the control of the board, and not land which had passed from the control of the board on completion of the irrigation works. In other words, the construction works would not be subject to local taxation, but the irrigated land would be.

Hon. J. Mitchell: Will it be possible

under the clause to exempt land purchased by the Crown?

The MINISTER FOR WORKS: No. When the land came under irrigation it would be rateable.

Hon. J. MITCHELL: All land within an irrigation district which was capable of being irrigated would be rated, and the cost of the works would be charged on an equitable basis. If the Minister exercised his right to purchase one-third of the area, and that one-third was exempt, the other two-thirds would have to bear the whole of the burden.

The Minister for Works: The object of the amendment is to overcome that difficulty.

Hon. J. MITCHELL: Even Crown land would require to be rated under this scheme.

The Minister for Works: Crown lands will be dedicated, and immediately the land is dedicated it becomes rateable.

Hon. J. MITCHELL: Under existing conditions, of course, no rate could be charged against Crown lands. But we were giving the Minister power to purchase lands for a special purpose, and if the Minister purchased up to the maximum, and that land so purchased was exempt from taxation, the remainder of the land in the district would be very heavily taxed to make up for the exemption. It would be well if the Minister assured the Committee that land which under this Bill became Crown property would bear its fair share of taxation.

Mr. GEORGE: The Crown proposed to acquire land and lease it, and of course those who secured it under leasehold would have to pay the local taxes. It was understood that the State farms did not pay local taxes.

The Minister for Works: If they come within an irrigation district they will have to do so.

Mr. GEORGE: Assuming that the Minister purchased certain land, and a portion of it was taken up on leasehold and, therefore, became taxable, would the balance still held by the Government be liable to local taxation?

The MINISTER FOR WORKS: Sub-clause 9 of Clause 60 provided that the

Governor might take any irrigable waste land for the purposes of the Act. That land would be dedicated, and so would come under the provisions of the measure, whereupon it would be immediately rateable, because all irrigable lands within an irrigation district were to be rated. If the Crown was to hold land inside an irrigation district and refuse to pay the local taxes, the remainder of the district would, in consequence, be penalised. The object of the clause was to make all irrigable land subject to taxation, but the point was that we had to make exception in favour of the construction works. The Crown Law authorities had assured him that the amendment would make all leasehold land within an irrigation district subject to taxation irrespective of whether or not it belonged to the Crown.

Hon. J. MITCHELL: If a local authority had not the right of rating the land held by the Minister it might find itself in serious difficulties. When the Bill went to another place the Minister ought to be careful to make it perfectly clear that the irrigable land held by the Crown had been made taxable.

The MINISTER FOR WORKS: The hon. gentleman was apparently under the impression that it was proposed to acquire land and work that land as a department. That was not the case. Immediately the lands were subdivided and leased the holder would become subject to local taxation. Suppose there was land inside an irrigation district and not taken up when the rate was struck, that burden would fall on the Crown. It would be necessary to give the Minister the right of appeal in that case. He would look into the matter, but he did not think there was any danger at all.

Hon. J. MITCHELL: The Minister should make it clear that he would have power to pay rates on all Crown lands in an irrigation district. It would not be fair for the Crown to be exempt. All irrigable land should be taxed whether Crown land or not.

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

Bill again reported with further amendments.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Message.

Message from the Governor received and read recommending the Bill.

Second Reading.

The ATTORNEY GENERAL (Hon. T. Walker) in moving the second reading said: I do not intend to detain the House at any very great length on the second reading of this measure because I doubt not, when the Bill gets into Committee, it will receive an amplitude of discussion. But I desire now to give my reasons, or rather the reasons of the Government, for bringing in this amending measure. First of all I want to say that the whole of this legislation is based upon the Workmen's Compensation Act passed by the Imperial Parliament so long ago as 1879. At that time legislation was purely experimental. Up to that century a workman losing his life, or indeed receiving any injury in the course of his employment, was considered to have brought the disaster upon himself, and he had to take the responsibility and although there has been some improvement as to compensation for injuries it was long held that if death ensued the dependents had no recourse, could obtain nothing in the way of compensation for the accident. The old Latin maxim incorporated in the law had been the guiding principle of the court whenever an appeal was made for compensation resulting in death. That maxim, *Actio personalis moritur cum persona*, meant that any action of a personal character died with the person, and no recourse and no remedy afterwards. But the British conscience awoke to the injustice of this state of affairs and so long ago, I say, as 1879, passed a measure giving a degree of compensation to those relatives who had suffered in consequence of the loss or the accident, until the present time we are no further advanced in this State than they were in England in that year. Our Bill of 1902 is no more advanced, goes not one step further than the old experimental English Act. It was looked upon then as a pure experiment,

nothing more nor less than an experiment, but it has been tried in England, found there to be a success, and I am proud of the mother country when I tell you that the Imperial Parliament has set an example to all the British dependencies in bringing the workmen's compensation up to modern requirements, or certainly further in advance than any of the dependencies of the Empire. As for this State we have been behind all the time. We have not kept in line with the march of events and the growth of humanitarian feeling. They have noticed this at Home and the question was discussed during the sittings of the Imperial Conference which, as hon members know, met in 1911, and it was there suggested, and resolutions framed accordingly, that all the British nations, that is all the parts of the Empire with independent Governments should come into line, and that we should have something like uniformity in our legislation in this matter. In almost every British State at present there are laws of this character, but they vary very considerably indeed. They vary as to their application, as to the class of workers excluded, as to the alternative remedies under other laws, as to the employment to which the Act could apply, as to the persons liable to pay compensation, and as to the amount of compensation; and there are various other differences, and perhaps the latest that has been placed on the statute-books of the British dominions is that of South Australia in 1911, which, of course, carries the law a good deal further in a humanitarian sense than the neighbouring States have done. At the same time there are limitations and restrictions there which we have avoided in the measure which is now submitted. There the definition of workman as applied in this Act excludes persons employed in agriculture. I am taking the House into my confidence in this part because here, perhaps, we may find discussion when we get into Committee. I say in South Australia the definition of workman excludes those persons employed in agriculture, horticulture, in dairying and pastoral pursuits, when a workman is not using steam, etcetera. We

have gone on the general principle that all workmen working for others meeting injury or death should be—or his relatives should be, or his dependants should be—compensated in the case of accident, and we exclude none. As hon. members will realise this is a matter involving insurance. Provision in that respect is now becoming so general that it is unnecessary to exclude any class of workers, and let me say here that, although I am introducing this measure, I am not satisfied that this is the final word on the subject. I am not at all of the opinion that this will be all that the law requires in order to do justice to the working community, and I am taking the House this much into the confidence of the Government that there is in preparation at the present moment a measure which I hope will be introduced this session; if not this session, certainly early in a subsequent session, a measure which puts insurance of every kind into the hands of the Government: establishes a State insurance organisation similar to that which is existent in Germany that covers accidents; similar to that in parts of Europe, and which is contemplated in Britain, and of which we have a fairly good workable example in New Zealand.

Hon. J. Mitchell: Do you want this Bill as well as the other?

The ATTORNEY GENERAL: We want this Bill in the meantime. The other Bill we have not completed yet. I am not sure we shall not be able to work in this Bill with the other one when it comes along. I am only saying this now by way of intimating that this is an instalment—a milestone on the road of progress—and is in part a response to the wishes of the Imperial authorities who have circularised every Government amongst the colonies and dependencies, asking that this measure shall be brought into line. We are not the only Government who have received messages from the Imperial authorities upon the subject, and we are endeavouring to bring this law into line with the legislation throughout the Empire. At all events, we are bringing it up to the level of the British law on the subject. We are not going to allow Great Britain to be ahead of us in

reforms of this character. While we are proud that she sets us the lead, we are not going to be laggards lingering behind. We are going to keep up with her.

Mr. George: It is not a bad example that you are following.

The ATTORNEY GENERAL: I hope that, when we get into Committee, the hon. member will remember that in following Great Britain's example, we are taking a wise step. While we follow her example as far as she leads us, we are taking it that what was the desire of the Imperial Conference and what is the desire of the Home authorities, is not so much absolute uniformity of detail as uniformity of intention.

Mr. George: That is right.

The ATTORNEY GENERAL: In the old law industrial diseases, as they have been technically termed, were not included. The example of including them was set by the British Parliament. We have here introduced industrial diseases; that is a feature of this present measure. It will be fresh in the memory of members that, during the last session the then member for Norseman and now member for Yilgarn (Mr. Hudson) introduced an amending measure which received every species of sympathy from one side of the Chamber, but which was not laudably received by the other, and met with disastrous consideration in another place. Those principles then embodied in that measure, and which were on the track of those for which the example had been set in the British Parliament, are now incorporated in this measure, and members will see in the schedule at the end of the Bill the list of those diseases which may be called industrial diseases, for which compensation can be claimed. And thus provision is made in the Bill that at any time an industrial disease is discovered or recognised as a product of a particular form of industry it shall, by proclamation, be added to this schedule. We start with the assumption that every worker leaving dependents, and meeting with death in consequence of accident in the course of his employment shall, or his legal representatives shall, have a claim for compensation upon his employer in consequence of that death. We

have endeavoured to make it so that there shall be no shifting of liability or responsibility, and that this shall be a claim, not only against a person who employs another meeting with death in the course of his service, but shall be a claim against his assets, against his property, or against any insurance that he may have effected upon the life of that person. So that there may be no shuffling in the matter, this is the first claim recognisable by every court in the land. We have made none of those exceptions that existed in other Acts, and that exist in our old Act, by means of which certain persons might evade their responsibilities by saying they were not directly the employers of the person who met with the accident or suffered death. Whoever is responsible for the employment of another in work that is part of a business of the employer, whoever is responsible for that work shall be responsible for the safety of the person who is working for him.

