

Legislative Assembly,

Thursday, 16th September, 1926.

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

TEMPORARY CHAIRMEN OF COMMITTEES.

Mr. SPEAKER: I desire to inform the House that I have appointed as temporary Chairmen of Committees the member for Menzies (Mr. Panton), the member for Gascoyne (Mr. Angelo), and the member for Coolgardie (Mr. Lambert).

QUESTION—INSURANCE.

Tenders, Government Property.

Mr. TEESDALE asked the Premier: 1, Is it a fact that a tender was received from the insurance companies for the insurance of Government property which, in the aggregate over all buildings, was substantially lower than that accepted? 2, If so, how much lower?

The PREMIER replied: (1 and 2). A quote was received from the Underwriters' Association on behalf of the Companies, which though lower in price, embodied the condition of secrecy; was subject to other stipulated conditions; and was not available for the benefit of the public in the same manner as Lloyds. After an exhaustive review of the offer, the conditions, and consideration of past settlements, a committee of experienced officers from practically all departments concerned, unanimously and strongly recommended Lloyd's offer, which was accepted.

QUESTION—TRAFFIC FEES.

Mr. MacCALLUM SMITH asked the Minister for Works: 1, What were the total amounts collected for traffic fees during the years ended 30th June, 1924-1925 and 1922-

26? 2, What was the cost of collection each year? 3, What amounts from these fees were allocated to the various road boards and municipalities in those years?

The MINISTER FOR WORKS replied: 1, The year 1924-25, £38,785 16s. 3d.; the year 1925-26, £68,920 13s. 10d. 2, After the Traffic Act was passed in 1919 it was estimated that within the metropolitan area the cost of collection and other work incidental thereto, and without consideration to the cost of police on point duty, would be 10 per cent. The amount actually paid on this account in 1924-25 was £3,591 19s. 5d., and in 1925-26 £6,496 2s. 5d. 3, See statement attached.

QUESTION—PERTH HOSPITAL.

Mr. SAMPSON asked Hon. J. Cunningham (Honorary Minister): 1, Did he, representing the Minister for Public Health, approve of the plans and location of the small brick building at present being erected between the administrative block and the wards at the Perth Hospital? 2, In view of the congestion at the hospital, was consideration given to the erection of a more commodious building? 3, Seeing that on the eastern boundary there is a space of 16 to 20 feet, why was the building erected in such close proximity to the kitchen, not more than nine feet distant? 4, As the object of the building is to provide, on the ground floor, a dining room for orderlies and, on the first floor, a casualty ward, will he advise whether there is sufficient room for the two purposes, and what number of beds can be accommodated? 5, In view of the urgent need and growing demand for a casualty block in our principal hospital, is the new construction considered sufficient for the purpose, and, if not, what steps does he propose to take to improve the position?

Hon. J. CUNNINGHAM replied: 1, The Minister did approve in general terms of this proposal. 2, No; what is being done will meet the needs of the situation for some years. 3 and 4, The building as first proposed was to be a one-storey block containing a dining-room for orderlies, and such should be close to the kitchen. As an afterthought a second storey has been added, not to act as a casualty block, but to provide (a) some waiting space for male visitors to casualty and outpatient departments; (b) four beds for cases needing only temporary

admission, or observation for a few hours before transfer to one of the wards (e.g., alcoholic cases). 5, No action is proposed in the direction of a comprehensive casualty block. This will be needed later, but not for a few years yet.

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BILLS (2)—THIRD READING.

1, Guardianship of Infants.

2, Married Women's Protection Act Amendment.

Transmitted to the Council.

BILL—JUSTICES ACT AMENDMENT.

Second Reading.

THE MINISTER FOR JUSTICE (Hon. J. C. Willcock—Geraldton) [142] in moving the second reading said: The principal object of this measure is similar to that of the Married Women's Protection Act Amendment Bill, which was dealt with last night. I do not wish to go over the ground covered by the member for Perth (Mr. Mann) in moving that Bill. On the present measure it is sufficient for me to say that its introduction is due to the fact that the Full Court has held that only one instalment of arrears of maintenance can be sued for at one time. The Bill proposes to give power to sue for a series of instalments, covering a period of at least six months.

Hon. Sir James Mitchell: Will it be necessary to issue a number of summonses?

THE MINISTER FOR JUSTICE: No. An order for maintenance may have been issued against a man who is out in the bush, and he may have got into arrears. It has been held by the Full Court that the man can be summoned for only one instalment, and that thereupon he must be summoned again for another instalment, and so forth. It was never intended that that should be so under either the Justices Act, the Married Women's Protection Act, the Guardianship of Infants Act or any other Act. The Bill which has just been read a third time remedied the defect as regards the former Act, and this measure is intended to remedy it in the Guardianship of Infants Act and other Acts. Advantage is being taken of the present opportunity to improve this latter Act in one or two other respects. The amendments are set out in the Bill, and can be dis-

cussed fully in Committee. One of them deals with the appointment of justices of the peace. Under the Road Districts Act and the Municipal Corporations Act the chairmen of road boards, mayors of municipalities, are ex officio justices of the peace for their magisterial districts. If the Road Districts Act Amendment Bill to be introduced be agreed to, the same thing will apply to the presidents of the district councils that will be set up.

Hon. G. Taylor: While such men are members of boards?

THE MINISTER FOR JUSTICE: No, while they are chairmen, mayors or presidents. Under existing conditions, difficulties have arisen because depositions and documents have been received from time to time, purporting to have been signed by justices of the peace. The documents have been sent down, in order that the names of the justices of the peace may be verified and when the rolls have been examined, it has been found that the names have not appeared thereon.

Hon. G. Taylor: Had those men ever been on the roll of justices of the peace?

THE MINISTER FOR JUSTICE: No.

Mr. Sampson: Is there such a roll?

THE MINISTER FOR JUSTICE: Yes. Every person who is appointed a justice of the peace in the ordinary way has his or her name enrolled, but no record is kept on that roll of persons who are ex officio justices of the peace because of their positions as chairmen of road boards, or mayors of municipalities. Thus it is that when verification is sought, there is no means of showing that those persons are justices of the peace.

Hon. Sir James Mitchell: They should take the oath the same as anyone else appointed to act as a justice of the peace.

THE MINISTER FOR JUSTICE: It is not merely a matter of taking an oath, but rather of verification regarding the right of those individuals to sign documents as justices of the peace.

Mr. Thomson: The difficulty sought to be overcome is the inconvenience experienced by people whose documents have been signed.

THE MINISTER FOR JUSTICE: That is largely so. Should the signatures of persons holding the appointment of justices of the peace ex officio be challenged, the documents are sent to Perth for the purpose of ascertaining whether the names challenged are those of persons whose names appear on

the roll of justices of the peace. If the names do not appear on that roll, inquiries have to be made at the Public Works Department to ascertain whether in fact the persons concerned are chairmen of road boards or mayors of municipalities, so that the necessary verification can be obtained. To overcome this difficulty an amendment is included in the Bill to provide that the names of all ex officio justices of the peace shall be included on the roll, so as to enable verification to be obtained easily. Provision is also made for the removal of the names of such individuals when they cease to be chairmen or mayors.

Mr. Teesdale: Can the ex officio justices sit on the bench?

The MINISTER FOR JUSTICE: Yes.

Hon. G. Taylor: For their respective magisterial districts.

The MINISTER FOR JUSTICE: That is so.

Mr. Sampson: When you referred to municipal district councils, what did you mean?

The MINISTER FOR JUSTICE: Last year the Minister for Works introduced the Road Districts Act Amendment Bill that was not passed. Under that measure provision was made for designating local governing bodies as district councils. A similar Bill appears on the Notice Paper this session, and it was not known whether that measure would be introduced before the one I am now moving.

Hon. Sir James Mitchell: We can postpone the consideration of this Bill.

The MINISTER FOR JUSTICE: It will not make any difference. The chairmen of the local governing bodies, whatever they may be designated in future, will be ex officio justices of the peace. Instances have been known of men becoming justices of the peace ex officio because of their appointment as chairmen of road boards or mayors of municipalities and continuing to act as justices of the peace, notwithstanding the fact that with their retirement from the position of chairman or mayor, their right to do so had expired. Some of them have acted under the impression that they still retained the right to act as justices of the peace.

Mr. Sampson: It is hard to shed the mantle of authority.

The MINISTER FOR JUSTICE: They acted under a misapprehension that was likely to arise in such circumstances. In

future the roll of justices of the peace will be kept up to date and each person concerned will know exactly where he stands. In addition to that, chairmen of road boards will be informed that their names have been enrolled as justices of the peace.

Hon. G. Taylor: Will they be notified that their names have been removed when they cease to occupy the position of chairman?

The MINISTER FOR JUSTICE: Yes, that is the main feature of this provision.

Mr. Teesdale: Will those persons have to take the usual oath?

The MINISTER FOR JUSTICE: They take the oath when they assume their positions as mayors or chairmen and that makes them ex officio justices of the peace.

Mr. Sampson: But there is no provision for swearing in the chairman of a road board.

The MINISTER FOR JUSTICE: No, but a mayor has to be sworn in.

Mr. Teesdale: Their work as justices of the peace is more serious than that connected with their road board affairs.

