

# Legislative Assembly,

Thursday, 4th September, 1919.

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

## QUESTION—RAILWAY COAL, PREVENTION OF FIRES.

Mr. GRIFFITHS asked the Minister for Railways: 1, Are inquiries being made by Mr. Boas in America into the successful use of pulverised coal for locomotive purposes there? 2, In view of the approaching summer, will he inform the House what steps have been taken to prevent a recurrence of the disastrous fires of last summer caused by coal sparks from locomotives firing crops in the wheat belt?

The MINISTER FOR RAILWAYS replied: 1, No. 2, All land owners adjacent to the railway line are being circularised to plough firebreaks and take any additional preventive measures, whilst the Department will plough and chip fire breaks within railway reserves. Sixty-three locomotives have been fitted with the latest improved standard spark-arrester, and material is now on the way from the Eastern States to enable the Department to extend these improvements to an additional number of locomotives.

## QUESTION—GOVERNMENT EMPLOYEES, INDUSTRIAL AGREEMENTS.

Hon. W. C. ANGWIN asked the Minister for Works: 1, Is he aware that an industrial upheaval is likely to take place early in this State owing to the long delay caused by the action of the Government in not having finalised new agreements with its employees under his control? 2, Do the Government intend to make new agreements with their employees; if so, why is it taking several months to come to finality? 3, Are the Government aware that private employers have entered into new agreements with their employees to meet with the increased cost of living? 4,

If so, why should the Government continually delay acting in a similar manner? 5, Do the Government want an industrial upheaval in the State? 6, If not, is it not advisable for the Government to take action forthwith to prevent same, by adopting conciliatory methods?

The MINISTER FOR WORKS replied: 1, No. 2, Yes, and the agreements when made will date from 1st August. 3, No. 4, Answered by No. 2. 5, No. 6, Answered by No. 2.

## QUESTION—TRANSPORT "SUEVIC," DELAY AT FREMANTLE.

Mr. FOLEY asked the Colonial Secretary: Will he cause inquiries to be made as to the delay of the transport "Suevic" at Fremantle, and endeavour to find if the Fremantle Harbour Trust were in any way responsible?

The MINISTER FOR MINES (for the Colonial Secretary) replied: I am informed by the Fremantle Harbour Trust that they are not aware there was any delay. The ship was worked in accordance with the instructions of the agents; discharge of cargo was completed about 11.30 a.m., and the ship pulled out about noon.

## QUESTION—REPATRIATION.

Mr. O'LOGHLEN asked the Premier: 1, How many soldiers, not receiving sustenance have had applications lodged for land for a period of two months or over? 2, How many soldiers have received appointments as supervisors and inspectors? 3, What rank did these appointees hold?

The PREMIER replied: 1, 715 men, holding qualification certificates for two months or over, are still unsettled, but many of these have not lodged definite applications for land. Sustenance is a Federal matter, and the number of these men not drawing sustenance cannot be stated. 2, The number of inspectors employed by the Agricultural Bank who are returned soldiers is 14. 3, Their ranks are: captains 2, lieutenant 1, sergeant-major 1, sergeants 3, privates and troopers 7. In addition to these, five others were appointed, but they resigned their positions. Their ranks were: lieutenant 1, sergeants 2, privates 2.

## QUESTIONS (2)—STATE SAWMILLS.

### Projected Sale.

Mr. O'LOGHLEN asked the Minister for Works: 1, How long have negotiations been going on between the French representatives and the Industries Board for the purchase of the State sawmills? 2, What area of virgin forest country is it proposed to sell with the mills? 3, Who is the local agent for the company? 4, Will he make the papers available?

The MINISTER FOR WORKS replied: 1, Following on the visit of Colonel Mathey a report giving information respecting the State sawmills was prepared and forwarded in October, 1918. 2, None, but the purchasers will acquire the rights now held by the State sawmills to cut timber over 321,611 acres, subject to the forestry regulations and charges. 3, Mr. Antoine, Fremantle. 4, It is proposed to submit to Parliament a motion dealing with the matter, shortly. All papers will then be made available.

#### Attitude of Country Party.

Mr. O'LOGHLEN asked the leader of the Country party: 1, Is he aware that the Government contemplate selling the State sawmills? 2, Is he also aware that the Government propose retaining the State Implement Works? 3, What is the intention of his party in regard to the proposed sale?

The LEADER OF THE COUNTRY PARTY replied: 1, Yes. 2, No. 3, Have not considered the question.