Hon. J. Mitchell: What about contractors?

The ATTORNEY GENERAL: The Bill provides for contractors, and, I think, provides very clearly for them.

Hon. J. Mitchell: We have not seen it yet.

The ATTORNEY GENERAL: No; but this is a portion of the measure which is important, and which involves a very important principle. We state—

In any case where a person (hereinafter referred to as the principal) contracts with another person (hereinafter referred to as the contractor) for the execution of any work by or under the contractor, and the contractor employs any worker therein, both the principal and the contractor shall, for the purposes of this Act, be deemed to be employers of the worker so employed, and shall be jointly and severally liable to pay any compensation which the contractor, if he were the sole employer, would be liable to pay under this Act.

Of course the measure goes on to provide that, as between the two—

Mr. SPEAKER: This is developing into a Committee debate. The hon. member must not deal with clauses.

The ATTORNEY GENERAL : I am endeavouring to show what the principle of the Bill is on the point submitted by an interjection.

Mr. SPEAKER : It is developing into a Committee debate.

The ATTORNEY GENERAL : No ; this is an important principle, and so far from being a Committee matter, it is one of the most important. We have taken exceeding care in this matter to place upon a solid footing the principle that no person can escape liability. A man cannot avoid his responsibilities to his employee by saying, "I am not the person employing him ; it is the contractor," and the contractor cannot avoid his responsibility by saying, "This is a workman employed by a sub-contractor." It will be impossible to shift the responsibility step by step, from one to the other. This measure says that the principal shall be the person for whom the work is being done. The contractor, for the purposes of this Bill, shall be upon the same footing as the principal. If he lets to a sub-contractor, the two shall be liable.

Mr. George : Then you get three liable.

The ATTORNEY GENERAL : They are all liable. But, as I was going to say when the Speaker drew my attention to the fact that this is not a Committee debate, we permit these parties concerned, the principal, the contractor, and the sub-contractor, however many of them there may be, to settle the amount of their liability among themselves. In whosoever employment the accident may happen—he may be the person properly liable to pay, because it may be due to his negligence, the inadequacy of the machinery provided, or the imperfection of the implements used in the course of the work, or from any other oversight, or negligence of any description, he may really be the person responsible—the principal for whom the work is being done may meet the full liability. He has his indemnity then. He can be indemnified by the contractor whose negligence was the cause of the accident, or by the person with whom at that particular time the relationship of employer and employee subsisted.

Mr. George : That means that a man letting a contract will make certain he is insured.

The ATTORNEY GENERAL : Yes ; it means that whoever is employing bodies of men, whether large or small, will in the first instance take care that every one of his workers is insured. We want to impress upon the general community that insurance is a necessity of this measure.

Hon. J. Mitchell : A heavy tax on the worker in some cases.

The ATTORNEY GENERAL : Why ? The worker has to pay wherever large bodies of men are employed at the present time, and why not, in these days of the rapid creation of wealth, should not some little of it go towards insurance.

Hon. J. Mitchell : When you have finished taxing.

The ATTORNEY GENERAL : We have by no means taxed the people up to their limit of capacity to pay. After all, this is no new tax. It is now everywhere in vogue where bodies of men are employed. We have, I admit, brought this measure well in accordance with the progress of the times. In other words, we have not kept to the limit that was assigned in the old Act of Great Britain, but we have increased the amount that can be distributed to the dependents and relatives in the event of death, and we have increased the amount that may be paid in the case of permanent disablement.

Mr. Broun : What if the contractor gets injured ? Is the employer liable ?

The ATTORNEY GENERAL : If the employer employs him as a worker.

Mr. Broun : In letting a contract ?

The ATTORNEY GENERAL : No he is an independent employer who steps into the place of the principal. but that does not exempt the principal from liability. If the contractor does not pay, and cannot pay, and does not make provision, it is the principal's duty to see that provision is made. In any effort to increase the wealth of the community in any form where men are employed, their insurance will be one of the first steps that will be necessary, and one of the things that must

be part and parcel of the contract at the very commencement of operations.

Mr. Harper: If a workman through negligence causes accident to another, who would be responsible then?

The ATTORNEY GENERAL: There is no provision for that! Contributory negligence is the old law under the Employers' Liability Act, but that does not find a place here. It is all covered by insurance. That is one of the risks that the insurance company has to take, and one of the rightful risks. In the case of a man, because he has, by accident or any other reason, a mate who is reckless, whose mind is not always on the alert, or who has some malicious propensity of character and gets a man working for him into trouble, why should the innocent man have to suffer? He is doing the work of his employer, and the employer must insure him against all the risk of that character.

Hon. J. Mitchell: Not if he maliciously does it.

The ATTORNEY GENERAL: Then the general law redeems him, and the guilty person will be made to suffer, but the innocent person who meets his death in the course of his employment is not to be victimised in consequence of that. The other can be punished in the ordinary courts of the land. I do not see that the insurance would be much higher than it is to-day and inasmuch as this Bill will have a tendency to increase the number of insured, in other words, to increase the business of the insurance societies, I do not see that they will need to add to the rate at all. But supposing that they do, it will be all the more argument for the State hurrying on with its scheme of insurance. As this measure makes insurance almost compulsory, wherever workers are employed the volume of business being increased, there will be no necessity to increase the rates to any extent.

Mr. Green: The management expenses of insurance companies at the present time are very high.

The ATTORNEY GENERAL: I know, and there is an illustration of that in the revelations made recently in Victoria. I want now to speak of another feature

of this measure. Up to the present time we have had nothing that would enable us to reach those seamen who travel on ships on our coast. When accidents have happened those people have had to fall back on the Merchant Shipping Act, which is very meagre indeed in its provisions, or if the ship has been inter-State, they have been able to come under the Commonwealth Act, which makes provision for the compensation of seamen. But on our coast line in regard to vessels registered in Fremantle or in this State, or owned by companies in this State, we have had no provision for paying compensation to seamen injured in the course of their voyages or employment. This measure extends the benefit to those seamen and gives them the right to recover for damages, subject, of course to some deductions provided for under the Merchant Shipping Act. Otherwise these deductions are only for maintenance during injury, and therefore, in that respect, I consider the measure humane and the extension a rightful principle. The measure also provides for the utilisation of the insurance moneys of the workers themselves, and to safeguard such schemes of insurance in cases of accidents, whether fatal or otherwise, it makes it necessary to submit them to the registrar appointed under this Bill, who may be the Registrar of Friendly Societies. If those schemes are not liberal to the extent of practically evading this Act, then they are not to be registered and in no case are such schemes to be made a condition of employment. They must meet the scrutiny of the registrar and be as liberal in provision for the workers or the workers' dependents as the measure itself, and so they may obtain registration and only by such means. We have gone to some considerable pains to provide that no dependent shall be forgotten or ignored in the distribution of the amounts that are given in the case of death. We have gone so far as to fall into line with the general spirit of liberal sentiment pervading the British Empire at the present time, by saying that even illegitimate children shall be entitled to come in for the blessings that this measure provides. That in itself is an

extension of the humane principles that is characteristic of the age in which we live. We have also committed the jurisdiction of this measure to the local courts, and we have given power to the magistrates to invest funds for the purpose of benefiting the dependents, and generally considering the wisdom of giving the amount in a total sum, or giving it by instalments, or allowing it until a child has reached the age at which it will be of benefit to that child. This, of course, is some extension of the modern methods of dealing with these cases. Another feature we have provided is to enable us to pay a dependent who may be out of the State, and to enable us to pay one who has been incapacitated during the course of his work, and who has found it necessary to go say to South Australia, or some other portion of the Commonwealth where he may have been sent to recuperate. The old Act would not permit us to send money out of the State, but this measure will enable us to give that requisite relief whether the person be living in Melbourne, Sydney, or in any part of this State, provided of course that the accident happened in this State, and we must also have a general assurance that he is in proper receipt of the money. With these safeguards we are able to follow a sufferer wheresoever he may be. The measure in no way destroys the liberties which exist under the present Act. There is power to commute a weekly payment for a lump sum in the case of permanent disablement, and there is power to make an agreement as to what that sum shall be. Of course the matter must be registered and we must have the facts clearly placed on record. Then we have also given power to make rules for the correct administration of this measure. I think I have practically stated the purposes of the Bill. There are matters relating to detail which will have to be considered in Committee. I have, however, said enough to enable hon. members to understand the purpose, the extensions, and the limitations of the measure now proposed. I therefore move—

That the Bill be now read a second time.