The MINISTER FOR JUSTICE: But all chairmen are justices of the peace.

Mr. Teesdale: Surely all those people should not be entitled to sit on the bench?

The MINISTER FOR JUSTICE: Yes.

Mr. Teesdale: Some have not done so.

Mr. Sampson: They would have to be sworn in.

The MINISTER FOR JUSTICE: Yes, before they could act on the bench.

Mr. Sampson: I would remind you again that chairmen of road boards are not sworn in.

The MINISTER FOR JUSTICE: Well, we will make provision for overcoming that position. The present Act is very lax and we desire to improve it considerably. The reason why this provision is sought to be included in the Justices Act is that we consider that to be the proper way to deal with all matters regarding justices of the peace, thus including in one Act all such provisions. We shall thus avoid having various provisions relating to justices scattered through separate Acts. We want everything regarding justices of the peace dealt with in the Justices Act. Another provision that is included refers to the power to be taken to prevent a chairman of a road board from becoming a justice of the peace. While an individual may be eminently suitable as a chairman of a road board, he may not be suitable as a justice of the peace.

Mr. Maley: A chairman of a road board acts as a justice of the peace in every sense of the word.

The MINISTER FOR JUSTICE: Yes.

Mr. Maley: I know of instances of such chairmen sitting on the bench.

Mr. Sampson: But they have never been sworn in.

Mr. Teesdale: And they should be.

The MINISTER FOR JUSTICE: If we have power to create justices of the peace, we should have power to remove them, although that power may not have to be used at all. I will not mention any names, but I can recall one instance of an individual who was entirely unsuitable as a justice of the peace, although he was the chairman of a road board. Hon. members will agree that when it comes to the right to participate in the administration of justice, there should be power to remove an individual who was unsuitable for that responsible task.

Mr. Teesdale: That is a very wise provision.

The MINISTER FOR JUSTICE: Another provision of the Bill relates to the estreating of money in connection with recognisances. If any hon. member enters into a surety for the appearance of some person at a certain place, and thinks that the individual concerned will not enter an appearance, that hon. member has power to cancel the bond. On the other hand there is no power for the Crown to take similar action under the law as it exists to-day. The Bill seeks to remedy that defect.

Hon. Sir James Mitchell: We will agree to that.

The MINISTER FOR JUSTICE: This is one of those matters that come to our knowledge only when legal points are argued in court. Arising out of such an instance we found that the Crown has not the power to cancel such a bond. Obviously that power should be provided. It is also intended to take that power where a similar provision is necessary under other Acts. Most of the matters dealt with in the Bill can be considered better when in Committee and I will not discuss them further at this stage. I move—

That the Bill be now read a second time.

On motion by Hon. Sir James Mitchell debate adjourned.

BILL—TRAFFIC ACT AMENDMENT.

In Committee.

Resumed from the previous day. Mr. Lutey in the Chair; the Minister for Works in charge of the Bill.

The CHAIRMAN: When progress was reported, Clause 9 was under discussion.

Mr. SAMPSON: The new subsection proposed to be added to Section 14 of the Act sets out that if in the opinion of the local authority any motor vehicle for which a licence to carry passengers is held, is so out of repair as to be unfit for use on a road, the local authority may, by complaint or summons in a court of summary jurisdiction, require the licensee to show cause why his license should not be cancelled. It is also provided that the court may cancel the license or suspend it until the vehicle is repaired to the satisfaction of the court. That will take some time and I presume no local authority would take action unless there was ample justification. The clause is such a good one in the interests of the public that I think it may be adversely affected by insisting that the local authority must take action through a court of summary jurisdiction.

The MINISTER FOR WORKS: The object is that the decision shall rest with the court. In some States the traffic inspectors have the right to put vehicles off the road if they think the vehicles are unfit for use in public. Such vehicles cannot go on the roads again until the traffic inspectors grant permission. I thought that was going too far, and so I have provided that it is to be done by a court. The Crown Law Department assures me that no delay will be involved, because it will be possible to get a magistrate to hear these cases on any morning in the week.

Mr. Davy: That is so, any morning, including Saturday.

The MINISTER FOR WORKS: Of course, if the traffic inspector thought a vehicle was quite unfit, he would immediately call upon the owner to appear before the court next morning.

Clause put and passed.

Clause 10—Amendment of Section 18:

Mr. THOMSON: The clause proposes to delete paragraph (c) of Section 18. That paragraph provides for the transfer of a license when a vehicle is sold. Am I to understand that if we pass this clause a new

license will have to be taken out by the purchaser of a vehicle already licensed and whose period of license is still unexpired?

The Minister for Works: These sections in the Act were inserted merely to carry over the broken period when the Act was brought into force. The Crown Law Department advises that they are no longer required.

Mr. THOMSON: Then there must be elsewhere power to transfer the license in the event of a vehicle changing hands.

The Minister for Works: Yes.

Hon. Sir JAMES MITCHELL: This clause does not apply exclusively to licenses existing when the Act came into force; it means that when a licensed vehicle is sold it will have to be immediately re-licensed. To-day the license can be transferred.

The Minister for Works: Yes, the license goes with the vehicle.

Hon. Sir JAMES MITCHELL: But will not the clause alter that?

The Minister for Works: No.

Mr. Davy: These sections were put in merely to carry over the broken period at the passing of the Act?

The Minister for Works: That is so. They were operative only when the Act came into force.

Hon. Sir JAMES MITCHELL: Well, why not take them all out? If power to transfer the license is contained somewhere else in the Act, of course it is all right.

Mr. Thomson: I have looked for it, but cannot find it. Can the Minister tell us in which section it is?

The Minister for Works: Not offhand, but I can assure you it is there.

Hon. Sir JAMES MITCHELL: The Minister for Justice ought to be able to tell us where the power is given for the transfer of licenses. If the Minister for Works finds that no such power is contained in the Act, will he agree to recommit the clause?

The MINISTER FOR WORKS: Yes, I will agree to that. There is no intention to impose two licenses for one vehicle in one year. These two sections were inserted merely to carry over the period when first the Act came into force. There is no longer any use for them. If a vehicle be sold, the license goes with it. If no provision is made for that, we can recommit the clause.

Clause put and passed.

Clause 11—agreed to.

Clause 12—Amendment of Section 20:

Mr. DAVY: This amendment, although it looks innocent enough, is extremely drastic. Under Section 20 the Minister may appoint any person to be an inspector of any Government road or of roads not within the district of any local authority. That is all right, so far as it goes. But by the amendment the Minister proposes to take power to appoint an inspector with authority over all roads in Western Australia and to perform any duties assigned to him by the Minister. I do not know why the Minister should be empowered to appoint an inspector to do anything he likes in respect of any road in the State. I should like to hear the Minister justify that proposal.

The MINISTER FOR WORKS: The intention is to give the Minister power to appoint inspectors, mainly for those roads through the group settlements that have been built with State money but subsequently shockingly neglected. The local authorities have not attended to them, and when they are asked to appoint inspectors to look after the roads they say they have not the funds to finance inspectors, and that the only way it can be done is for the Government to do it. The way we are doing it now is by appointing as inspectors our own engineers down there. Although those roads are not Government roads, they have been built with Government money and they are within the districts of respective local authorities. Having spent State money on them we do not want to see them knocked to pieces by heavy winter traffic while they are still wet and green. No Minister would be foolish enough to appoint inspectors for, say, the city or for districts of local authorities that can look after their own roads.

Hon. Sir James Mitchell: You cannot answer for succeeding Ministers.

The MINISTER FOR WORKS: No Minister would want to appoint an inspector for the district of any local authority that can do its own inspection. Only when it is found that roads on which State funds have been expended are being neglected, will a Minister step in to appoint inspectors to look after those roads. Without that power we are in a hopeless position. The Leader of the Opposition had the same experience, for his Government spent many thousands of pounds on roads in the group settlements, and after the first heavy timber was carted over them in the wet season, those roads were rendered practically useless. I trav-

elled over a road in the Margaret River district on which £4,000 had been spent that year. We were bogged three times within a mile as the result of heavy traffic having been over that road whilst it was still green and wet. We are now assisting the local authorities down there by appointing our own engineers as inspectors. I do not think that a law could be framed to operate in group districts and not in municipalities.

Mr. Teesdale: You would not want to do it unless you were compelled to do so.

The MINISTER FOR WORKS: That is so. There must be some inspection to ensure that the expenditure on roads is not wasted. When we complained to the local authorities of the damage done to the roads, one of the points they took was that they received no rates from the groups.

Hon. Sir James MITCHELL: We understand the position quite well.

The MINISTER FOR WORKS: The groups are exempt from rates for a period of five years. It is shocking that the State's funds should be squandered as they have been.

Mr. Teesdale: The scandalous state of the roads is the cause of much dissatisfaction down there.

The MINISTER FOR WORKS: Yes, and we want to find a remedy for it. No Minister would be likely to appoint an inspector for Perth or Fremantle.

Mr. Davy: I have the deepest distrust of all Ministers.

The MINISTER FOR WORKS: That is because the hon. member has had experience of only one Minister. Wherever possible the Minister would push the duty on to the local authorities, because he would not wish to undertake the expense or responsibility of inspection if he could get the local authorities to do it.