#### QUESTION—POISON CARTS, CORRIGIN.

Mr. HICKMOTT asked the Honorary Minister: 1, Is it a fact that poison carts are being withdrawn from Crown lands in the Corrigin district? 2, If so, seeing this is the time when rabbits multiply more rapidly than usual, will he have the poison carts replaced?

The HONORARY MINISTER replied: 1, For a limited period as many as five State poison carts were operating on Crown lands in the Corrigin district; three carts were withdrawn on the 1st July, and one during last month, leaving one cart there. 2, Last year the Government undertook to destroy rabbits on the worst breeding places on Crown lands. A large sum was spent and the pest greatly reduced. It is not possible to continue expenditure on the same scale as last year, now that the rabbits have been reduced to the extent that they can be efficiently dealt with by the vermin boards and land-holders in accordance with the Vermin Act. A reduced number of poison carts will still be kept in operation, and the chief inspector of rabbits has been instructed to use these only on breeding places on Crown lands, and in places where the menace is greatest. The sum of £6,000 has been provided for this purpose on the draft Estimates.

#### QUESTION—NATIONAL WORKERS.

Mr. THOMSON asked the Premier: 1, Is the statement of the secretary of the national workers, appearing in the "West Australian" of the 3rd September, that members of that union were in a state of semi-starvation owing to unemployment and distress, correct? 2, If so, what action does the Government intend to take to remedy this state of affairs?

The PREMIER replied: 1, It is difficult to credit this statement, as I am advised by the Government Labour Bureau that there is plenty of clearing with reasonably good remuneration available in the country. 2, Relief is always available from the Government in cases of distress. Eight nationalists are drawing relief in this way at the present moment.

#### QUESTION—RAILWAYS, BRANCH ADMINISTRATION.

Mr. WILLCOCK asked the Minister for Railways: 1, Is it a fact that during the absence of Mr. E. A. Evans (Acting Chief Mechanical Engineer) in the Eastern States, that gentleman appointed Mr. Kennedy, chief clerk, to carry on the administration of the branch? 2, Is it a fact that in so doing, Mr. Evans ignored Mr. Rigg, Superintendent of Loco. Running, an officer with 25 years' experience in the loco. branch? 3, Is it a fact that both those officers were applicants for the position of Commissioner of Railways? 4, Will he lay the papers in connection with this matter on the Table of the House?

The MINISTER FOR RAILWAYS replied: 1, Owing to the fact that several of the engineering officers were at the time employed in acting capacities, the chief clerk was authorised to sign, as far as possible, on behalf of the Acting Chief Mechanical Engineer during his absence in Melbourne, but subject always to the supervision of the Chief Mechanical Engineer, who was at the time Deputy Commissioner of Railways. 2, As Mr. Evans was absent from the State for less than three weeks, it was not considered necessary to appoint an officer to act as Acting Chief Mechanical Engineer during that time. 3, No. One did not apply. 4, Yes.

#### QUESTION—MEDICAL AND HEALTH, DEPARTMENTAL REPORT.

Hon. W. C. ANGWIN asked the Colonial Secretary: When will the report upon the Medical and Health, etc., Departments for year ending 31st December, 1918, be placed on the Table of the House?

The MINISTER FOR MINES (for the Colonial Secretary) replied: As early as possible. The delay in the preparation of this report has been due to the department concerned working at high pressure owing to the outbreak of influenza.

#### QUESTION—GREAT WESTERN RAILWAY STRIKE.

Mr. DUFF (without notice) asked the Premier: 1, What is the position with regard to the Great Western Railway strike and the possibility of its early settlement? 2, Whether, in view of the great inconvenience, hardship, and expense incurred by those

persons desirous of proceeding to or from the Eastern States, he will approach the Prime Minister and obtain his consent to the public being permitted to travel as ordinary passengers on transports on which there are vacant berths?

The PREMIER replied: 1, I am unable to give the hon. member any information in regard to the strike; I know there is a strike and that the trains are not running. 2, I will make representations to the Federal authorities with regard to the question of passengers travelling on the transports.

### QUESTION—DEPARTMENTAL REPORTS.

Hon. P. COLLIER (without notice) asked the Premier: Will he endeavour to have the reports of the various departments presented to Parliament at the earliest possible date, particularly the report of the Auditor General, in order that this may be here before we are called upon to consider the Budget? Many of these reports are altogether overdue.

The PREMIER replied: I will endeavour to have these reports prepared and presented to the House as soon as possible.

### BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Introduced by Hon. W. C. Angwin and read a first time.

### BILLS (2)—RECEIVED FROM THE COUNCIL.

- 1, Mental Treatment Act Amendment.
  - 2, Health Act Amendment.
- Read a first time.