On motion by Hon. Frank Wilson debate adjourned.

BILL—TRAFFIC.

In Committee.

Resumed from the 8th October; Mr. Holman in the Chair, the Minister for Works in charge of the Bill.

Clause 3—Interpretation:

Mr. A. E. PIESSE moved an amendment—

That the following definition be added: "Agricultural machine" includes every kind of machine or implement used for the purpose of putting in or taking off a crop or preparing the produce of such crop for market, but does not include a traction engine, motor vehicle, motor wagon, portable engine and plant for threshing or chaff-cutting, unless such traction engine, motor vehicle, motor wagon, portable engine and plant for threshing or chaff-cutting is used exclusively by the owner thereof upon land of which he is the owner or the occupier under a lease or tenancy agreement.

The MINISTER FOR WORKS moved an amendment on the amendment—

That the words "or implement" be struck out.

If the words "machine or implement" were allowed to remain it would suggest that these were two distinct things, whereas as a matter of fact they were all machines. The words "or implement" were entirely superfluous.

Mr. Nanson: What is the distinction between machine and implement?

The MINISTER FOR WORKS: There was practically no difference. The words were being struck out at the instance of the Crown Law department.

Hon. FRANK WILSON: With all due deference to the Crown Law Department, there was a distinction between implement and machine. A spade, a rake, or a plough was an implement, but a harvester was a machine. If the Minister could not put forward any better reason for his amendment, it would be better to allow the words to remain.

The MINISTER FOR WORKS: The words were entirely superfluous, but the question was not worth arguing. He asked leave to withdraw the amendment.

Amendment on amendment by leave withdrawn.

Amendment (Mr. Piesse's) put and passed.

Mr. GEORGE: The definition stated that "width of bearing surface" meant "the actual width of the bearing surface of a tire that would actually come into contact with or bear upon a hard, smooth, level surface." With vehicles that had half round tires the width which would come into actual contact with a hard, smooth, level surface was very small.

The MINISTER FOR WORKS: The desire was to get at the bearing surface. This matter had been argued for years, and various authorities claimed that the width of a tire had no effect whatever on the actual destruction of a road; they said it was quite an illusion that the width of tire had any effect on the wearing of a road. There was a general impression that the width of tires had considerable bearing on the cost of maintenance, and he claimed that the definition of the width of bearing surface was essential if the Act was to be successfully administered. There was no intention of bringing this into operation until the people had been given time to alter their vehicles in accordance with the measure.

The CHAIRMAN: There could be no further discussion on this definition, because the amendment which had been made to the clause had been left to be moved at the end of the clause.

Mr. GEORGE: Whilst the Chairman's ruling might be strictly correct, still the desire of the Committee was to evolve a workable Bill. Had he anticipated such a ruling from the Chair, he would have spoken on this definition before the amendment of the member for Katanning had been moved. In the circumstances some latitude ought to be allowed.

The CHAIRMAN: The rules of debate must be adhered to, but as there had been some misunderstanding, he would be justified in allowing a discussion on any portion of the Bill back to the stage which

had been reached when progress was reported.

Mr. A. E. PIESSE: Seeing that a similar definition had been in operation in South Australia since 1867, the Committee need not have any hesitation about allowing this definition to pass as printed.

Clause as amended put and passed.

Clause 4—agreed to.

Clause 5—Traffic Inspectors and other officers:

Mr. GEORGE: It appeared that a number of inspectors and other officers were to be appointed; who was to pay those officers, and where were the funds coming from?

The MINISTER FOR WORKS: The local authority could appoint an inspector, but what they would do would be, as at present, to make the town clerk the inspector; in the metropolitan area, however, it would be necessary to appoint an inspector, and it was quite possible that an officer of the Public Works department would be appointed. It was not proposed to create any other positions carrying remuneration; the clause merely provided that licenses should be issued by an inspector.

Mr. A. E. PIESSE: The inspector was given very wide powers. By paragraph (b) of Subclause 2, he had unlimited authority to take proceedings, and paragraph (d) provided that he should be reimbursed out of the revenue of the local authority for all costs or expenses he might incur. There should be some restrictions placed on the powers of the inspectors in regard to incurring expenses. An officious inspector might take action which might land the local authority in very heavy costs.

The MINISTER FOR WORKS: In order to properly control traffic it was essential that the inspector should have power in exceptional circumstances to take action on his own initiative without waiting for a meeting of the local authority. The Bill as drafted was submitted to the roads board conference and they had been through it.

Mr. Broun: They went through it in two hours.

The MINISTER FOR WORKS : The conference were specially requested to deal with the Bill and say whether the provisions contained in it were in accordance with their experience in the control of traffic and in road matters, and they adopted the measure with one or two slight amendments. The responsible officers of the Works department were of opinion that this power was necessary for inspectors, and the roads board conference had endorsed that view.

Mr. ALLEN : The Minister reserved to himself the right to approve of the appointments of inspectors. Did he not have sufficient confidence in the local authorities to enable them to make these appointments without his approval ?

The MINISTER FOR WORKS : Representing the whole of the people, the Government should have some say as to whether the inspector appointed by the local authority to carry out the provisions of the measure was carrying them out in accordance with the desires of the Minister controlling the measure. While there was every reason to be proud of the general administration by local bodies, there were exceptions. Some did not take things seriously and appointed inspectors with the sole idea of seeing that the provisions of such a measure as this were not enforced or that license fees were not collected. In such cases the Minister should be able to step in and appoint an inspector to see that the desires of Parliament, as expressed in the Bill, were enforced in every district.

Hon. J. MITCHELL : The local authority was given power to review any action or decision of any inspector in its district. Presumably the local authority could discontinue any action started by an inspector.

The Minister for Works : That is distinctly provided for in Subclause 6.

Hon. J. MITCHELL : Was there a similar provision requiring the approval of the Minister in regard to appointments under the Municipal Act ?

Hon. W. C. Angwin (Honorary Minister) : Sanitary inspectors must be ap-

proved of by the Commissioner of Public Health.

Hon. J. MITCHELL : Did the Minister approve of the appointment of a town clerk ?

Hon. W. C. Angwin (Honorary Minister) : No.

Hon. J. MITCHELL : Could an inspector be dismissed without the approval of the Minister ? Could the local authority have power in every detail over the inspector appointed by the Minister ?

The MINISTER FOR WORKS : Under Subclause 6 the local authority had absolute power to review the action of the inspector. In other words, the local authority could alter or amend the action of the inspector if they thought fit.

Hon. J. Mitchell : Can they dismiss him ?

The MINISTER FOR WORKS : In another portion of the Bill the local authority had power to dismiss officers.

Hon. W. C. ANGWIN (Honorary Minister) : The Minister would make use of the officers already appointed by the local authorities, and if the local authority dismissed an officer from the position he was occupying in addition to the appointment under the Bill, the Minister would require to give approval of the appointment of some other inspector. It was only in Perth where officers were carrying out the duties of traffic inspectors purely and simply. The Minister might disapprove of a man being appointed under this Act, but generally he would accept the existing staffs of the local authorities. Under the Health Act, not only was the approval of the Commissioner required for the appointment of every inspector, but no inspector could be dismissed without the approval of the Commissioner of Public Health.

Mr. ALLEN : The approval of the Minister might be all right in outside districts, but it was unnecessary in the metropolitan and suburban areas, and it was certainly a reflection on the local governing bodies to say that these appointments must be approved by the Minister. He moved an amendment—

That the words "with the approval of the Minister" at the end of Sub-clause 1 be struck out.

The MINISTER FOR WORKS : This amendment could not be accepted. It was essential that the Minister should see that the administration of the Bill was complete. The measure could not be administered in one district and neglected in another. It was not proposed to interfere unless an inspector was not doing his work, but it was necessary to have the power to interfere when it was considered an inspector was not doing his duty. For that reason the power should be given to the Minister to approve of appointments.

Mr. Nanson : You will have to get Ministerial approval to dismiss him.

The MINISTER FOR WORKS : Not necessarily. It depended upon the term of the inspector's appointment. That would be a matter subject to regulation. The Minister had to take the responsibility of saying whether the inspector appointed, who might be an officer of the board, could do the work. This power was necessary to have the administration of the measure uniform.

Hon. FRANK WILSON : The wide power proposed to be given would be seldom exercised. The approval of the Minister was a mere matter of form. A Minister could not be supposed to know the capabilities of individual officers of roads boards and must take the recommendation of the local authority. There was no objection to the Minister's approval being sought, but could officers be dispensed with without going to the Minister for his approval ?

The Minister for Works : Certainly.

Hon. FRANK WILSON : The power that made unmade. If a man could only be appointed with the approval of someone, it carried with it that the same someone must approve of the dismissal of the man.