Hon. Sir JAMES MITCHELL: The Minister ought to have adequate power to protect the expenditure on roads. Damage is being done to the roads not only in group areas but in every district in the State. Roads within 30 miles of Perth constructed last year have been damaged by the heavy loads carried over them. Instead of the Minister taking all these small powers I hope he will take, for a time at least, power to regulate the traffic by some authority. It is ridiculous to expect new roads in the South-West, where the rainfall reaches 50 inches, to carry heavy traffic, and the Min-

ister should be able to close roads against heavy traffic that destroys them. We know that six or seven-ton lorries are too heavy for most of our roads in the winter months.

The Minister for Works: I have an application now to license a 16½-ton vehicle.

Hon. Sir JAMES MITCHELL: There is no such thing as a good road in the State. We have spent half a million of money in the last two years, and I do not know what we have got for it. Once a road has been broken up, it is a bad road. I have never seen anything like the road between Wooreloo and Baker's Hill.

Mr. Davy: You should look at the road between Pinjarra and Harvey.

Mr. Teesdale: Or go up to the East Kimberleys.

Hon. Sir JAMES MITCHELL: What should be a very good summer road has been constructed from Chidlow's Well station to the York-road. The Minister must realise that we shall have to spend a lot of money—Federal as well as State—in the next ten years, about £6,000,000 in all, but if the work is to be destroyed at once, what is the use of spending it? We shall have to pay interest on the money, and we shall have very little value for it unless the Government take extra power to control the traffic. The motor vehicles have come and must be catered for, but we cannot cater for the very heavy vehicles. I urge the Minister to try for a year, appointing, say, the two engineer members of the Main Roads Board to act with the local authorities and determine just what weight may be carried over roads. If that were done, we should have a chance to keep the roads in reasonable order.

The Minister for Works: I have an amendment on the Notice Paper.

Hon. Sir JAMES MITCHELL: Some of the lorries on the roads represent the life savings of their owners, and it would be better for the Government to buy such vehicles and compensate the owners rather than permit them to go on damaging the roads. If the roads are to be cut up as fast as the money is spent on them, it is only waste. I cannot see how some of the lorry owners make any money out of their transport work. Apart from that, we are endeavouring to maintain roads side by side with railways. Our roads will not be improved by the expenditure of the £6,000,000 unless we take power to protect them.

The Premier: I do not think we should spend another pound on roads unless we take power to protect them.

Hon. Sir JAMES MITCHELL: I agree. It is not good for the State that the roads within a hundred miles of the metropolitan area should be in such a shocking condition. What the Minister has said about the group roads is correct. The road boards cannot be expected to maintain the roads, and we do not want them to do so. Let the Minister take all the power he requires over the roads while they are maintained by the Government, and members on this side of the House will support him. It is our duty to do that. But when it comes to giving power to be exercised, not only by the present Minister, but by Ministers for all time, it is another matter. We should not take from the power exercised by road boards—we object to the Federal Government taking power from us. I believe rather in extending the power of road boards. We should be careful not to give the Minister this lasting authority to supersede road boards in the duty of inspecting roads. It will mean a policing of the roads and the giving of authority to some one to prosecute people who transgress the law. It should be a simple matter to provide what is necessary without passing a clause that goes so far as this one does. Will the Minister consider the idea of taking some such powers as I have suggested?

The Minister for Works: See the amendment on the Notice Paper.

Hon. Sir JAMES MITCHELL: If he does that, he will not want the power sought under this clause.

The Premier: We must have someone to see that the authority to be exercised is carried out. If the Main Roads Board prescribe the weight permitted on a road, there must be someone to see that it is observed.

Hon. Sir JAMES MITCHELL: The Minister should be able to give power to the police, or to anyone else he thinks fit to appoint, to see that the regulations are carried out. I am concerned to have the roads protected, and anything we can do to help the Minister will be done, but we ought to be a little jealous of the authority we have already conferred on road boards, and should not unnecessarily take it from them. I should like the Minister to provide for control in a more definite fashion, so that it may be clearly understood by the public that this power will be exercised. It is necessary to

prevent further investment in motor vehicles for use on roads unfit to carry them, particularly in the winter time.

Mr. Sampson: There is power to make a man who breaks a road repair it.

Hon. Sir JAMES MITCHELL: Who can say who breaks it?

The Minister for Works: I want power to have inspectors to see to that.

Hon. Sir JAMES MITCHELL: The Minister can only police a road; he cannot have every vehicle followed. The Minister does not want to over-ride road boards in any way.

The Premier: But how can you frame a clause to give the Minister the necessary power and yet not over-ride the road boards? My Attorney-General cannot do it.

Hon. Sir JAMES MITCHELL: We want to do our best. I am not fond of giving the Minister an extension of power because it is not always used wisely, rightly or well, but I am willing to give him any power necessary to protect the roads. Apparently the Minister will not take such power.

The Minister for Works: Wait and see.

Hon. Sir JAMES MITCHELL: The road boards spent a good deal of money on roads in the Margaret River areas before the Government strengthened and improved them. During the last five years considerable sums have been spent on roads in the South-West, and large sums will have to be spent in future. If the roads are to be of any use, they must be protected, but the Minister should not ask for unnecessary control over the local authorities.

Mr. THOMSON: The object of seeking this power is to cover instances where the local authority cannot carry out the work. I do not like power being given to the Minister to appoint inspectors in this way. It may lead to a conflict of authority. Section 20 might be altered to read that the Minister may appoint any person to be an inspector who shall, except on any road constructed by public funds to which his appointment extends, have such powers to perform such duties as an inspector as the Minister from time to time may direct.

The Minister for Works: We are merely asking that the roads shall be policed. The clause is not asking for any power beyond that.

The Minister for Railways: We want to see that people do not knock the roads to pieces.

Mr. THOMSON: The Minister seems to be overriding the local authorities. I do not know whether the Road Boards Association has agreed to this clause.

The MINISTER FOR WORKS: There should be no clash of authority. We do not desire to interfere with the roads, only to appoint inspectors to see that they are not knocked about or used for heavy traffic, prohibiting which the local authority has already passed a by-law. The road boards are not able to carry out their by-law in this direction, and have asked the Government to give them the necessary power. It is desired that the inspectors should work in with the local authorities. Public funds will be mixed up in practically all development roads, main roads and group roads. We have been holding in hand money for the maintenance of these roads for the first year. The cost has been heavy, because of the lack of policing. We want to see that the by-laws passed by the road boards are observed. The present power applies only to Government roads, of which, I believe, there is but one, that from Busselton to the Caves.

Hon. Sir James Mitchell: We want road board roads.

The MINISTER FOR WORKS: The Main Roads Board will be operating from one end of the State to the other, spending State funds on these roads. They must see that good value is obtained for the outlay. The Augusta Board, with its huge district, would have no hope of policing all the roads around the groups within its area. We have Government officials all over the place. We could appoint a group foreman, a school teacher or an engineer as an inspector to see that the local by-laws are carried out. One inspector may be appointed to administer the heavy traffic regulations. The Minister can confine the responsibility of the official to a particular road and to certain functions in connection with that road. If an engineer were appointed he could be given wider powers than would be given to a group foreman. Everything would depend on the nature of the case, and the class of road to be dealt with.

Hon. Sir James Mitchell: Will you undertake to say that power will be given only in cases where you are spending State money?

The MINISTER FOR WORKS: No Minister would appoint inspectors when he was assured that the local authorities would do the work. When I see that an inspector is

wanted, I will take up the matter with the local authority, and endeavour to press it to do the work. If it is not in a position to do so, I will take the responsibility. I do not wish the work to be neglected.

Mr. SAMPSON: It will be the duty of the inspectors to take such action as may be necessary to close roads against traffic.

The Minister for Works: That may be so, but I would not give authority to many inspectors to close roads.

Mr. SAMPSON: They may recommend the closing of roads during the wet season, or that there should be some supervision over the traffic that is destroying a road. The Minister should be given every power necessary to protect the roads. This can only be done through the agency of inspectors. They will be honorary officials, I presume, and if they carry out their duties they must save many thousands of pounds of State money.

Mr. THOMSON: We have had a satisfactory assurance from the Minister, but I always like to see these assurances embodied in the Bill. Will the local authorities be responsible for any expense incurred by what might be termed the indiscretions of an inspector?

The Minister for Works: Appointed by the Minister? No.

Mr. THOMSON: The position then should be made clear.

Hon. Sir JAMES MITCHELL: The Minister wants extraordinary power while the roads are being constructed and whilst they are being maintained by the Government during the first year. The Minister must hand over the roads in good condition. I do not know why we cannot have another provision dealing specially with this, seeing that we are spending six millions, which is a very big amount. There certainly should be special provision to override all others and to give the necessary power to the Minister. I want him to have more power than he seems to be taking in many directions. However, I am not offering any opposition to the clause because the Minister assures us that it will apply only to those roads for which the Government are taking responsibility, and the Minister will not exercise powers beyond that. Where we are spending money, or have spent it, the inspector will see to it that the regulations are properly observed in respect of roads for which the Government are responsible.

The Minister Works: I will look into the matter.