### BILLS (3)—THIRD READING.

- 1, State Children Act Amendment.
- 2, Justices Act Amendment.
- 3, Kalgoorlie Friendly Societies Investments Validation.

Transmitted to the Legislative Council.

### BILL—TRAFFIC.

In Committee.

Resumed from 2nd September; Mr. Stubbs in the Chair, the Minister for Works in charge of the Bill.

Clause 7—The licensing authority:

Mr. NAIRN: I move an amendment—

That in Subclause 1, line 3, the words "local authority" be struck out and "Commissioner of Police" inserted in lieu.

The question resolves itself into one as to who shall administer the Act, the local authorities or the Police Department. In my opinion the police should have control, because this particular law would be adminis-

tered both with a greater amount of satisfaction to the local authorities and less friction with the public. The handling of these matters by local authorities has been highly unsatisfactory. The police have a better organisation than can be expected of any local authority. The police are found in almost any part of the State in sufficient numbers to see that the intentions of the legislature are carried out, and their training and occupation better fit them to do this work. I do not say that the police shall be the only people to effect this control, because in some of the outlying districts the road boards would be called upon to carry out this administration. As the Bill now stands the Police Department will only take a secondary position, while the local authorities will have the premier position. That is wrong. We are much more likely to get uniform control throughout the State if that control is in the hands of the Police Department. At the present time we find that one local authority imposes one set of conditions and another imposes quite a different set, or perhaps none at all. There is no power provided for bringing about uniform conditions. After all, that is the intention of the Bill, and if that intention is not carried out the Bill will fail.

Hon. W. C. Angwin: This clause only deals with the issue of licenses.

Mr. NAIRN: If we agree to the principle of the police controlling this department, I presume the police will also issue licenses. If the Bill is to be confined to control by local authorities, it will not prove of any use; there will be confusion. We need not go even outside Perth to ask ourselves which will be the most competent authority to carry out the intentions of the measure. What opportunity is there for the local authorities to appoint sufficient inspectors to deal with what are commonly called motor hogs?

Hon. P. Collier: There is provision in the Bill for the police to take action there.

Mr. NAIRN: But the Bill does not give the Police Department control. The police will be subordinate to the local authorities. If the measure is not going to be effectively carried out it had better not be there at all.

Hon. W. C. Angwin: What you are talking about comes under Part III. of the Bill.

Mr. NAIRN: It will mean that we will have local authorities collecting fees while the Police Department will be carrying out the law. I would like to see the Police Department take complete charge of the Bill. I cannot see how it can be carried out effectively otherwise.

Mr. ANGELO: The amendment moved by the hon. member will cover most of the suggested alterations to which I referred in the course of my second reading speech on the Bill. The Police Department are an organised body; they have a head, and from that head directions will be issued as to how the traffic shall be regulated. One can imagine how difficult it will be for traffic inspectors

appointed by local authorities to carry out these regulations.

Hon. P. Collier: You are right off the track.

Mr. ANGELO: In connection with the regulation of motor traffic, we find that traffic inspectors are to be appointed.

Mr. Pickering: Mr. Chairman, we are not discussing traffic inspectors; we are discussing the licensing authorities.

Mr. ANGELO: The matter should be entirely in the hands of the police.

Hon. T. Walker: The point raised by the member for Sussex should be decided. We are discussing who shall issue licenses and receive fees, not the administration of the measure generally.

Mr. ANGELO: I contend that if the local authorities are allowed to issue licenses the other amendments which we propose to suggest will be useless. We want the police to issue the licenses and also to control the traffic, and when we are advancing our arguments we should be allowed to mention other advantages which must accrue.

The CHAIRMAN: The hon. member is discussing a principle of the Bill which is not dealt with in this clause.

Mr. ANGELO: Perhaps it will be possible to re-commit the clause. I will satisfy myself by again urging that the Commissioner of Police should be the person authorised to issue licenses. Later on I will move amendments in the direction of securing the regulation of the traffic by the police.

The MINISTER FOR WORKS: To me the idea of placing the matter of the collection of fees and dealing with other things of that sort in the hands of the Police Department is ridiculous. The fees are collected by local authorities and they are devoted to the maintenance of roads. What would hon. members do with the fees if they were collected by the police? The money would go into Consolidated Revenue if it was collected by the Police Department. Would hon. members then desire the Government to make a special subsidy to each of the road boards?

Hon. W. C. Angwin: The same as they do in the other States.

The MINISTER FOR WORKS: The main object of the Bill is to get uniform laws and treatment throughout the State, and if for no other reason it is desirable that it should go through. If members decide that the police should have control of this business it will be necessary to re-cast the Bill. It is quite a surprise to me that the matter should be brought forward in this way.