The Minister for Works : The actual appointment is made by the local authority.

Hon. FRANK WILSON : It must be confirmed by the Minister and the dismissal would need the same approval.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. BROWN : Some provision ought to be made in the clause giving the local authority power to dismiss traffic inspectors if it was necessary, without the authority of the Minister.

Mr. A. E. PIESSE : To a large extent the clause met with the approval of the local authorities. It provided that the appointment of traffic inspectors should be with the approval of the Minister, a qualification that applied to practically everything the local authority did. The clause could be improved by the striking out of all words after "inspectors" in line 2 and the insertion in lieu thereof of Section 121 of the Roads Act, which gave power to the local authority to appoint officers. Apparently there was no provision in the Bill for the remuneration of traffic inspectors. Yet if the measure were to be properly administered it would be necessary to remunerate these officers, who, if they conscientiously carried out their duties, would have a considerable amount of work to do. Subclause 4 provided for the appointment of licensing officers and assistant inspectors. It would be a very cumbersome process if all dismissals were required to be submitted to the Minister. As the clause stood every dismissal would have to be submitted to the Minister, notwithstanding that in such a case it might be highly desirable to act promptly. It would be well if the Minister agreed to recommit the clause and, in the meantime, make provision in the direction indicated.

The MINISTER FOR WORKS : It was quite unnecessary that provision should be made for the dismissal of any of the officers. Power was given to the local authority to appoint officers, and that power was sufficient to cover removals. In all our Acts power was given to appoint officers, but provision was not specially made that the power which appointed them, namely, the local authority, should be able also to remove them; so much was understood. It was quite necessary to give somebody power to appoint traffic inspectors and licens-

ing inspectors, and, of course, the power to appoint connoted the power to remove.

Mr. Broun : But under the clause the inspector, if dismissed, could appeal to you.

The MINISTER FOR WORKS : That was not so. The only reference to the Minister was in the provision giving power to appoint. It did not follow that because the Minister was required to approve of an appointment that he should also be required to approve of a removal.

Mr. Nanson : Yes, unless you specify to the contrary.

The MINISTER FOR WORKS : That was not his opinion. When such an officer was appointed the appointment would be made subject to the ordinary conditions of employment.

Mr. Nanson : It is a qualified power to appoint and, conversely, it would be a qualified power to dismissal.

The MINISTER FOR WORKS : That did not necessarily follow. So long as the appointment was made subject to the approval of the Minister, the Minister would be satisfied. The local authorities had discussed this clause pretty fully at their conference.

Mr. Broun : How many delegates were there at the time ?

The MINISTER FOR WORKS : Although not in a position to state how many were there, he could say that the voice of the conference had been submitted to Ministers. All that the conference had asked was that the power to appoint an inspector should be made discretionary with the local authorities. However, it had been pointed out to the representatives of the conference that it was essential to have traffic inspectors, and that consequently the appointment of such officers was inevitable. The only condition imposed was that the appointment should be subject to the approval of the Minister. There was no occasion whatever to provide powers of dismissal, but, just the same, he would make inquiries of the Crown Law Department, with a view to definitely settling the point.

Mr. LANDER : Could not the local authority appoint a police constable as inspector under the Bill, just as they did at the present time in respect to the Health Act? There should be no difficulty at all about this.

Hon. W. C. ANGWIN (Honorary Minister) : A large number of the officers of the local authorities were also inspectors under the Health Act.

Mr. Broun : Not outside municipalities.

Hon. W. C. ANGWIN (Honorary Minister) : Yes, there were many roads board officers who were inspectors under the Health Act.

Mr. A. E. Piesse : But they are remunerated for those services.

Hon. W. C. ANGWIN (Honorary Minister) : These officers could not be removed without the consent of the Commissioner of Public Health, nor, indeed, could their salaries be reduced without that permission. Under the clause, no Minister would be likely to interfere, unless the board were taking an unfair advantage of an officer, and dismissing him for having done something which it was his duty to do. In such an event, of course, the Minister might, on the facts, determine to protect the officer.

Mr. Nanson : You had a case in Geraldton.

Hon. W. C. ANGWIN (Honorary Minister) : No, there was something wrong there, but nothing against the officer of the local authority. While the Minister would approve of an officer appointed by the local authority, no objection would be raised to a change unless something had been done to prevent the officer from carrying out the provisions of the measure. An officer might take some action and be dismissed and in that event the Minister would endeavour to protect him, but with regard to the general duties of a secretary of a roads board, the Minister would not object to a new appointment.

Mr. A. E. PIESSE : There was no objection to the words remaining so long as it was made clear that in the event of dismissal the dismissal need not necessarily have the consent of the Minister before it took effect. If the Minister would look

into the matter he would not pursue it further at present.

Amendment put and negatived.

Clause put and passed.

Clause 6—agreed to.

Clause 7—Licenses—when required:

Mr. E. B. JOHNSTON moved an amendment—

That paragraph (a) be struck out.

If the clause was passed every user of a bicycle or tricycle would have to pay a tax of half a crown a wheel. The tax would fall heavily on office boys and people of limited means.

The MINISTER FOR WORKS: Power was given to-day to local authorities to impose a license fee on cycles. In some districts it was not enforced but it was enforced on the goldfields where cycle tracks were provided. Consequently it was essential the license fee should be enforced on the goldfields. The roads board conference decided to allow the paragraph to stand. If it was good in one part of the State it was good in another. The Government had decided to subsidise the license fees collected to assist the local boards to maintain their roads. If these fees were cut out, we would reduce the possibility of maintaining main roads which were getting into a deplorable condition.

Mr. A. E. PIESSE: An exemption should be provided in the case of school children under a certain age and schoolmasters and schoolmistresses. In the country children had to travel a good many miles and bicycles were freely used. Later on he would move an amendment to this effect. It was the policy of the Government to provide facilities for children in sparsely populated districts to take advantage of free education and the exemption indicated should be made.

Hon. FRANK WILSON: The amendment would have his support. A tax on cyclists was unnecessary. Scores of workmen used bicycles and the machines did no harm to the roads. In some instances no special track was provided. The revenue should not be increased at the expense of these people.

The Premier: Are not all vehicles used for the purpose of getting about to do business?

Hon. FRANK WILSON: In the time of strikes people used roller skates to get to business. Would the Premier advocate a tax on them? If there was a special track on the goldfields there might be justification for a tax but only under those conditions. Otherwise a tax must be put on go-carts and perambulators. If the tax realised a couple of thousand a year that would be the outside amount and the chances were that a lot of bicycles would be thrown out of use. The Minister for Education paid for vehicles to convey the children in country districts to school and yet he intended to tax the children in the towns who used bicycles.

The Premier: The tax is on those vehicles just the same.

The MINISTER FOR WORKS: There was a similar section in the Municipal Corporations and Roads Board Acts to-day.

Mr. Nanson: That is optional.

Hon. Frank Wilson: Here you are making it mandatory.

The MINISTER FOR WORKS: It had been exercised by the local authorities on the goldfields. If the amendment was carried, cyclists would be penalised because the roads boards would not maintain the bicycle pads.

Hon. Frank Wilson: Then put in a clause to deal with bicycle pads.

The MINISTER FOR WORKS: Cyclists welcomed the fee because in return they got a pad that was not interfered with by the general public.

Mr. Heitmann: In only one part of the State, Kalgoorlie.

The MINISTER FOR WORKS: No, practically throughout the goldfields.

Mr. Heitmann: I have not seen any pads on any parts of the Murchison.

The MINISTER FOR WORKS: The Government adopted this at the request of the roads board conference. Revenue was being derived from it for a set purpose, and if we struck it out we would be doing an injury to cyclists. When we came to the clause dealing with the question the Committee might limit its operation.

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

Ayes	13
Noes	24

Majority against	..	11
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AYES.

Mr. Allen	Mr. Mitchell
Mr. Broun	Mr. Nanson
Mr. George	Mr. Swan
Mr. Heilmann	Mr. Underwood
Mr. Johnston	Mr. F. Wilson
Mr. Lewis	Mr. Layman
Mr. Male	(Teller).

NOES.

Mr. Angwin	Mr. McDowall
Mr. Carpenter	Mr. Mullany
Mr. Collier	Mr. Munste
Mr. Dooley	Mr. O'Loughlin
Mr. Dwyer	Mr. A. E. Piesse
Mr. Foley	Mr. Scaddan
Mr. Gardiner	Mr. Taylor
Mr. Green	Mr. Thomas
Mr. Harper	Mr. Turvey
Mr. Hudson	Mr. Walker
Mr. Johnson	Mr. B. J. Stubbs
Mr. Lander	(Teller).
Mr. McDonald	

Amendment thus negatived.

Mr. E. B. JOHNSTON: This was the clause that laid down the principle as to whether the wheel tax should or should not be charged in the future. In the agricultural districts a number of roads boards had power to abolish the wheel tax and some of them had gone so far as to refuse to collect it. It had been urged that it had been a very bad tax because it pressed exclusively on the resident landowner who was improving his holding, while the absentee entirely escaped from its operations. He moved an amendment—

That the following words be added to paragraph (d), "used for hire or used by any public carrier."