Mr. THOMSON: I hope the Minister will not insist on repealing the paragraph referred to in the clause. In road board districts there are large areas, and any man who is appointed inspector should be able to grant licenses. If the amendment is made we shall debar an inspector, appointed by a local authority, from issuing licenses for vehicles. It looks as if we were going to vest in the Police Department the power to issue all the licenses. The proposal will inflict a hardship upon road boards. An inspector who may be sent out on a visit of inspection should have the power to grant a license.

The MINISTER FOR WORKS: The position as it has been put to me is that once we start to put in definitions, we start to limit. If we set out that the local authorities shall issue a license and that an inspector may issue a license, that will restrict us to the local authority and to the local inspector. With the section out, the local authorities may authorise any or all of their officers to issue licenses. Inspectors, town clerks, secretaries, in fact all officers, will be able to issue licenses on behalf of the authorities by whom they are employed. Probably quite a number of the inspectors appointed by the Minister would not be empowered to issue licenses, as this might not be desirable in every case. With the deletion suggested, it will be possible for any officer or member of a local governing body to be empowered to issue licenses.

Clause put and passed.

Clause 13—Amendment of Section 21:

Mr. CLYDESDALE: I move an amendment—

That in line 3 "nineteen" be struck out, and "eighteen" inserted in lieu.

The Minister for Works seems to be afraid that the lad of eighteen will drive too fast, but that is not my experience. In any case, the lad of 18 will drive whether the Minister desires it or not, motoring has become so popular. In the matter of driving, a man is at his best between the ages of 18 and 25. The two essentials of good driving are judgment and nerve. Without nerve, however, the very best of judgment is useless. Men of 35 who have lost their nerve do not drive as well as boys of 18. The clause as it stands would inflict hardship on families who depend on the youth of 18 to earn a living by motor driving. Again, a youth of 18 on a farm should not be debarred from taking produce into the station and bring-

ing out requirements by motor. It may be argued that accidents will be more frequent with drivers between 18 and 19 years of age, but my study of the reports of accidents in the Press has not led me to that conclusion.

Mr. CORBOY: I support the amendment of the member for Canning, and I only regret that he has fixed the age at 18, which I consider too high. Most of the accidents occurring in the case of youthful drivers are the results of irresponsible joy-riders handling stolen cars. Many of the motors imported into this State are assembled on the Fremantle wharf, and then are driven to the Perth show rooms by boys under the age of 18.

Hon. G. Taylor: Those boys must have drivers' licenses.

The Minister for Works: I see as many of those cars come up from Fremantle to Perth as any other man, and I say the case is not as the member for Yilgarn states.

Mr. CORBOY: In the Perth garages many lads under 19 are employed, and often they are better drivers than men in their twenties who hold licenses. These youths should not be debarred from earning their livelihood. Perhaps the Minister would make an exception in favour of lads working in the motor industry. Just recently the Minister for Mines made a trip of over 100 miles through my electorate sitting alongside a boy driver of less than 16, and at the conclusion of the trip the Minister complimented the father of the boy on his son's splendid driving. I have held a driver's license for a good many years, and my experience has shown me that an accident is just as likely with a man of 30 driving as with a youth of 18. Age is no criterion of ability. Apparently the Minister seeks to introduce the principle of seniority into motor driving, and we know what seniority breeds elsewhere. Let the Minister make the tests as severe as he likes, within reason; but anyone aged 18 who can pass the tests should be granted a license.

Mr. STUBBS: I support the amendment, but not on the same grounds as the previous speaker. Lads in the country are more nature for their age than city lads. I have seen country boys of 16 do work which could not be bettered by any man in this Chamber. I have seen country boys drive six and eight horses as capably as the most competent driver that ever held reins.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. SAMPSON: I join with the member for Canning in protesting against any increase in the age at which a person may secure a license to drive a motor car. Although I think 18 should be the age, we should remember that the matter is in the hands of the traffic inspector. Age cannot possibly be the deciding factor when licenses are being issued. It does not matter how strict the examination or test to which an applicant for a license must submit, because the test is the first essential. I hope the Minister will withdraw his proposal, otherwise members should defeat it.

Mr. LAMBERT: I hope the amendment will not be agreed to. Possibly a variation might be made regarding the age of a person eligible for a driver's license, where country drivers are concerned. The whole question of the driving of motor vehicles must be taken in hand seriously, for the promiscuous way in which persons are now able to secure a license after receiving a few lessons for a fee of £3 3s. is quite wrong. A ground should be set aside where boys and girls, men and women should be properly trained regarding the mechanism and proper control and driving of motor cars.

Mr. Marshall: There are schools for that purpose.

Mr. LAMBERT: I am fully aware of that, but the State should concern itself regarding this question.

Mr. Clydesdale: You got your license under the conditions you condemn!

Mr. Sampson: But the control was very casual in those days.

Mr. LAMBERT: The Police Department have built up a very efficient traffic branch, but the Minister should see that people who are granted driver's licenses are also efficient. The Minister would be ill-advised if he agreed to strike out the provision under discussion.

Mr. Sampson: Motors are the easiest machines of all to control.

Mr. LAMBERT: That is quite correct, so long as the driver has no physical defects.

The Premier: And is not too dull mentally.

Mr. LAMBERT: And so long as he has the capacity to make up his mind to act promptly in cases of emergency. The Committee would be well advised to raise the age to 19 years.

Mr. Clydesdale: Why not make it 21 years of age?

Mr. LAMBERT: I do not know who briefed the member for Canning to move his absurd amendment!

Mr. Clydesdale: My own common sense prompted it.

Mr. LAMBERT: The hon. member's own admission condemned the amendment in a dozen words. The hon. member asked why we should deprive a boy of the right to earn a living and to penalise parents who might be dependent upon that boy. The hon. member did not say anything about the safety of life and limb in our congested areas.

Mr. Clydesdale: I am just as concerned as you are regarding the element of competency.

Several members interjected.

The CHAIRMAN: Order! I must ask hon. members to keep order. There are five or more members speaking at once.

Mr. LAMBERT: Other persons have to put in years of training before they can secure their certificates of competency to drive engines.

Mr. Sampson: I drove a stationary engine when I was 12 years of age.

The CHAIRMAN: Order! I ask hon. members to cease interjecting.

Mr. LAMBERT: If we are to solve the traffic problem in a city like Perth, we should fix a standard that could be supported by right-thinking people. The member for Canning may have a boy 15 years of age who is capable of driving a car.

Mr. Stubbs: Then why should he not do so?

Mr. LAMBERT: If the member for Wagin were to be swept aside by a car driven by a lad of 15 years of age, he might be removed hence from where no protests are ever possible. As to women drivers, I have no faith in them at all.

Mr. Richardson: You will get yourself into trouble now.

Mr. Clydesdale: Some have not too much faith in you.

Mr. LAMBERT: That is not so. Some women drivers may be quite all right. The member for Canning has ample faith in my capacity. With the increased motor transport, and the revenue received from motorists to-day, the licensing of drivers, male or female, should not be on the promiscuous basis that exists now.

The CHAIRMAN: I would point out to the hon. member that we are not discussing the question of examinations, but the age at which persons may be licensed.

Mr. LAMBERT: The question of age is inseparably linked up with examinations. It is all a question of capacity to drive a motor car.

The CHAIRMAN: We are dealing, not with general ability, but with this amendment.

Mr. LAMBERT: I commend the Minister on the provision making the age limit 19 years. It would be a great pity to lose this opportunity to amend the Bill in this very desirable direction. As the member for Canning says, it may mean hardship for some.

Mr. SAMPSON: On a point of order, I should like to know whether any discussion on the amendment is in order. I understand that 18 years is the limit set out in the Act. If so, the member for Canning could achieve his desire by voting against the clause.

The CHAIRMAN: I understand that the age limit of 18 years is not prescribed in the Act.

Mr. LAMBERT: What is in the stupid point of order raised by the member for Swan? Even if he does not understand either the clause or the amendment—I would not expect it of him—this is not the proper time for him to raise a point of order.

The CHAIRMAN: Order! The hon. member will address himself to the amendment.

Mr. LAMBERT: I regret that the hon. member should have seen fit—

The CHAIRMAN: Order! The hon. member must either take his seat or discuss the amendment before the Chair.

Mr. LAMBERT: I think when hon. members desire information they should rise at the proper place and time—

The CHAIRMAN: Order! The hon. member will deal with the amendment.

Mr. LAMBERT: I will do so. I only hope that the amendment will be rejected, and that before the Bill leaves the Committee a reasonable attempt will be made to put, not only the matter of age limit, but that also of general capacity for driving motor vehicles, on a better basis than the existing one.

Mr. GEORGE: The age limit at present is 18 years and the Minister would have it raised to 19 years. When on a previous occasion the question of age limit was dealt with, an agitation was created in the newspapers. To-day, however, "Pro Bono Publico" is silent, and the people generally do not care a hang. Members should re-

member that there rests upon them the responsibility of seeing to it that legislation shall not be a menace to the safety of the travelling public. There are to-day in Western Australia over 20,000 motor vehicles, and they are still arriving at the rate of 700 or 800 per month; so before another two years are out there will be at least 30,000 motor vehicles on our roads, fully half of them being in the metropolitan area. Surely, then, it is the duty of members, even at the risk of inconveniencing a few people, to see to it that the rights of pedestrians and the drivers of horse-drawn vehicles, are conserved. We should be doing wrong if we were to reduce the present age limit of 18 years, and would certainly be doing right if we increased it to 19 years, as proposed by the Minister. Ninety per cent. of the drivers of motor vehicles have no idea of the powerful engines they control. A split second may represent all the difference between safety and danger, either to themselves or to others. Obviously, a boy is not likely to take things so seriously as would an adult of long experience. How many of his constituents have asked the hon. member for this amendment?