Hon. P. Collier: It is an unfair advantage that they are taking of the department. Notice should have been given.

The MINISTER FOR WORKS: If the Bill has to be re-cast hon. members must take the responsibility.

Mr. DUFF: I intend to support the amendment. Hon. members who belong to road boards will agree that invariably those road

boards have to seek the assistance of the police for the purpose of collecting wheel and other small taxes. As a matter of fact that is the only way in which those taxes can be collected, because the police in their patrol work are able to find out by whom the roads are used. The idea of employing the police to issue licenses is an excellent one. The services of the police should be utilised and, if we do allow them 10 per cent. for collecting these fees, the money will be well spent.

Hon. T. WALKER: It is evident now why some members desire the police to issue licenses. The idea of collecting the tax in plain clothes is absurd when a policeman can be obtained, with all the intimidation that his uniform implies. Some members think the country should be run by the police—police everywhere and watching everything. Does the hon. member know that the object of the clause is merely a matter of book-keeping with the local bodies? All the money collected has to go to the road board for the construction and maintenance of roads. If the police are to have the book-keeping, the records and the funds, how can the road boards become au fait with those who have and those who have not taken out licenses, and how can they keep their accounts up to date?

Hon. W. C. Angwin: Each policeman will require a typewriter.

Hon. T. WALKER: If the police collected the fees, they could not apportion them. They would have to pay the money into the Treasury, whence it would be issued again, and there would be book-keeping galore. As the great need of the State is for economy and the avoidance of duplication, the proposal is absurd. To suggest that the police can do this work better than the road board secretary, is to cast a reflection on the latter.

Mr. Duff: The secretary could not go out and collect the fees.

Hon. P. Collier: How is all the collecting of local bodies done?

Hon. T. WALKER: It is his duty to collect them. I can understand the road board with which the member for Claremont is associated shuffling everything possible on to the police. The police in the country districts are already overworked.

Mr. O'Loghlen: And in the city too.

Hon. T. WALKER: All of them are overworked; they are the worst paid class of public servants and yet there is a desire to place everything on their shoulders. Already the policeman has to be a well-trained, well-educated and well-drilled man and, on top of this, members desire him to be a clerk, a book-keeper and an auditor, managing everything that the road board secretary or town clerk should manage. The policeman is a most important functionary already because of the numerous duties imposed upon him.

Mr. Smith: The police are to get 10 per cent.

The Honorary Minister: The point is that, at present, the individual is responsible for paying the license fee at the road board office. Under the amendment, we would relieve him of the responsibility and require the police to go chasing people all over the country.

Hon. T. WALKER: Quite so. It is the duty of citizens to pay their taxes and licenses, and road board secretaries do not generally allow citizens to forget their obligations. The member for Claremont desires the police to go fossicking around for people without licenses.

Mr. Duff: You would not look them up; you would trust to their honesty.

Hon. T. WALKER: This is not a question of honesty. The whole question is who shall issue the licenses.

Mr. Duff: Later on in the Bill, the Commissioner of Police is given power to grant drivers' licenses.

The Minister for Works: Because those drivers have to undergo an examination.

Hon. T. WALKER: That is quite a different matter. The licenses should be issued by the road board secretary who has to keep a record. He must have a record ultimately, even if the police were employed. The issuing of licenses is a cash transaction. The local authorities require to know what funds they have and the money has to be spent on specific road work.

Mr. THOMSON: Perhaps the object of the member for Swan (Mr. Nairn) will be attained if we provide that the licenses shall be issued by the local authority or by the police if authorised by the local authority. I am not prepared to delete the local authority. In the country, there are many very large road districts. The Katanning road board, with which I was identified, extends 80 miles eastward, and it is absurd to say that the secretary should or could issue every license. There are many vehicles for which no license fees are paid, because a man has to be caught with his vehicle on the road before a license can be demanded of him.

Hon. P. Collier: That is not so.

Mr. THOMSON: That is the law at present.

Hon. P. Collier: I am talking about this measure.

Mr. THOMSON: Under the existing Act, it is necessary to prove that the man is using the road. If a vehicle is being used on private land only, a license fee cannot be claimed. This is one of the difficulties which the local authorities are up against.

Hon. T. Walker: You would have a police-man stationed at the man's gate.

Mr. THOMSON: I am speaking from experience.

Hon. W. C. Angwin: What is the use of talking about that when this measure repeals it?

Mr. THOMSON: The local authorities have not power to delegate duties to the police. The police might be overworked

but, in the agricultural areas, they call upon every farmer at least once a year to collect statistics.