That would have the effect of exempting all other vehicles from the wheel tax. We could adopt the principle of increasing the rates on the land and deriving revenue in that way. The amendment would have the effect of taxing only spring carts and carriages used for hire by public carriers.

Mr. A. E. PIESSE: People living in country districts had for a long time past

considered that this tax pressed heavily upon the producing community. The tax was not collected, that was, outside of licensed vehicles for hire, or vehicles employed for the purpose of the carriage of goods. He had been informed that such a license did not exist in the other States, and the settlers who came to Western Australia from the Eastern States found the tax to be an annoyance, and also in some cases a hardship. In many instances it pressed heavily upon the enterprising producer because he was a man who had a number of vehicles, and in some cases men had to pay as much as from £5 to £10. It was not right that we should tax the progressive man. It was realised that there would be some difficulty in exempting these vehicles because, to be consistent, we would have to exempt them in all parts of the State. The Minister, however, might consider the advisability of making a rebate, say, where the road board tax came to £5 and the wheel tax came to £8 the settler should not be obliged to pay both.

The Premier: How would you make up for the loss of revenue to those boards?

Mr. A. E. PIESSE: The local authorities had on more occasions than one expressed themselves as not being in favour of the tax, and had suggested that they should increase their local rate.

The Premier: As it is we have to force them to get their rates in.

Mr. A. E. PIESSE: They were not doing so badly, taking into consideration the disadvantages which they were labouring under in some districts. He was prepared to admit there were some local authorities who did not tax themselves up to what probably might be considered a fair amount. But there were extenuating circumstances in some of these cases, and the Premier would admit that in some of the new districts, particularly where they had had to face a dry season, the local authorities had done very well.

Mr. GEORGE: A lot of people who were using the roads did not pay any road rates at all. Wood carters and sleeper carters, for instance, used the

roads to a very great extent, but did not pay any road rates at all. It was true that the farmer was paying road rates, and only used the roads for a very short period of the year. Many farmers, owing to the way in which the railways were laid out must cart their produce long distances, and in order to get their wheat to market they had to employ as many wagons as their means would allow. They were already paying their roads board rates, which should be sufficient. In his own district the carting of sleepers and heavy timber was done by men who did not pay any roads board rates. If this clause was to be struck out, there should be a proviso indicating those who were exempted.

Hon. FRANK WILSON: It was surprising to find a rising young democrat, almost a socialist, moving an amendment to exempt the man who was in a position to afford a vehicle for his own luxury. Those who used the roads ought to be taxed. There was no equity in the suggested amendment. The supporters of the member for Murray-Wellington would have to pay a tax on their vehicles for carting firewood, whilst the hon. member when he drove to a railway station in his spring cart would go scot free. The clause should be left as it stood.

Hon. J. MITCHELL: There was a good deal in the contention of the member for Katanning that the farmer should not have to pay both taxes. The farmer now really provided the road, and it was a wise suggestion that the cart tax should be deducted from the ordinary taxation.

The Premier: How would you make up the loss of revenue?

Hon. J. MITCHELL: If the rate was increased slightly over the whole of the land it would compensate for the loss of revenue and some encouragement would be shown to the man who displayed some enterprise.

The Premier: Do not a number of farmers hire wagons and get others to cart their produce for them?

Hon. J. MITCHELL: There were a few farmers who in bad seasons did a little contract carting. He agreed that it would be wrong not to collect from the man who did not pay

any rates, but it did seem strange that the man who provided the road was specially taxed when he wanted to use it. He was specially taxed inasmuch as he was taxed to the same extent as the man who contributed nothing to the general rates, but used the roads more. The man on the land provided the greater portion of public revenue.

The Premier: No.

Hon. J. MITCHELL: When the Premier brought forward his taxation proposals it would be seen where he placed the burden.

The Premier: You will be in it in two places, I can promise you that.

Hon. J. MITCHELL: The Premier had to get his taxation through Parliament first. The member for Katanning had shown a reasonable way out of the difficulty, and it was to be hoped the suggestion would be accepted. No additional burden would be placed on the new settler.

The Premier: Yes, the new settler will have to make up the loss of revenue.

Hon. J. MITCHELL: The people objected to a multiplicity of taxes, and it was wrong to apply further taxes to the man who was already taxed to provide the roads.

The MINISTER FOR WORKS: The effect of the proposal of hon. members opposite would be to transfer the tax from the well established man to the beginner. The member for Beverley had stated clearly that the desire was to abolish the cart tax with a view to increasing the general rate. That would mean that the man who was well established, had a number of vehicles, and used the roads a lot, would be exempt from cart fees and yet would pay no more land tax.

Mr. Brown: He will pay more land tax. The unimproved value of the old settler is ever so much more than that of the new settler.

The MINISTER FOR WORKS: The man who was well established with 1,000 acres was not paying more on the unimproved value than his neighbour whose property was not so far advanced. The man on a well-established farm in a higher-producing stage than that of the

new settler, through having a greater number of vehicles, used the roads more, yet the hon. member would exempt him from the license fee and, by increasing the rate, increase the burden on the new settler who did not use the roads to the same extent. It was an unsound proposition. As a farmer he (the Minister) absolutely resented the constant insinuations of some individuals that the farmer objected to taxation; it was an unfair reflection.

Mr. Monger: Where do you farm?

The MINISTER FOR WORKS: Without prating about it, he did more farming than the hon. member; if the hon. member would only become a producer—perhaps he had better not say more; but it was a reflection on the farmers to be perpetually saying that they objected to taxation. The farmers were prepared to pay their fair share of taxation, and to say they objected to taxation was as unfair as it was untrue. In order to gain popularity in some particular district, members who knew perfectly well that the farmer did not object to taxation said, "Do not tax the farmer; he does not want taxation." The farmer wished to do his duty to the country equally as much as any citizen.

Mr. A. E. PIESSE: There was not the slightest intention to cast any reflection on the farmers in this State, but this was the first opportunity there had been for several years past to discuss the question of the wheel tax that had been exercising the minds of the producers for a considerable time.

The Minister for Works: In limited districts. The roads board conference agreed to it.

Mr. A. E. PIESSE: Yes, and for that reason the Committee would be wise to pass the clause as printed, but there was a certain amount of dissatisfaction, and a great deal of it in the country districts, in regard to this wheel tax.

The Minister for Works: Not against the license but against the Act that imposed a license it was so difficult to administer.

Mr. A. E. PIESSE: That was the case, and a good deal of the sting of the license was taken away by the fact that the Minister proposed to subsidise the fees

collected in order to maintain main roads. If it was thoroughly understood by people in the country districts that this was going to be done, they would be satisfied to some extent, but the best way out of the difficulty would be to make a rebate on the lines he suggested. Until the people thoroughly understood the proposed improved conditions in regard to subsidies, the question of the wheel tax would be a hardy annual at roads board conferences for some time to come. The local authorities would approve of the increased revenue likely to come from the proposed subsidies, but at the same time the point of view of the farmer had to be considered. In the past the departmental officers had never taken into consideration the amount raised by local authorities by way of wheel tax, and no corresponding subsidy was paid on the license fees collected. One could not vote to eliminate the license altogether, because if an amendment in that direction were carried the Minister would have to drop the Bill; and seeing that the roads board conference had approved of this clause, members would be perfectly justified in voting for it as it stood; at the same time if the Minister would look into the question of a rebate, he would see there was a great deal more in it than appeared on the surface.

Mr. E. B. JOHNSTON: The feeling of the Committee was evidently against the amendment, but it was pleasing to note that the Minister recognised what was true, that the people in agricultural districts were always prepared to pay their fair share of taxation, though they objected to this tax. The feeling against it right throughout the wheat belt was very strong, because it was a tax that the absentee-owner entirely escaped, and was a tax most heavily felt by the settlers thirty or forty miles from a railway, to whom spring carts were just as necessary as a means of existence as the miner's pick or the labourer's shovel. It was just as bad to tax the new settler's spring cart as it would be to impose a tax on shovels or picks. Would the Minister accept a proviso that the tax on spring carts and carriages should only be imposed in road districts with the ap-

proval of the district roads board? That would leave it to the ratepayers in the road districts to say whether the Minister was correct or not in regard to the feeling of the settlers about this particular tax.

Hon. W. C. ANGWIN (Honorary Minister): Seeing that those who had carts and carriages used the roads outside the districts in which they resided, and seeing that the tax was to be used for the express purpose of repairing main roads which might run through several districts, as was the case of the main road from Fremantle to Perth, it would be impossible to give the local authorities the option of levying the tax. The suggestion of the member for Katanning (Mr. A. E. Piesse) was a novel one. The resident with the sufficient number of vehicles would escape paying any rate by simply paying wheel tax. It would be detrimental to the man living at a distance from a station. In large districts the extra revenue would be necessary. The Government proposed to subsidise the tax collected on vehicles in order that more money might be spent on main roads, and this would be of benefit to the farmer living further out. The few shillings he would pay to get good roads would be quickly earned by the saving of time he otherwise lost through having to travel over bad roads. Districts which had no roads would be able to get them.