Mr. Clydesdale: Nobody has asked me; it is dictated by my own common sense.

Mr. GEORGE: Does the hon. member ask the Committee to believe that this amendment arises from his own experience?

Mr. Clydesdale: Yes.

Mr. GEORGE: Well, I will accept the hon. member's statement, but I do not think he has taken as much care to think over the matter as he might have done.

Mr. Clydesdale: I have given it just as much attention as has any other member.

Mr. GEORGE: From the way the hon. member is interjecting, I am sure he has not thought very much about the matter at all. When the limit of 18 years was fixed there was a great agitation to reduce it to 16 years. To-day, when we are discussing this question again, there are no deputations to Ministers, and the Press is silent about it.

The Premier: They have such implicit faith in us.

Mr. GEORGE: It may not be implicit faith in the Government; it may be that common sense in the critics has at last overcome their desire to make themselves smart at somebody else's expense. I will vote for the age limit of 19 years, and would even support a motion for a 21-year limit.

Mr. ANGELO: Personally, I do not care much whether the age limit be fixed at 18 years or at 19 years.

Mr. Teesdale: Then sit down, sit down.

Mr. ANGELO: Probably some of the people of the North-West are concerned in the age limit to be fixed.

Mr. George: Where is the North-West?

Mr. ANGELO: Some of the people of the North-West desire that a proviso should be added to the age limit clause as follows:

Provided that a license may be granted to a person under 18 years of age (or 19 years of age, as the case may be) to be available only in any part of the State outside the metropolitan area.

It is a very necessary thing that competent lads and girls who have passed the proper test should be allowed to drive motor cars in country districts. The other night the Minister objected to having a lower age for drivers in the country districts on the ground that the holder of such a license might drive into the metropolitan area. Surely that objection could be overcome! The license could be endorsed to that effect, and any breach of the privilege would lead to the cancellation of the license. Even with an age limit of 18, considerable hardship is being experienced by people in the North. Numbers of young boys and girls are driving cars not only on the stations, but in the towns, and they are quite competent to do it. Can the Minister cite a single case of an accident outside the metropolitan area in which the driver involved was of the age of 18? There are sufficient members present to look after the interests of the metropolitan area, but I unfortunately have been left in the lurch by one of the representatives of the North.

Mr. Teesdale: All I have against you is that you are saying what I wanted to say.

Mr. ANGELO: I have brought before the Commissioner of Police applications for the licensing of boys and girls under the age of 18, but the Commissioner was not able to allow licenses to be issued.

The Premier: Have you been trying to use undue influence with the Commissioner of Police?

Mr. ANGELO: No, I merely asked him whether it was possible for a person under 18 to get a license, and when he pointed out that it was impossible, that was sufficient. I hope country members will support the proviso I have indicated.

Mr. Stubbs: What is wrong with an age limit of 18?

Mr. ANGELO: I shall vote for 18, but I wish to obtain a greater concession for boys and girls in the country.

Mr. MacCallum Smith: Why?

Mr. ANGELO: Because there is nothing like the same risk of accident in the country.

Mr. MacCallum Smith: Most of the motor accidents occur in the country.

Mr. ANGELO: Nonsense! The hon. member cannot cite an accident having occurred in the last two years in which the driver was of the age of 18. I will support the age of 18 in the hope that the member for Canning will assist me to get the age of 17 stipulated for the country.

Mr. BROWN: I support the amendment. During the last week I have interviewed a good many people in the country and they are unanimous that the age should not be raised. The amendment will impose a great hardship on farmers' sons who, at the age of 18, take the keenest interest in any class of machinery. When boys leave school at about the age of 14, they have to do something and many of them find work in country garages. The two or three blacksmiths' shops that were found in country towns years ago have given way to garages, and many country boys enter the motor business. By the age of 18 they become expert, but unless they are permitted to drive a car, it will be useless for them to be in a garage. The Minister seems to fear that a boy of 18, getting into a tight corner, might lose his head. There is no ground for such fear. The records of accidents disclose that very few drivers of the age of 18 have been involved. Most of the accidents have been due to young men riding motor cycles with a girl on the pillion seat. A boy of 18 would not think of taking a girl on his motor cycle.

Members: Oh, oh!

Mr. BROWN: At that age boys are shy and innocent and would not think of such a thing. The age at which they do that is 20 or 21.

Mr. George: Even the Chairman smiles.

Mr. BROWN: There is not nearly the danger attached to a boy of 18 driving as compared with a driver of 21, because the older boy thinks he knows everything, is reckless, and has no regard for speed. Most of the accidents are due to excessive speed. Little skill is required to drive a motor car. I was 55 when I obtained my license, and the only accident I have had has been to drive through a shed. If a boy of 16 can drive a team of spirited horses, he can drive a

motor car; the horse team certainly entails the greater responsibility. A boy learning to drive at 18 becomes the most competent of drivers. At the same time I should like the age for drivers of passenger vehicles limited to 21.

Mr. E. B. Johnston: It is 21 at present.

Mr. BROWN: I hope the Minister will accept the amendment.

Mr. WITHERS: If the Minister had proposed a greater increase than one year, there might have been some ground for argument. The increase proposed, however, is trifling.

Mr. Mann: Then why not reduce it?

Mr. WITHERS: If the Minister could prohibit the use of motor cycles, I would support him. The youth of 18 who owns a motor cycle is a menace to the community, but a boy of 18 is just as capable of driving a car as is one of 19. If the amendment is not accepted, I shall support the proviso indicated by the member for Gascoyne, because the conditions in the country are altogether different from those in the metropolitan area.

Hon. G. TAYLOR: If the object is to ensure in motor drivers mature judgment and capacity to act quickly in cases of emergency, it cannot be done by fixing an age limit. Some lads of 14 to 17, accustomed to driving horses and bullocks, exhibit as much skill and resource as do some men of 25. There is a vast difference between driving in the metropolitan area where one meets scores of people in one block, as against driving on country roads where one might not meet a dozen persons in 20 miles. If the age be increased to 19, many people will be inconvenienced, because their boys now drive the motor vehicles, just as years ago they drove the horse-drawn vehicles. We cannot establish an age limit to meet the requirements of intellect. For instance, William Pitt became Prime Minister of England at the age of 24. Some men of 40 go to pieces in a case of emergency. They are temperamentally unfitted to take such a responsibility. Though I would not mind a limit of 19 for the city, I think we should certainly have a lower standard in the country.

Mr. THOMSON: It is not a matter of age. No license can be granted until the applicant has proved to the reasonable satisfaction of the examiner, to be appointed by the Commissioner of Police, that he is qualified to drive a motor. There is also a regulation that no license shall be issued to a person under the age of 18. Some boys and

girls of 14 are quite competent to drive a car. The main question to consider is whether people are competent or not for the purpose for which their license is required. Nothing is easier than to learn to drive a car. It is absurd, therefore, to fix the minimum age at 19. The responsibility should be thrown upon those who issue the licenses. I would rather drive a motor vehicle in a crowded thoroughfare than I would drive horses, which are more difficult to control. Fewer petrol-driven vehicles get out of control than horse-drawn vehicles. I would prefer that there should be no age limit. We should not debar youths from engaging in occupations they are quite competent to follow. I support the amendment of the member for Canning.

The MINISTER FOR WORKS: The question to be settled is not that of competency to drive, but that of a person being able to act immediately in a case of emergency. In a crowded thoroughfare the slightest hesitation on the part of the driver may lead to the occurrence of an accident. Members would be astonished if they knew what an increase there had been in the number of accidents since motor vehicles had come into general use. In the case of horse-drawn vehicles plenty of time is given to the driver in which to make up his mind what he ought to do, but when he is driving a motor car the margin between safety and danger is often infinitesimal. Members know the rate at which motor cyclists travel along the roads. I seldom motor at less than 25 miles an hour, but when one of these motor cyclists passes me I feel that I am going backwards. They are generally young men without any sense of responsibility. A person cannot act with judgment unless he is directed by his mind. The mind controls every action of the body. Until the mind decides, the limbs cannot act. A boy of 16 or 17 has not the confidence in himself nor the judgment nor the coolness in cases of emergency that is possessed by a man of more mature age. I repeat that I personally favour a minimum age of 21. The member for Yilgarn, who says he is a good driver because he began driving young, once drove through a house.

Mr. Sampson: But he was much over 18 when he did that.

The MINISTER FOR WORKS: He is not much over 18 now. I consider that I never encountered such danger in city driving as in driving through such country as the Kimberleys.

Hon. Sir James Mitchell : How many accidents have been due to drivers under 19 years?

The MINISTER FOR WORKS : There are no statistics as to age of drivers. No hardship is involved in this clause, which cannot take away the license of any existing holder, as it will not come into effect before July next.