Mr. Pickering: They do not.

Mr. THOMSON: In my district they do.

Mr. Foley: This Bill is not for your district alone.

Hon. W. C. Angwin: If a farmer does not pay his rates, does the rate collector call upon him?

Mr. THOMSON: The police have to collect statistics.

Mr. Pickering: Farmers send them in by post.

Mr. THOMSON: Not in my district. It would be a great advantage to local authorities if they could delegate to the police the duty of collecting these licenses at the same time.

Mr. Smith: Could not they do that without it being incorporated in the measure.

Mr. THOMSON: I do not think so. The police have refused to do this work. If my suggestion is not supported, I shall stick to the local authority.

Mr. FOLEY: The member for Katanning (Mr. Thomson) has missed the point of the clause. We are not dealing with the question of whether a man is going to license his vehicle. The point is that, in the event of a license being issued, it shall be issued by the local authority. The clause does not contemplate that any official shall be sent out to ascertain whether there are vehicles requiring to be licensed. This clause merely deals with the power of a local authority to issue a license in the event of a license being applied for. Data can be obtained through the police concerning persons whose vehicles are unlicensed, and then those people can be prosecuted. The onus of proving that a vehicle is licensed should be thrown on the owner, and not on the local authorities or on the police, both of whom have enough to do already. I believe that under this clause a local authority could delegate to a member of the police force the power to collect fees and issue licenses.

Mr. TROY: I support the clause as it stands. The local authority is to issue the license, and the money paid for the license fee is to go into the funds of the local authority; and that is entirely proper. The collection of license fees by the police in such districts as that of Mount Magnet, for instance, would be utterly impracticable.

Mr. PIESSE: The local authority is the proper authority to issue these licenses. I fail to see how members of the police force could help the local authority as regards outlying localities, which are but rarely visited by the police. Does this clause empower the local authority to authorise other persons to collect license fees?

The Honorary Minister: Any road board can delegate that power now.

Mr. PIESSE: That is sufficient to enable the local authority to carry out the clause effectually. In my experience as a road

board member, the chief difficulty was to prove that a person used a particular vehicle on the roads of the district.

Hon. W. C. ANGWIN: Can the Minister say whether a farm may be called a "business establishment"?

The Minister for Works: A farm can be called a good many things.

Hon. W. C. ANGWIN: This clause uses the words "business establishment," and if a farm is not a business establishment farmers cannot be made to pay the license fees. I suggest to certain hon. members that if they do not want the farmer to pay anything under the Bill they should move the insertion of a clause exempting him from payment. Undoubtedly the local authority is the proper authority to issue licenses under this measure. If the conditions here were similar to those in South Australia and Victoria, I would agree with the opponents of this particular provision. But in this State the only funds, apart from rates, which road boards can get for the maintenance of roads are these license fees.

Mr. NAIRN: I have no desire to deprive the local authorities of any of their revenue. Certainly the debate has proved that at the present juncture the local authorities are the proper people to collect the fees. The point I wish to raise, however, is, which is the best authority to administer the measure? I take it that the Committee's decision on this clause will have no bearing on that question. Perhaps my action has been somewhat premature. I desire to correct the Minister's statement that the funds of road boards are always used for the upkeep of roads, though I believe that in most cases all the funds are devoted to that purpose. Perth collects about 40 per cent. of the whole of the fees paid in the State, and I contend that the municipality does not give any material return to the owners of the vehicles. However, I suggest it would be well to allow this to go, and raise the question of administration later on.

Amendment put and negatived.

Mr. PICKERING: Subclause 3 provides that vehicle licenses shall be granted by the local authority within those districts in which the owner of the vehicle resides at the time of the application for the license; and it is further provided that a body corporate shall be deemed to reside in the district in which its principal place of business is situated. I do not think that is at all satisfactory. Take Millar's Timber & Trading Co., whose chief place of business is in Perth. If they are to pay their license fees within the district in which their principal place of business is situated, clearly the fees will go to Perth, instead of going to the local authority in whose district their vehicles operate. Many other owners of vehicles do not reside in the district in which their vehicles are operated, and therefore their license fees will be paid

in a district not concerned with the damage done by the vehicles.

The MINISTER FOR WORKS: That is all provided for. The point has been thought out by the framers of the Bill. Clause 12 provides that the local authority which has received any license fee for a vehicle used for the carriage of passengers for hire, or the carriage of goods for reward, shall, if the license has been wholly or mainly exercised in another district, pay such fee on demand to the local authority of such other district. And if any dispute arises between the local authorities touching the question as to which district a license has been exercised in, the question shall be tried and determined by a police or resident magistrate.