Hon. Frank Wilson: Do you propose to extend the main roads?

Hon. W. C. ANGWIN (Honorary Minister): It was hard to say what were main roads. In the Sussex district the road to Karridale was just as much a main road as the road to Yallingup.

Hon. J. MITCHELL: The suggestion of the member for Katanning should be taken into consideration. The farmers did not object to pay a fair amount of taxation, but they would like to have the opportunity to determine what was a fair amount, and they objected to the Minister determining it. A settler nearer to the railway paid a higher rate because his land was of greater value, while he used the roads much less than the man further out, yet his tax on the wheels was

the same as that of the man twenty miles away from a railway. It had been rightly suggested that the enterprising farmer might well be relieved of the wheel tax when he came under the roads board rate. While he did not propose to move any amendment, he hoped that the Minister, when having the Bill reconsidered by the draftsman, would have this matter inquired into.

Amendment put and negatived.

Mr. TURVEY moved a further amendment—

That in paragraph (b) after "carts" the words "used within the boundaries of any municipality" be added.

The object of the amendment was to afford some little relief to those settlers situated remote from the centres of civilisation. Settlers who were plucky enough to go outback and do the pioneering work should be exempted from the operations of the tax. Very often when a farmer was known to have three or four vehicles the roads board was quite satisfied if he paid the tax on one of those vehicles. The general feeling in country districts was that the wheel tax constituted an iniquitous imposition.

The MINISTER FOR WORKS: This was an imitation of the previous amendment, which had been negatived. The hon. member desired to exempt ratepayers in roads board districts. What effect would such amendment have within practically a stone's throw of Parliament House, in the Buckland Hill, Claremont, Cottesloe Beach, and Perth roads boards districts? At Cottesloe Beach, for instance, there were many carters engaged in carting stone, and as a result of these operations the Perth-Fremantle-road at that point was in a deplorable condition, and badly in need of reconstruction. Yet the hon. member, by his amendment, contended that these carts should be exempt from taxation. One could find scores of similar illustrations.

Amendment put and negatived.

Clause put and passed.

Clause 8—Passenger vehicles and carriers' licenses:

Mr. MUNSIE: Would the Minister afford some explanation in regard to this.

clause. It bore the interpretation that if a person went to a livery stable and hired a trap which the owner had failed to register, the person hiring it was liable to a fine of £20.

Hon. FRANK WILSON: The clause went even farther than that. If a person engaged a cab to take him home in the early hours of the morning, and failed to ascertain that the driver had not a license, the passenger in the cab would be liable to a penalty of £20 for using the cab.

The MINISTER FOR WORKS: The clause applied to passenger vehicles or carriers' licenses and so would not be operative in regard to the illustration given by the member for Hannans (Mr. Munsie). As for the point raised, that the person using the cab should not have any responsibility in regard to seeing that the cab was licensed, he (the Minister) thought it should be the duty of the passenger to ascertain that the vehicle was duly licensed. However, the provision was only inserted for use in special cases. If we had not strong powers for enforcing the measure it never would be enforced.

Mr. GEORGE: If a person had occasion to call a cab he would scarcely trouble to inquire as to whether or not the cabman had his license. Nor was this the business of the passenger; it was the business, rather, of the inspector to see that the cabman had a license.

Mr. MUNSIE: The explanation of the Minister was not satisfactory. The clause as it now stood would make a person liable if he went to a livery stable and hired a trap to take his family out for a drive on Sunday, and that trap happened to be unlicensed. He moved an amendment—

That in line 5 the following words be struck out:—"and every person so using the same or causing or permitting such use thereof."

Mr. ALLEN: The amendment was necessary. Suppose visitors arriving here by boat engaged a cab for a drive in the park, and found they were riding in an unlicensed vehicle, what would be their position? How were they to know what was necessary?

The Minister for Works: Action would be taken against the driver.

Hon. W. C. ANGWIN (Honorary Minister): This clause dealt only with drivers' licenses, and those licenses were issued in Perth at the present time. What was meant was that if any person drove a vehicle without being licensed he should be liable to a penalty. The person using the vehicle was not meant. If a person took a cab off the rank the driver had to be licensed, and if the vehicle was not licensed the driver would be fined.

Mr. B. J. STUBBS: The amendment was unnecessary. The clause compelled owners of vehicles plying for hire to have a license apart altogether from their vehicle license.

Hon. Frank Wilson: This is not a driver's license.

Mr. B. J. STUBBS: Persons using vehicles for hire were compelled to have separate licenses. If a person hired a vehicle from a stable and drove it himself on an outing it could not be claimed that the vehicle was plying for hire.

Mr. Munsie: What is it?

Mr. B. J. STUBBS: It would be merely a vehicle, and as such would require a vehicle license.

Hon. Frank Wilson: Do you say the clause provides for a driver's license?

Mr. B. J. STUBBS: This was a separate license for vehicles that were plying for hire. A carter, for instance, would require a license apart altogether from his wheel tax, but an ordinary buggy let out by a livery stable keeper would not have to pay this license.

Hon. Frank Wilson: But a cab would.

Mr. B. J. STUBBS: Undoubtedly. The Minister for Works had stated an extreme case when he said that a person getting into a vehicle to go home would have to see that the vehicle was licensed. The clause was so worded as to prevent anybody found in charge of an unlicensed vehicle denying responsibility. It would be absurd to say that any inspector would try to place the responsibility on a person driving home in a cab to show that the vehicle was licensed. The inspector would immediately look for the person in charge of the vehicle. The objections that had

been raised to the clause were most extreme.

Mr. HARPER: The clause was ambiguously worded, and it would be much clearer if the amendment was carried. It would be a hardship on a stranger who was not conversant with the law in this regard to be subjected to these conditions.

Mr. LANDER: It was possible for a situation to arise like this: The driver of a vehicle containing passengers might see approaching an inspector who was likely to tap him for a license. He would ask the passenger to hold his horses for a moment while he went away somewhere, and the inspector would come along and hold the passenger responsible. Such an instance had occurred at Bayswater, where a passenger who happened to be holding the horses had to suffer a penalty for being in charge of a horse with a sore shoulder.

Mr. NANSON: A good deal of the trouble had arisen through the misinterpretation placed on the clause by the Minister. The words "so using the same" must be read back, and it would be found that they meant using the vehicle for hire or for reward. There was not the slightest doubt that if a prosecution was brought against the passenger, judgment would be given for the passenger, and that judgment would be upheld on appeal.

Mr. BROUN: The amendment should be supported. A person might hire a vehicle from a livery stable, and because the vehicle was not licensed he as well as the owner would be liable to a penalty of £20.

The MINISTER FOR WORKS: In the first place the license had to be attached to the vehicle, and the inspectors would have the assistance of the police to enforce this measure. The only way it could be enforced was by requiring the license to be attached to the vehicle. This clause was only to deal with extreme cases. It was required that vehicles plying for hire should be licensed, but there were special days on which vehicles were taken out and used for hire, and on such occasions it was difficult to ascertain the individual who was in charge. When the inspector came along he could get nobody to acknowledge

that he was in charge of the vehicle. The clause gave the inspector power in such cases to seek out an individual and make him responsible. Without a provision of that character the Act could not be administered in regard to these special cases.

Hon. FRANK WILSON: It was no concern of his to see that the man who carried his furniture, or the cabman he engaged had a license. That was for the owner. This was emphasised by Clause 9. To go beyond that was unreasonable and he was surprised at the Minister for Works. Why should he be made responsible if he hired a vehicle? Not one person in a thousand would dream of asking a cabman, or a livery stable keeper, if he had a license.

The Minister for Works: You cannot say that buggy hiring is plying for passenger hire.

Hon. FRANK WILSON: What about when we took a cab? Must we see that the cabman had a license?

The Minister for Works: Under special circumstances, yes.

Hon. FRANK WILSON: It would be more reasonable to insist that anyone hiring a buggy should enquire if the livery stable keeper had a license. The Minister agreed that the poor, hard-worked member of Parliament, going home early in the morning, when he was not in a fit state to read a license, should be hauled up because he did not satisfy himself that the vehicle was licensed. The construction mentioned by the member for Greenough (Mr. Nanson) might be correct, but the clause should be made clear in order to do away with the possibility of a person hiring or engaging a vehicle being summonsed because he had not seen that the vehicle was licensed.

Mr. NANSON: If a person hired a buggy, took it into the street, and filled it with passengers whom he charged, he would be liable. If he took passengers without charging them he would not be liable, because he was merely hiring the vehicle and not plying for hire. He did not mind whether the amendment was carried or not, but he realised that the Minister wanted to get at the person actually using a vehicle for hire.