Mr. Sampson: But it will hold up boys now aged 16.

The MINISTER FOR WORKS : Those boys must wait for another year. Undoubtedly the traffic fiends are the boys of 18 and 19 on motor bicycles. I observe them particularly on the Perth-Fremantle road.

Hon. G. Taylor: Has your experience of the present minimum age of 18 decided you to ask for an increase to 19?

The MINISTER FOR WORKS: Yes.

Hon. G. Taylor: That should settle the question.

The MINISTER FOR WORKS: The Minister who preceded me also favours the raising of the age.

Mr. Sampson: Have the traffic officers recommended it?

The MINISTER FOR WORKS: Yes.

Mr. Corboy: They have been prejudiced against youth ever since the traffic office was established.

The MINISTER FOR WORKS: That is not a fair statement. Most of the officers are young men themselves.

Mr. Corboy: The men in charge are not young men, though the men outside are.

The MINISTER FOR WORKS: The men in charge are not as old as I am. There is pressing necessity for raising the age. The public generally are convinced that the existing state of affairs is altogether too dangerous to travellers by motor and pedestrians alike. To make the tests stringent, or even extremely stringent, is not sufficient, since they merely pertain to ability to drive.

Mr. WITHERS: Would it be permissible under this clause for a person under 18 to drive a car if accompanied by a person holding a license?

The Minister for Works: That is provided for later in the Bill.

Mr. MARSHALL: The Minister has not advanced any argument justifying a vote in favour of either 18 years or 19 years, but he has put up a convincing argument for a speed limit in the city. The need for such a limit has been borne in on me painfully, but that circumstance does not make

me bitter against the rising generation of motorists. Many youths of 18 are just as capable of driving a motor car or riding a motor bicycle as I am myself, provided that in congested areas the speed is restricted within safe limits. The average youth will be a better driver than an aged man, simply because of possessing better nerve. A number of sons of working men are apprenticed to the motor trade in the cities and towns, and part of their duties is to shift motors from point to point and to try out cars that have been repaired. If we limit the age of 19 years, from two to four years of their apprenticeship will be lost to those boys, because they will not be permitted to drive cars in the city. The clause would penalise more people than the Committee imagine. Age is not the factor that is responsible for the accidents that take place; it is lack of control regarding speed. I have gone to some trouble to secure statistics regarding accidents caused by motor-propelled vehicles. These disclose that the greater proportion of accidents take place outside our congested areas. I would prefer to leave the whole question to the traffic officials. I am not prepared to penalise youths because there are a few hair-brained motor hogs. Despite the existing regulations under which no one younger than 18 is supposed to get a license, I know of one instance where a girl well under 18 years of age secured a license, and it was only after she had engaged in some furious driving that the police ascertained that she was under the stipulated age and demanded a copy of her birth certificate. As a result, the girl's license was cancelled. If every person applying for a driver's license is not compelled to submit his or her birth certificate for inspection prior to being granted a license, neither the clause nor the amendment will be of any value. I agree with the Minister that young people are apt to speed up to the danger of the country generally, but unless some steps are taken regarding the production of birth certificates, it will be impossible to prevent those young people from receiving their licenses. Very few motor vehicles are owned by persons under 19 years of age. The average wealth of such persons in this State is not sufficient to enable them to purchase those conveniences. I will go with the Minister to any length in limiting the speed at which vehicles may be driven in the city, but I will not support the clause. I will support the amendment

and will also vote to delete the whole clause, leaving the question to the discretion of the Traffic Department.

[*Mr. Panton took the Chair.*]

Mr. CORBOY: The Minister put up an extraordinary contention. He was unkind enough to refer to my ability as a driver, but he should remember that most of us live in glass houses. As a matter of fact, I did not go through the house; It stopped me! The Minister referred to the skidding of motor cars and similar dangers. I do not think the Minister will seriously assert that the danger is less because the man behind the wheel is 45 years of age than it would be if the driver were 18 years of age. Young men will act more quickly under extraordinary conditions than old men. During the war, the British War Office deliberately sought out young men of 18 and not older than 21 years of age for special training as air pilots. They recognised that lads of that age had the nerve and the alertness to get out of difficult positions in aeroplanes.

Mr. Sampson: They were the most successful of all the air pilots.

Mr. CORBOY: As a matter of fact, no one had any chance of getting into the aviation training corps if he was over 21 years of age. There is another feature about the danger suggested by the Minister. Very frequently the man who is in danger averts it by taking a risk, whereas an elderly man would try to act on the safe side and run into danger. I will go as far as the Minister likes in limiting speed, and in providing the most stringent tests regarding the ability and health of prospective drivers, but I cannot follow him when he seeks to make age the standard of ability. That would be absolutely futile.

Amendment put and passed.

Mr. ANGELO: I move an amendment—

That after "age," in line 3, the following words be inserted:—"And by adding the following proviso: 'provided that a license may be granted to a person under the age of 18 years to be available only in any part of the State outside the metropolitan area.'"

The Minister stated that he desired the age limit to be raised for several reasons, one of which was that a lad under 19 years of age would have difficulty in handling a car in dense traffic. There is no dense traffic outside the metropolitan area, for 20 miles away from the city one is in the country. The

Minister also said that he did not want a young boy or girl to have the handling of a car in an emergency. There are very few emergencies encountered in the country districts. The amendment I propose does not say that the licensing authority must grant a license to any boy or girl under 18 years of age, and therefore, that boy or girl must pass the ordinary test.

Hon. G. Taylor: The same test as anyone else.

Mr. ANGELO: Yes. I do not care how strongly the Minister may insist upon a test being made, nor do I mind the Minister insisting that the severest possible test may be imposed by the licensing authority when country boys and girls apply for licenses. The Minister must agree that a hardship will be inflicted, not only on the boys and girls directly, but on their families as well, if the age limit of 18 years is made to apply to the country districts as well as to the metropolitan area.

The MINISTER FOR WORKS: I think this is going to the ridiculous. I cannot be a party to the amendment. Fancy saying that there shall be no age limit at all, and that there is never any emergency or any position requiring judgment, outside the metropolitan area! The hon. member would have us issue licenses to small children.

Mr. Angelo: They must pass the test.

The Premier: But a ten year old child might pass the test.

The MINISTER FOR WORKS: In the stretch of 50 miles between Perth and Pinjarra, there are a dozen small bridges at deep dips. If judgment and decision be not used at those points, there are present all the elements of a big accident. A fortnight ago I saw a car upside down in a little creek a mile the other side of Armadale. The Premier has reminded me of the accident at Bullsbrook, when a girl was driving. Two cars met on a culvert, with the result that a life was lost. Yet the hon. member says that no emergencies can arise on a country road! This amendment borders on the ridiculous, and I hope the Committee will not give it much consideration.

Mr. THOMSON: Would the Minister accept the age limit of 16 years?

The Premier: No, certainly not.

Mr. THOMSON: Surely a boy of 16 years, having passed the prescribed test, is quite capable of driving a motor car on a country road. In country districts there are plenty of boys and girls, nine years and ten

years of age, driving their brothers to school. Of course that is not in a motor car. No test is imposed on those children, except that their parents are confident of their ability.

The Premier: And they take care to supply them with a quiet old moke.

Mr. THOMSON: Nevertheless those children are driving on our roads, although subject to no test, except the confidence of their parents.

The Premier: Driving a safe old horse that would be all right with no reins at all! How can you compare that with motor driving?

Mr. THOMSON: The amendment does not ask that any child shall be permitted to take charge of a motor car without first passing the prescribed test.

The Premier: Why not make the age 10 years or, better still, have no age limit at all?

Mr. THOMSON: I would prefer to have no age limit, to leave the question entirely to the discretion of those issuing the licenses. In the Coal Mines Regulation Act Amendment Bill recently before the House, the age of 18 years was reduced to 17 years for a youth handling a winch.

The Premier: Pulling over one lever!

Mr. THOMSON: I know it is a different proposition. Still, the boy of 17 has to be competent. We hold that, provided the boy or girl can pass the prescribed test, a license should issue. There are in country districts scores of boys doing men's work, driving machines and handling six-horse teams. Surely such boys, having passed the prescribed test, are competent to drive motor cars. In my own district one girl 16 years of age, licensed to drive a motor car, is conspicuously competent.

Mr. George: If she is only 16 she hasn't any license.

Mr. THOMSON: Licenses are sometimes issued to young people only 16 years of age; possibly they declare themselves 18 years of age.

The Minister for Works: They have to bring a letter from their parents.

Mr. THOMSON: There is not nearly so much danger on a country road as in the metropolitan area. I move an amendment on the amendment—

That after "person," the words "over the age of 16 years and" be inserted.

Amendment on the amendment put and negatived.

Mr. SAMPSON: I cannot support the amendment. Why should there be any differentiation between the country and the town? To introduce such a principle would be bad. If 16 is the right age for the country, it is the right age for the city.

Mr. THOMSON: One reason why there should be a differentiation is that many country people live at great distances from the towns and for them motor cars are an absolute necessity. Residents of the metropolitan area are adequately catered for by train, tram and bus services.

The Premier: That is all news to us.

Mr. THOMSON: It is a good reason why greater consideration should be extended to young people in the country.