Mr. Pickering: But that is not satisfactory. It will lead to a lot of litigation. The license fee ought to be paid to the local authority of the district in which the vehicles are operated.

The MINISTER FOR WORKS: There is no difficulty whatever about the proposal in the Bill. The fee will ultimately reach the local authority in whose district the vehicle is mainly operated. And, what is of importance is that the rule shall be uniform throughout the State.

Mr. MONEY: Will the Minister inform us whether it is intended to issue the forms of license? In the past, license forms have been set out in the schedules of Bills. Here we have no schedule and no form of license. I think the forms should be set out in the Bill.

The MINISTER FOR WORKS: There is power under the regulations—

Hon. P. Collier: To do anything under the sun.

The MINISTER FOR WORKS: No, but to do as much as we can for the benefit of everybody concerned. A form of license will be drawn up in the Public Works Department and will be made uniform throughout the State.

Clause put and passed.

Clause 8—agreed to.

Clause 9—Application for license:

Mr. SMITH: The clause will operate harshly in the case of a man who takes out a license in the closing months of the year.

The MINISTER FOR WORKS: Clause 11 will show that provision is made which will protect a man who takes out a license in the closing months of any year. Such a man will not be mulcted in the full year's fee. However, I move an amendment—

That in Subclause 2 all words after "means" be struck out.

My purpose is to insert other words which will have the effect of closing the licensing year on the 30th June, so as to coincide with the end of the State's financial year.

Hon. W. C. ANGWIN: This amendment may lead to difficulty. If it is the intention of the Minister to alter the financial year of the local authorities, the amendment should be made in the Municipalities Act.

The Minister for Works: It is only in regard to the duration of licenses.

Hon. W. C. ANGWIN: But it will make a difference to the local authorities.

Mr. Smith: At present the licenses run concurrently with the financial year of the local authorities, which ends on the 31st December.

Hon. W. C. ANGWIN: A very good time, too, because all the holders of licenses look to renew then in January. I do not see anything to be gained by the amendment, and in any case it has no bearing upon the point raised by the member for North Perth.

The MINISTER FOR WORKS: The financial year of the municipalities ends on the 31st October, while that of the road boards ends on the 30th June. Therefore, we shall not be interfering with the road boards at all, and the interference with the municipalities is not an interference with their working, but simply with the period during which licenses are operative. At present the licenses under the Cart and Carriage Act end on the 31st December, so we have three different dates for the expiry of licenses. It is strongly desired to make the date of expiry uniform.

Hon. W. C. ANGWIN: The Minister does not appear to realise that municipal rates are payable on the 1st January and the 1st July.

The Minister for Works: The financial year ends on the 31st October.

Hon. W. C. ANGWIN: It will mean that people will have to pay their license fees on different dates, and I cannot see the need for the amendment.

Mr. THOMSON: I support the Minister's proposal, because it will mean a uniform issue of licenses throughout the State.

Mr. MUNSIE: I agree with the Minister's proposal. If a license were issued for 12 months, just prior to this measure coming into operation, would a rebate be allowed for the unexpired portion of the year?

The MINISTER FOR WORKS: Fair credit would be allowed for the unexpired period when the new license was being issued.

Mr. Munsie: This Bill does not provide power to do that.

The MINISTER FOR WORKS: Provision will be made for that under the regulations.

Mr. MONEY: Existing licenses expire at the end of December, and it will be more convenient and desirable if licenses are still granted for the twelve months' period ending in December.

Hon. T. WALKER: In the southern hemisphere, the first month of the natural year is really July and, for the sake of uniformity, our licenses should be issued from the 1st July. We should avoid the complexity of having one financial year in the Traffic Act and another in the Municipalities Act.

The Minister for Works: We intend to make them all uniform.

Hon. T. WALKER: A small measure could be introduced making the year uniform in all these laws.

The Minister for Works: The complication exists already.

Hon. T. WALKER: There will be complication if the other Acts are not altered. Simplicity cannot be secured by amending this clause.

The MINISTER FOR WORKS: I still believe it wise to make a step in the direction of uniformity by amending this clause. There are 118 road boards whose year terminates on the 30th June, so we shall not interfere with them. There are 29 municipalities, the biggest being Perth, and the Perth authorities have already asked us to make this alteration in the financial year. I am satisfied that, although the alteration may mean some inconvenience to the other municipalities, they will later on appreciate the uniformity.

*Sitting suspended from 6.15 to 7.30 p.m.*

Mr. THOMSON: We have something like 119 road boards in Western Australia, and of these about 107 are affiliated with the Road Boards Association. As the financial year ends on the 30th June, naturally it is the desire of the association that this date should be the end of the financial year, so far as the licenses are concerned.