The MINISTER FOR WORKS: If the leader of the Opposition was riding home in a cab he would not be liable if he was incapable of seeing that he was riding in an unlicensed vehicle. The owner would be held responsible, and if not the owner, the driver, and failing either of those the responsibility would then attach to some person in the vehicle. Only in extreme cases, when no one would admit that he was in charge of the vehicle, would it be necessary to make someone responsible in this way, and the clause then would apply only to a vehicle plying for hire. It would not apply to a buggy hired by an individual for his own purpose.

Hon. J. MITCHELL: In Perth a number of vehicles was owned by livery stable keepers and the city council licensed the drivers. The clause did not apply to a passenger at all. There must be in charge of a vehicle plying for hire a person who collected the fares.

The Minister for Works: You cannot always get people to admit that.

Hon. J. MITCHELL: The clause was correct and without it the Bill would not be perfect. The Minister, however, did not appear to understand why the clause was included. If a passenger had to satisfy himself regarding the license every time he took a cab, half of his time would be occupied.

The Minister for Works: Someone is directly in charge.

Hon. J. MITCHELL: There was always a driver, either the owner or some person in his employ.

The Minister for Works: There are some cases where there is not a driver.

Hon. J. MITCHELL: It was impossible to argue that cabs stood unattended and ready for someone to jump into them.

Mr. MONGER: While congratulating the Minister on having introduced such a big piece of legislation, the draftsman could not be complimented on imposing such heavy penalties. He was inclined to move to strike out "pounds" in this clause and insert "shillings" in lieu.

The CHAIRMAN: There was an amendment already before the Committee.

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

Ayes	15
Noes	20

Majority against	..	5
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AYES.

Mr. Allen	Mr. Male
Mr. Broun	Mr. Monger
Mr. Dooley	Mr. Munale
Mr. Gardiner	Mr. A. E. Piesse
Mr. George	Mr. Underwood
Mr. Harper	Mr. F. Wilson
Mr. Johnston	Mr. Layman
Mr. Lewis	(Teller).

NOES.

Mr. Angwin	Mr. Mitchell
Mr. Carpenter	Mr. Mullany
Mr. Collier	Mr. Nanson
Mr. Dwyer	Mr. O'Loughlen
Mr. Foley	Mr. Scaddan
Mr. Green	Mr. B. J. Stubbs
Mr. Hudson	Mr. Swan
Mr. Johnson	Mr. Turvey
Mr. Lander	Mr. Heltmann
Mr. McDonald	(Teller).
Mr. McDowall	

Amendment thus negatived.

Clause put and passed.

Clause 9—agreed to.

Clause 10—Trailers:

Mr. E. B. JOHNSTON: It was not clear whether a chaffcutter or a threshing machine passing from one district into another should pay a license in the district where it operated.

The MINISTER FOR WORKS: The fee to be paid must be collected in the locality where the machine operated.

Mr. A. E. PIESSE moved an amendment—

That the words "during the hours between sunrise and sunset" at the end of Subclause 1 be struck out.

Agricultural machines drawn along any road were exempt from the license for trailers provided they were drawn along a road between sunrise and sunset, but it was often impossible for the man taking out an agricultural machine to his farm to travel only between the hours of sunrise and sunset. It would be necessary for the farmer to camp at sunset and continue his journey next day.

The MINISTER FOR WORKS: The provision was necessary in the interests of public safety. The clause was introduced as the result of representations made owing to accidents happening. A vehicle with unlighted trailers attached had been passed by a motor car travelling in the opposite direction. The motor car had successfully negotiated the vehicle but had dashed into the trailers.

Mr. A. E. PIESSE: There was ample power in the Bill to enable local authorities to make regulations as to the number of lights to be carried by vehicles, and as to the positions in which lights should be carried.

Hon. J. MITCHELL: A man taking out a farming machine might be overtaken by sunset within a couple of miles of his homestead. The Minister should rather legislate to compel motor cars to travel at a slower pace and to carry proper head-lights. The whole clause seemed to be fruitful of much trouble. It would appear that if a man broke the shafts of his trap he could not tow his trap home behind a cart without obtaining a license. Of course the clause related to agricultural machinery, but the trailers particularly objected to were those carrying heavy loads of firewood.

Mr. BROWN: Unless the words were deleted the clause would act unfairly against the farmer who might want to take his machinery along after sunset.

The MINISTER FOR WORKS: These words had been put in because accidents had happened, and if the Committee took the responsibility of striking them out, the consequences would rest with the Committee. He had no desire to assume that responsibility.

Amendment put and passed.

Mr. E. B. JOHNSTON: Would the Minister state whether agricultural machines mentioned in the clause covered threshing and chaffcutting plants. Surely it was not intended to exempt these from a license fee, and that might possibly be the case under the proviso.

The MINISTER FOR WORKS: An amendment had already been carried to exempt these plants.

Clause as amended put and passed.

Clauses 11 to 15—agreed to.

Clause 16—Apportionment of fees between districts:

Mr. E. B. JOHNSTON: It was feared that there would be great inconvenience and trouble in regard to the apportionment of the fees between the various districts. It would be very hard on the settlers if they had to make a statutory declaration as to the particular district in which their vehicles were mostly used. Many settlers could not honestly say that, and they would only be able to declare the districts in which they thought the vehicles were principally used.

The MINISTER FOR WORKS: Regarding the administration of the clause he was prepared to admit that there might be some little difficulty. The matter was considered at the roads board conference, when a similar opinion was expressed, but on going into it with the adviser of the Government it was found that there were cases where there had been constant friction between the different bodies in connection with these fees, and it was decided that to assist in the better administration of the Act so far as the fees were concerned the clause was necessary.

Mr. A. E. PIESSE: The clause was very necessary. He had had experience of one individual who, because he thought he had a grievance against the district roads board in which he resided, defied that board and went to another district and there took out his license.

Clause put and passed.

Clauses 17, 18—agreed to.

Clause 19—Transfer of licenses:

Mr. GEORGE: The clause dealt with transfer of licenses in respect to vehicles, but what would happen in regard to the unexpired portion of the driver's license. Could that also be transferred to the purchaser of a vehicle?

The MINISTER FOR WORKS: The clause only dealt with licenses in respect to vehicles.

Clause put and passed.

Clauses 20, 21, 22—agreed to.

Clause 23—Minister to be licensing authority in metropolitan area:

Mr. DWYER: As he had pointed out on the second reading, the clause was

wholly unfair. It was not right that the Minister should determine how these fees should be apportioned. What was sauce for the country goose should be sauce for the town gander. He moved an amendment—

That in lines 4 and 5 of paragraph (c) the words "such" and "as the Minister shall determine" be struck out, and "After the manner prescribed in Clause 16 hereof" be inserted at the end of the paragraph.

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

Ayes	11
Noes	21

Majority against .. 10

AYES.

Mr. Allen	Mr. McGee
Mr. Dwyer	Mr. A. E. Plesse
Mr. George	Mr. Swan
Mr. Harper	Mr. F. Wilson
Mr. Male	Mr. Brown
Mr. Mitchell	(Teller).

NOES.

Mr. Angwin	Mr. Lewis
Mr. Carpenter	Mr. McDonald
Mr. Collier	Mr. McDowall
Mr. Dooley	Mr. Mullany
Mr. Foley	Mr. Munsie
Mr. Gardiner	Mr. Scaddan
Mr. Green	Mr. B. J. Stubbs
Mr. Hudson	Mr. Turvey
Mr. Johnson	Mr. Underwood
Mr. Johnston	Mr. Heilmann
Mr. Lander	(Teller).

Amendment thus negatived.

Hon. J. MITCHELL: It was an extraordinary clause altogether. We were asked to say that the Minister should have the powers and functions of a local authority, should be empowered to collect these license fees and to determine where they should be expended.

The Premier: He has the same power now in respect to thousands of pounds.

Hon. J. MITCHELL: No. All the money referred to by the Premier went into public funds.

The Premier: But we are subsidising these fees.

Hon. J. MITCHELL: Possibly the Minister could do much as he pleased with the grants with which Parliament provided him, but we were now dealing

with fees and licenses. So long as we had a local authority controlling each of the separate divisions in the metropolitan area, that local authority should share in the treatment accorded to local authorities in country districts.

The Premier: What about all these motor garages; do they not use the roads?

Hon. J. MITCHELL: Of course they did. The Premier's car frequently went to Northam, but did not pay anything towards the upkeep of the Northam roads. Why had the Minister considered it necessary to take upon himself all the power conferred by the clause? Why not allow the local authorities to collect the fees from the vehicles? The Minister proposed to set up collectors and so increase expenses. The Treasury would have to keep special books of accounts. It all meant additional work and expense.

The CHAIRMAN: The hon. member could not deal with any part of the clause antecedent to the amendment. The discussion would require to be confined to that part of the clause coming after the word "such."

Hon. J. MITCHELL: Surely the question was as to the adoption of the whole clause?

The CHAIRMAN: By retaining "such" we had retained all words coming before it. The discussion must now be confined to words coming after "such."