Amendment put and negatived.

Mr. THOMSON: According to the Act, if a man owns a motor car and a motor truck, he must take out a driver's license for each vehicle. It is possible for a man to have to take out three different driver's licenses—for a motor car, a motor truck, and a motor cycle. One driver's license should be sufficient to cover all three. It was never intended that a man should have to take out more than one driver's license. I move an amendment—

That after the word "age," in line 3, the following words be inserted:—"and by striking out the words 'a motor vehicle of the kind to be therein specified,' and inserting in lieu thereof the words 'motor vehicles'; and by striking out all the words after 'drive,' in the fourth line of the proviso, and inserting in lieu thereof the words 'motor vehicles.'"

The MINISTER FOR WORKS: I confess that at one period I thought one driver's license should be sufficient. Though I can drive a car, I have never driven a truck, and I think it would be well to put me through my facings before I attempted to do so. Further, the license fee here is small as compared with that in the other States, 5s. as against £1. In South Australia a Royal Commission recently considered the legislation in force in other States and recommended a fee of £1. If the driver's license fee here is to cover all motor vehicles that a man might own, the amount will have to be increased.

Hon. Sir James Mitchell: Why do you want a driver's license fee at all?

The MINISTER FOR WORKS: The police have to test each driver and that cannot be done for nothing. For the three drivers' licenses the fees would amount to only 15s., whereas in the Eastern States the fee is £1.

Mr. Marshall: Does a man need more than one driver's license in the other States?

The MINISTER FOR WORKS: In most of the other States one driver's license covers the lot, but the charge for it is £1. An extra 5s. for a second license would not trouble a man very much.

Mr. Thomson: The trouble lies in his having to handle three licenses.

Mr. Corboy: They are only the size of a visiting card and can be carried in the vest pocket.

Hon. Sir James Mitchell: I suggest that if a man drives at 30 miles an hour the fee should be 5s.

The MINISTER FOR WORKS: If the license is to cover more than one vehicle, the fee of 5s. will have to be increased.

Mr. MARSHALL: Though the driver's license will cost only 5s. we are providing that the applicant for a motor cycle license for instance must undergo a medical examination, which will cost him 10s. 6d. If later on he obtains employment to drive a motor truck he may have to submit to a further medical examination.

Mr. Corboy: That would be for only a passenger vehicle.

Mr. MARSHALL: Very few men are employed to drive private cars.

The Minister for Justice: It is not likely that a second examination would be required.

Mr. MARSHALL: Still it is possible. My object is to show that motor drivers are not getting off so lightly as the Minister would have us believe.

Mr. THOMSON: According to a return tabled recently, drivers' licenses in the metropolitan area produced £9,477 and it is estimated that similar licenses in the country produced an equal amount. The Government therefore received £18,800 from the 5s. licenses. The Ford motor car is the same class of vehicle as the Ford truck and has the same sort of engine. This applies also to Chevrolet, Graham, Dodge and Reo cars and trucks.

Mr. Corboy: The Reo truck is very different from the Reo car.

Mr. THOMSON: I do not think it is. A man owning a truck and a car of any one of these makes has to take out a driver's

license for each. It is not reasonable to charge a man an extra license for driving another vehicle of the same type. It was said that the fee was not worth the cost of collection. On the other hand, the Government more easily collect the sum of £18,000 odd, which is derived from these drivers' licenses, than they collect any other similar amount. Before a driver can take charge of a car he must go to the police station for his license, and attend there again for it to be renewed.

The Premier: Make it one license at £1.

Mr. THOMSON: We have no assurance that the license fees will not be increased.

Amendment put and negatived.

Clause, as previously amended, put and passed.

Clause 14—Amendment of Section 22:

Mr. CLYDESDALE: I move an amendment—

That in line 3 the word "eighteen" be struck out and "seventeen" inserted in lieu. I move this in order that the clause may conform with the previous clause.

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

Clause 15—agreed to.

Clause 16—Driver to stop when requested:

Mr. SAMPSON: I move an amendment—

That the following words be added:—"And no motor cyclist shall start his engine if within a distance of 15 feet of any horse."

The Premier: Why not make it 15½ft.?

Mr. SAMPSON: I have been asked to bring this amendment forward. It is desired to avoid the danger that may arise from a motor cyclist starting his engine in too close proximity to a horse.

Amendment put and negatived.

Clause put and passed.

Clause 17—Amendment of Section 25:

Hon. G. TAYLOR: I move an amendment—

That the following words be added:—"And by omitting the words 'twenty pounds' and inserting in lieu thereof 'fifty pounds or imprisonment for three months.'"

This provides a penalty to meet the case of a person who collides with a human being or vehicle but does not stop to see what damage he has done. If a person is cowardly enough to leave lying in the road

some pedestrian he has knocked down, he should be made to pay the penalty.

The MINISTER FOR WORKS: The amendment will not inflict any hardship upon decent citizens, but will punish the most objectionable of our speed hogs, who would knock a person down but would not stop to render any help. In a case like that, no penalty is too severe. It will be for the court to say that a lesser penalty should be inflicted.

Mr. ANGELO: If a motorist knocks down a person and leaves him lying in the road, instead of taking him to the hospital, he may be endangering that person's life still further. The penalty should be made so severe that a motorist will be impelled to stop and render what help he can in a case of this sort. I should like to see the fine struck out and imprisonment only provided.

Mr. MANN: I suggest that this penalty should be made to provide for six months' imprisonment instead of three months. If this were done, it would be in conformity with the scale laid down in the Justices Act.

Hon. G. TAYLOR: I would like to amend my amendment to read—

"And by omitting the words 'twenty pounds' and inserting in lieu thereof 'fifty pounds or imprisonment not to exceed six months.'"

Amendment, by leave, amended accordingly.

Mr. SLEEMAN: The amendment is one-sided, because if the offence were committed by a moneyed man he could get off with a payment of £50, whereas a poor man in the same situation would have to spend six months in gaol.

Mr. MARSHALL: I agree with the previous speaker, and therefore move an amendment on the amendment—

That the words "fifty pounds or" be struck out of the amendment.

Mr. MANN: The carrying of the amendment on the amendment might mean that a defendant would be imprisoned until the rising of the court or for 24 hours, which would be the end of the matter. The proposed maximum fine of £50 represents, under the Justices Act, a minimum fine of £5, with a minimum imprisonment of 10 days.

Mr. MARSHALL: In view of that explanation, I ask leave to withdraw my amendment on the amendment.

Mr. SLEEMAN: The man who could not pay £50 would go to prison for six months, while the man able to pay the amount would escape imprisonment.

Mr. MANN: That applies to all laws of this nature.

Amendment on the amendment, by leave, withdrawn.

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

Clauses 18, 19, 20—agreed to.

Clause 21—Amendment of Section 41:

Mr. THOMSON: Subclause 1 is drastic. Section 41 of the principal Act, by paragraph (g), already provides that regulations may be made to restrict the driving of any specified kind of vehicle. I fail to see the need for specially mentioning in Subclause 1 "agricultural machines, including tractors and ploughs."

The MINISTER FOR WORKS: The insertion of those words was requested by a conference of road boards. If there is any fear that road boards are likely to prohibit the travelling of agricultural machines over the roads, I will agree to the deletion of the words. However, complaints have been received from local authorities all over the country as to agricultural machines being carelessly run over the roads and consequently cutting them up.

Mr. MANN: I move an amendment—

That in paragraph (u) of Subclause 2 the words "beyond the," in line 2, be struck out, and "more than 12 inches on either" inserted in lieu.

If the driving of vehicles with material projecting beyond the sides were carried to the point of abuse, I would agree that control was needed. However, it is impossible to cart chaff without the load projecting 8 or 10 inches on either side; the load would not stand up unless stacked so as to project to that extent. The same thing applies in the case of liquids carried in barrels, for instance beer. There is no danger in a uniform projection of 8 or 10 inches; the danger arises where there is an odd article, say a piece of iron or timber, projecting 2 or 3 feet. I am also informed that galvanised iron, for easy loading and unloading, must be stacked so as to project.

The MINISTER FOR WORKS: This paragraph refers to one of the most dangerous practices obtaining in traffic, especially in the metropolitan area. During the day

the danger is not so great, but it is very serious in the night, when one approaches a vehicle and has only the width of the head lights to guide one. This very morning I saw a lorry carrying a load which was overlapping the side by at least 3ft. 6in.

Mr. E. B. Johnston: Sometimes there is a leg of beef sticking out over the side.

The MINISTER FOR WORKS: There would be no prosecution for the sake of an inch or two of projection. If the projection allowed were 1ft., the police would not prosecute if the actual projection were 15 inches. This margin would increase the allowable width of load by 2ft. 6in. The police would not take action unless there was a considerable projection. Discretion is always exercised in these matters. If we were to agree to the proposal for a foot, I am afraid it would mean a projection of 2ft. 6in. at least. In agreeing to accept a compromise at 6in., I am going as far as should be expected. No prosecution would be undertaken unless the projection was an unreasonable one.

Mr. Mann: But a vehicle will pass a loaded lorry on one side only.

The MINISTER FOR WORKS: But the lorry may be passing another vehicle on the other side at the same time.