Hon. W. C. Angwin: That is so according to the wording here.

Hon. P. Collier: The amendment will not affect the road boards but it will affect the municipalities.

Hon. T. Walker: It will not affect the municipalities as to their year.

Amendment put and passed.

The MINISTER FOR WORKS: I move a further amendment—

That after the word "means," the following be added—"the period of 12 months ending on the 30th day of June."

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

Clause 10—Fees:

Mr. PICKERING: I have an amendment which should be on the Agenda Paper today, but I only received it from the Crown Solicitor at the last moment. It is as follows—

Insert a new clause to stand as Clause 12 as follows—1. Every local authority shall, within the prescribed time after the 30th day of June in each year (a) deliver to the Minister a return in writing, in the prescribed form, of all licenses issued, transfers of license endorsed and license and transfer fees received by the local authority under this part of this Act for the last preceding year ending 30th June or some portion thereof, and (b) pay to the Minister an amount of all such fees so received, less 10 per centum; and in default of payment such amount shall be recoverable as a debt due by the local authority to the Minister. 2. The aggregate amount received by the Minister under the provisions of such subsection 1 of this section shall be divided amongst and paid to the local authorities throughout the

State in such shares and proportions as the Minister may determine.

The CHAIRMAN: I presume the hon. member intends to vote against this clause.

Mr. PICKERING: Yes. I should like the Committee to be cognisant of my intention to move the new clause.

The MINISTER FOR WORKS: Is this in order? I have no knowledge of how this may interfere with an integral part of the Bill.

Mr. PICKERING: I spoke to the Parliamentary Draftsman on the question two days ago, but only received the amendment on my arrival at the House to-day.

The Minister for Works: I should have been told something about it.

Hon. P. COLLIER: There is no obligation on the part of the hon. member to do that.

The Minister for Works: I cannot go on with a clause that I have not seen.

Mr. ROCKE: I move an amendment—

That a further proviso be added after the first proviso, as follows:—"Provided also that in the event of such locomotive or traction engine traversing a road whilst proceeding from one farm to another farm, for profit or gain, it shall not be entitled to exemption from the provisions of this Act."

This clause provides that a locomotive or traction engine used solely for agricultural purposes shall have a license issued for it, although no fee is charged. That is a good provision. The clause, however, makes no provision for a road board or local authority to collect fees from locomotive or traction engines which may be used for agricultural purposes along the roads by some machinery society. The proviso I have moved will not prohibit co-operative farming or prevent one farmer from rendering assistance to another. It is for that reason I have put in the words "profit or gain."

The MINISTER FOR WORKS: I should like to consider that amendment. If hon. members have further amendments to move, I am prepared to postpone consideration of the Bill. I cannot say what effect these amendments may have upon the Bill. With the object of giving the Committee an opportunity of putting amendments on the Notice Paper, I move—

That progress be reported, and leave asked to sit again.

Hon. P. COLLIER: I do not think the Minister is in order in moving that progress be reported after having made a speech. I want to discuss the amendment.

The Minister for Works: We do not know what the amendment is.

Hon. P. COLLIER: Why is the Minister in charge of the Bill if he cannot understand a simple amendment like this?

The Minister for Works: I will not put a thing like this through.

Hon. P. COLLIER: If the Minister is unable to pilot the Bill through Committee, let him hand it over to one of his colleagues

to put through. His present attitude is childish and absurd. It is only playing with the Committee, immediately an amendment is moved, to move to report progress. The other night the Minister, because an amendment consisting of one word was moved, threw up the whole business and said he would report progress. If the Minister knows why this clause is being inserted in the Bill, he should know whether he can accept this amendment or not. Are we to adjourn night after night merely because an amendment is moved? It is only making a farce of the whole business. There is nothing puzzling about the amendment moved by the member for South Fremantle, and nothing about it which any hon. member cannot understand.

The MINISTER FOR WORKS: I have notices of various amendments from other members. As it is the desire of the Government to get the Bill through properly, I felt that if these could be placed on the Notice Paper we should have a better opportunity of dealing with them.

Hon. P. COLLIER: I have amendments to move but do not intend to put them on the Notice Paper, because they are simple amendments which the Committee will understand.

Mr. Johnston: The amendment of the member for Sussex affects this clause.

Hon. P. COLLIER: He has not moved an amendment. It will only come up for consideration at the end of the Bill. This last amendment is clear and a child could understand it.