Hon. J. MITCHELL: Then one would still be within his rights in discussing the question of how the money was to be expended. The fees collected were to be handed to the Treasurer, and on the warrant of the Minister for Works the money would be paid away. All this work should be left to the local authority. It should not be taken out of the hands of these bodies.

The Premier: Which local authorities are objecting to it?

Hon. J. MITCHELL: It was to be hoped the Chairman would keep the Premier in order.

The CHAIRMAN: The Premier should refrain from interrupting.

Hon. J. MITCHELL: It was wrong that the Minister should collect these fees and determine how they were to be appor-

tioned. It was monstrous that the money should be taken from the local authorities by the Minister. No Minister should be given power over large sums of money which did not properly belong to the State. If the Honorary Minister had the apportionment of this money some of the municipalities would not be at all likely to get their fair share.

Mr. LANDER: The distribution of the money could be very well left to the Minister. The present Government had acted more generously towards the municipalities than their predecessors in the matter of subsidies, and he was not afraid to trust the Minister in this matter. He would support the same clause even if any other party were in power. It was certain that if the Government undertook to collect these fees through the police, they would collect considerably more than was received by the city council at the present time, because there were a number of vehicles in the city that were unlicensed.

Mr. ALLEN: The Bill from start to finish was a measure to rob the Perth City Council of some of the money that body was collecting.

The Minister for Works: They have been robbing the suburbs for years.

Mr. ALLEN: Some £1,300 per year was collected by the Perth City Council in these fees, and about £10,000 was yearly spent in the maintenance of roads and streets. Mounts Bay-road alone cost £500 a year to keep in order; this year already £300 had been spent on that road and it was still in a disgraceful condition. The resumptions that had taken place in Perth would take away thousands of pounds per annum from the city council. He was not satisfied to leave the apportionment of this money in the hands of the Minister, and the member for East Perth ought to be supporting him in that attitude, but the hon. member knew that he had to do what he was told.

Mr. Green: He has more backbone.

Mr. ALLEN: Pretty spineless backbone. The whole of the £1,300 at present collected was needed by the Perth City Council to maintain the main roads within the city boundary. He was convinced that

the Perth City Council would not get a fair share of this money.

Hon. W. C. ANGWIN (Honorary Minister): The city of Perth had been getting all the licenses in the past. The Cottesloe Beach roads board possibly did not receive £10 in license fees, and yet had more main roads to upkeep than the city council. No member of the city council should ever mention the word rob, because Perth had been robbing the other districts ever since the city council had been in existence.

Mr. George: What about Fremantle?

Hon. W. C. ANGWIN (Honorary Minister): Fremantle had acted honestly by agreeing to support the Bill. Perth and Fremantle had been receiving licenses from carriages and motor-cars, motor waggons, traction engines, and other vehicles of that description, which used the roads entirely outside their boundary. The main road running to Pinjarra, for instance, was used by motor-cars as much as any road in the City. Again, the road between Perth and Fremantle was used more than any other road in the State, but Perth did not contribute a shilling towards it upkeep. It was ridiculous to talk about robbing, when one remembered the amount of revenue Perth had received for years, while the other local authorities had been paying for the upkeep of the roads. There was no doubt that Perth would receive a fair share of the money collected in proportion to the length of main roads within the City boundaries. Of course the member for Northam with his usual statement that some persons were dishonest.

Hon. J. Mitchell: I did not say that; I had no wish to convey any impression that the member for East Fremantle was dishonest.

Hon. W. C. ANGWIN (Honorary Minister): The member for Northam had said that if he (Mr. Angwin) had control of this money Perth would not get its fair share; the money would all be spent on the Perth-Fremantle-road. Would that not be a dishonest action? Perth would be dealt with fairly the same as any other district.

Mr. GEORGE: One could sympathise with the people of Perth, but at the same

time the statement made by the Honorary Minister was correct. There were roads extensively used by motor cars from the City, and yet the local bodies responsible for their upkeep did not get one penny in license fees. It was true that Perth had a number of vehicles which were used exclusively in the city, and the proportion of them which travelled on the Perth-Fremantle-road was almost negligible. That road had been cut up by the carting of stone, by wagons bringing goods to Perth, and also by motor cars. The difficulty which the Minister would have in apportioning the money would be to decide what were main roads in Perth. Almost every street in Perth was used continuously and the repairs were very heavy. There were a number of carters of brick, lime, and stone who rarely sent their carts out of the metropolitan area, and, remembering that, it would be very difficult to apportion the money fairly. The revenue of the City had been, and would be very much more, diminished by the resumptions that had taken place, and although those resumptions would be of great benefit to the City in the long run, still the fact remained that they were taking away for the time being a portion of the income which the City had enjoyed.

Hon. W. C. Angwin (Honorary Minister): But it will increase it in other directions.

Mr. GEORGE: It was to be hoped that would be so. The license fees should be apportioned so that the outside boards would get something towards the maintenance of their main roads used by traffic from other districts.

Mr. B. J. STUBBS: Every local governing body in the metropolitan area with the exception of the Perth City Council welcomed the Bill, and particularly this clause. He would like the Minister to say whether, in the event of the money received being more than sufficient for the upkeep of main roads, it would go into ordinary revenue and could be used on other roads in the district.

The MINISTER FOR WORKS: The clause had been drafted at the request of local bodies. If Perth was a dissent-

ing party it was the only dissentient in the metropolitan area. At a conference of representatives of local bodies specially convened to consider this matter, it was pointed out that the Perth council had been taking this revenue unfairly for years. Scores of motor cars licensed in Perth did far more work outside than inside the City, and yet Perth collected the revenue. He was surprised that the Perth council had not recognised the unfairness of the position years ago and distributed some of the money. Firms like Foy and Gibson and Boan Bros had a large number of vehicles delivering goods in the suburbs. Those vehicles were registered in Perth, and it was unfair to the outside bodies when most of the traffic was over their roads. This was a most important part of the Bill. It was the only reform in the Bill, and without it the measure would become merely a consolidating Bill. The Perth council received £600 per annum from license fees for motor cars, and Victoria Park, through which scores of motor cars licensed in Perth passed daily and particularly on race days, received £1 per annum. Was that fair? Subclause 4 was inserted to make the license fees part of the ordinary revenue. Under the Municipal Corporations Act the councils were allowed to borrow in proportion to the revenue derived, and this money would go into the revenue in order that the council's borrowing powers should not be decreased. It would also give the councils control of the expenditure over and above what was necessary for the maintenance of main roads.

Hon. J. MITCHELL: Would not this apply to Northam, York and Toodyay?

The Minister for Works: Yes, but in a limited degree.

Hon. J. MITCHELL: Motor cars from all districts came to Perth.

Hon. W. C. Angwin (Honorary Minister): Not in the same proportion.

Hon. J. MITCHELL: Still, they did come to Perth. We could not set up toll gates.

Hon. W. C. Angwin (Honorary Minister): It was found necessary in Eng-

land to put on a petrol tax for this purpose.

Hon. J. MITCHELL : This was a far-reaching power to give the Minister.

The Minister for Works : You have told us that three times already.

Hon. J. MITCHELL : The Minister had not explained why Parliament was not to be consulted with regard to the apportionment of the money.

The Minister for Works : If you want to stonewall you will get all you want.

Hon. J. MITCHELL : Members should be at liberty to ask the Minister the meaning of a clause.

The Minister for Works : You are not at liberty to repeat yourself time and time again.

Hon. J. MITCHELL : The Minister had not said why he should make this division without consulting Parliament. The authority of Parliament should be obtained before the amount was apportioned.

Clause put and passed.

Progress reported.

BILL—BILLS OF SALE ACT AMENDMENT.

Returned from the Legislative Council with an amendment.

ASSENT TO BILLS.

Message received notifying assent to the following Bills:—

1. Roman Catholic Church Property Amendment.
2. Prevention of Cruelty to Animals.
3. Unclaimed Moneys.
4. Fremantle-Kalgoorlie (Merredin-Coolgardie section) Railway.

House adjourned at 10.40 p.m.

Legislative Council,

Tuesday, 15th October, 1912.

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

QUESTION—HORSE-RACING LEGISLATION.

Hon. D. G. GAWLER asked the Colonial Secretary: Is it the intention of the Government to introduce legislation dealing either generally with the subject of horse-racing or in particular with the subject of unregistered racing clubs?

The Hon. J. M. DREW replied as follows:—The Government intends to introduce legislation dealing with horse-racing generally.

Hon. W. Kingsmill: When?

The COLONIAL SECRETARY: This session.

BILL—JETTIES REGULATION ACT AMENDMENT.

Introduced by the Colonial Secretary and read a first time.

NEW SANTA CLAUS LEASES.

Hon. R. D. McKENZIE: Unfortunately through illness last week I was prevented from coming to Perth as usual, and in consequence I have not had the opportunity of perusing the papers in connection with the New Santa Clause leases, which were laid on the Table in accordance with a motion I moved. Under those circumstances I do not intend to move the motion standing in my name, with reference to the appointment of a select committee to inquire into all the circumstances surrounding the forfeiture of the leases.