Mr. Thomson: A projection of 6in. is very small.

The MINISTER FOR WORKS: No matter what projection is allowed, the police would not dream of prosecuting if the projection was slightly more than set out in the Bill.

Mr. Thomson: Is there a limit to the width of such vehicles?

The MINISTER FOR WORKS: Yes, 7ft. 6in. With the projection of 6in. on either side, the width would be increased to 8ft. 6in. That is a substantial width for a loaded vehicle in our streets.

Hon. Sir James Mitchell: Will that apply to all vehicles?

The MINISTER FOR WORKS: Yes. The other night I passed a heavily laden furniture van on the Perth-Fremantle-road. It was lighted with two candles and from the heap of furniture, the legs of a table projected and I nearly struck them with the car. That is a dangerous practice.

Hon. Sir JAMES MITCHELL: When in London I saw vehicles heavily laden and if that is permitted in congested traffic such as obtains there, it makes one wonder why

the restrictions suggested by the Minister are necessary in this State.

Hon. G. Taylor: On the goldfields, houses are carted away.

The Premier: It is not a case of the width of a road, but the danger of the projections.

Hon. Sir JAMES MITCHELL: In the instance referred to by the Minister for Works, he was probably a greater danger to the furniture van than the furniture van was to him. Motor cars are usually equipped with good lights enabling the driver to see what is ahead. We go too far with our legislation here, and many of the restrictions we place upon people work mighty little good, but are bound to cause a lot of trouble to a great number. Practically the whole of the sitting has been devoted to a discussion as to whether licenses shall be given to boys of 18 or to boys of 19.

The Premier: These are national questions.

Hon. Sir JAMES MITCHELL: Now when we come to an important question, the Minister would pass it in five minutes.

The Premier: At any rate it is not passed yet.

Hon. Sir JAMES MITCHELL: We should see that our wagons are loaded as much as possible, in order that people may be able to pay for the petrol they use. I hope the Minister will agree to the proposal for a projection of a foot. Of course I know that on the Perth-Fremantle-road, where the traffic is heavy, anything might happen.

The Minister for Works: This provision will not be used in the country areas. In any case, it merely means granting power to make regulations.

Hon. Sir JAMES MITCHELL: I hope the hon. member will persist with his amendment, and let the Minister take the responsibility of declining to accept it.

The Premier: This will not apply to country vehicles.

Mr. SAMPSON: I am surprised at the opposition to the amendment. It is another indication that there is to be specially strict regulations for motor vehicles. There is no restriction in regard to the carriage of goods on horse drawn vehicles, notwithstanding that the side projection of goods on such vehicles is more dangerous than on motor vehicles. The utility of the motor vehicles will be very much reduced if the

load cannot project a foot beyond the sides of the vehicles. Some of our motor buses are built extending considerably more than a foot beyond the line of wheels. Under this regulation the transport of a decent load of hay would be impossible.

The Premier: It will not apply to the transport of hay.

Mr. SAMPSON: I hope we shall be allowed to utilise motor transport as much as possible. When the table-top type of motor lorry was designed, it was never intended that there should be no overhang of the load; that vehicle is designed to carry an overhang.

Mr. CHESSON: If we limit the load to the width of the vehicle it might mean hardship. For instance, in the shifting of a load of machinery on a lorry such a regulation would be very burdensome. The best way of getting over the difficulty would be to prescribe that when the load projects beyond a certain distance over the side of the vehicle it must be carried during daylight or, if carried by night, the load must be specially lighted. To stringently fix the limit of the projection of the load would be to inflict injustice on many people.

Mr. Mann: My amendment will make it a little easier.

Mr. CHESSON: Yes, but we could better get over the difficulty in the way I have suggested.

Mr. ANGELO: Did I hear the Premier say a little while ago that this regulation would not affect vehicles in the country?

The Minister for Works: Yes.

Mr. ANGELO: Certainly unless that proviso is made, the regulation will impose a great hardship in respect of the carting of wool. I should like an assurance that it will not apply in the country.

The Minister for Works: No, it will not apply in the country.

Mr. BROWN: Much depends on the class of loading. Some loading must project beyond the lorry. Again, the loading of chaff depends largely on the type of wagon. In the box wagon it is essential that the load should overhang the sides. The body of a tabletop wagon is wider than that of a box wagon and the need for overlap is not so great. When loading wool, it is necessary to have an overlap, and any hard-and-fast rule will inflict hardship.

Mr. Marshall: Where will wool be carted in the metropolitan area?

Mr. BROWN: I believe that motor lorries are at present carting more wool than are the railways.

Mr. Marshall: Not in the metropolitan area.

Mr. BROWN: They have to pass through Perth to get to the port.

Mr. Marshall: They do not cart much wool.

Mr. BROWN: On the York-road or the Northam-road I feel sure that one would pass 20 lorry loads of wool in a day. Any-one can see the wool overlapping and avoid it.

Mr. MANN: An overlap of 12 inches in a double horse lorry would not exceed the spread of the horses.

The Minister for Works: Yes, it would.

Mr. MANN: Not at all. If the Minister agreed to a 12-inch overlap, contractors and teamsters would be able to keep within the law.

The Minister for Works: If we allow 12 inches, it will become 18 inches.

Mr. MANN: If the Minister adjourned the question and inquired, he would find that a 12-inch overlap was reasonable.

Amendment put and declared negatived.

Hon. Sir James Mitchell: I think we had better have a division on that.

The MINISTER FOR WORKS: In the next paragraph—

Hon. Sir James Mitchell: I called for a division.

Mr. Marshall: On a point of order, there was no call for a division, Mr. Lutey, when you gave your decision.

The CHAIRMAN: There could not be a call for a division until I gave my decision.

Hon. Sir James Mitchell: The Minister was too quick; I called promptly.

The CHAIRMAN: Does the member for Northam call for a division?

Hon. Sir James Mitchell: Yes.

Division resulted as follows:—

Ayes	12
Noes	17

Majority against .. 5

AYES.	
Mr. Angelo	Mr. North
Mr. Brown	Mr. Sampson
Mr. Denton	Mr. J. M. Smith
Mr. E. B. Johnston	Mr. Teesdale
Mr. Mann	Mr. Thomson
Sir James Mitchell	Mr. Richardson

(Teller.)

NOSS

Mr. Chesson
Mr. Collier
Mr. Corboy
Mr. Coverley
Mr. Heron
Mr. Hughes
Mr. Kennedy
Mr. Lamond
Mr. Marshall

Mr. McCallum
Mr. Millington
Mr. Sleeman
Mr. Taylor
Mr. A. Wansbrough
Mr. Willcock
Mr. Withers
Mr. Pantou

(Teller.)

PAIRS.

AYES.

Mr. C. P. Wansbrough
Mr. Maley
Mr. Barnard
Mr. J. H. Smith

NOSS.

Mr. W. D. Johnson
Mr. Wilson
Miss Holman
Mr. Angwin

Amendment thus negatived.

The MINISTER FOR WORKS: I move an amendment—

That the following words be added:—"and the use on any road of a vehicle the weight of which with the load exceeds a prescribed weight."

The Leader of the Opposition suggested we should take power to prohibit the use on roads of any of these heavy vehicles. Recently we had an application for a license for an oil-carrying vehicle which with the load will weigh 16½ tons. No bridge or road in the country will carry it. Through the Main Roads Board 12 months' notice might be given to the owners of these heavy vehicles that after a certain date the vehicles over a certain weight will not be licensed. The highways can then be allowed to carry loads up to a certain weight, and the byways loads of a lesser weight. It would pay the Government to compensate the owners of heavy vehicles to keep them off the roads.

Hon. Sir JAMES MITCHELL: Roads have been destroyed by vehicles that are too heavy to carry them. The best thing would be to take over the heavy vehicles now, and compensate the owners. If they are to be permitted to use the roads for another 12 months, much more damage will be done. I question whether the amendment gives the Minister full power to cover the situation. I would like to see him with the right to say that heavy vehicles should not run except over certain sections of a road, and to control the situation for a period of 12 months. All who use the roads should not be inconvenienced in order that two or three people may run heavy traffic. Our railways are designed to carry these goods. The roads should not be expected to do the work of the railways. A farmer pays a land tax, and a license fee for his vehicle to travel on the

road. He has to maintain the road for others who merely pay a license fee. Farmers who send heavy traffic to Perth by road are making a rod for their own backs. The Minister at present has not all the powers he needs. He especially requires three additional powers: to close portion of a road against heavy traffic, to purchase motor vehicles now in use that are beyond the weight which our roads will carry, and to differentiate between horse-drawn vehicles and motor-driven vehicles.

Mr. CORBOY: I wish to emphasise the point made by the Opposition Leader that the Minister should have power to permit the use of motor vehicles over certain sections only of roads. In many cases a townsite is alongside the railway, while the main road is half a mile or a mile away. The road connecting the main road with the townsite might be regarded as forming a section by itself, although only half a mile or a mile long: and the Minister ought to have control of that section.

Amendment put and passed.

Progress reported.

House adjourned at 10.41 p.m.

Legislative Council,

Tuesday, 21st September, 1926.

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

BILLS (2)—THIRD READING.

1, Soldier Land Settlement.

2, Forests Act Amendment.

Passed.