Mr. GARDINER: It would be a wise thing if notice of these amendments was always given. It frequently happens that amendments appear to be quite clear, but if accepted on the spur of the moment they may materially alter the effect of the Bill. When Sir Walter James was Premier he would not accept amendments unless notice of them had been given. I think the leader of the Opposition will admit that amendments have been sprung on him from time to time, and he could not tell how they would affect the general tenor of the Bill. It is only courtesy to the Minister in charge that he should be given an opportunity of seeing how amendments will affect the Bill he is handling. If this practice were followed, we might get improved legislation.

Hon. P. COLLIER: It is all very well for the hon. member to treat us to a homily of this kind. I have never complained of any amendments being moved without notice. I have always taken up the attitude of accepting or opposing an amendment. Although it may be advisable that members should place amendments on the Notice Paper, I think it is wrong to make it a rule that they must do so. If this were the rule, and an hon. member desired to move an amendment without notice, the Minister in charge of the Bill could with some show of reason enter a protest. Members should preserve their right to move amendments whenever they think fit. There may be occasions when members would prefer not to place amendments on the Notice Paper.



If an amendment is placed on the Notice Paper, the Minister is apt to obtain the departmental view of it, with the result that his ears are closed to argument here. The Minister in charge of a Bill should be able during the course of the debate to make up his mind whether to accept or to oppose an amendment. I shall support this particular amendment, which is perfectly simple and quite easy to grasp. A machine travelling from farm to farm ought to pay the license fee.

The MINISTER FOR WORKS: Until you, Mr. Chairman, courteously permitted me to read the amendment, and until it had been explained by the leader of the Opposition, I was not able to grasp its meaning. Under it a farmer owning more than one farm would be liable to payment of license fees in respect of his engine if it crossed the road from one of his farms to the other. As regards the suggestion of the member for Irwin, the practice he describes has been followed in this Chamber for many years.

Hon. P. Collier: No.

The CHAIRMAN: We are not discussing what is or is not the practice of this Chamber. We are discussing whether certain words shall be inserted in this clause. I take it that the Minister wishes to withdraw his motion to report progress.

The MINISTER FOR WORKS: Yes.

Motion by leave withdrawn.

The MINISTER FOR WORKS: I shall be extremely obliged if any member having an amendment to move will furnish me with a copy of it.

Mr. Smith: The necessity for many amendments only becomes apparent as we go along.

The MINISTER FOR WORKS: I agree with the principle of the amendment moved by the member for South Fremantle so far as it affects people travelling with, say, chaff-cutting machines from farm to farm. However, I have pointed out how the amendment would affect a farmer having more than one farm.

Mr. ROCKE: In moving this amendment without notice I intended no discourtesy to anyone. My experience in this Chamber has been that members move amendments just when the necessity occurs to them. The proviso I have suggested would not affect a farmer with more than one farm, because he would not be travelling with his machine for gain. The proviso seeks to impose the license fee on a man travelling from farm to farm with a machine by way of making his living. The proviso would not, for instance, impose payment of the license fee on a farmer desirous of assisting a neighbour by lending him a machine.

Mr. MONEY: The clause as it stands does not seem to be fully grasped by some hon. members. With regard to traction engines, it refers to such engines as are "used solely for ploughing, reaping, threshing, or other agricultural purpose." A machine used for any other purpose, which would include its use for hire, must pay the license fee. Hence the amendment is not required.

Mr. UNDERWOOD: A farmer with, say, a chaff-cutting machine on his farm keeps that machine there, and it does not use the roads at all. But there are men who take chaff-cutting machines along the roads from farm to farm, and those machines certainly should pay the license fee.

Hon. P. Collier: Yes. There is a Perth firm which keeps a chaff cutter travelling continually.

Mr. UNDERWOOD: It is farm work, and they are using our roads. I think the amendment is warranted.

Mr. PICKERING: There are many carters who have more than one vehicle, and in the conduct of their business they may shift their machinery from farm to farm.

Hon. P. COLLIER: Then it does not touch them.

Mr. PICKERING: Instead of using the word "profit," the word "hire" should be used. That would fill the bill. If we adopt the suggestion of the member for South Fremantle we impose a penalty on those who do not deserve it. Would I be in order in moving to amend the amendment by substituting the word "hire" for "profit"?

Hon. W. C. ANGWIN: There should be no objection to the hon. member's further amendment. The Minister pointed out the other night that the man who carted wheat for others should have a carrier's license, and the further amendment would make the position clear. We are not lawyers, and unfortunately we do not get the assistance of the lawyers in the House. It is common practice when an amendment is moved, and it is not framed in a legal manner, for the Government to refer it to the Solicitor General and afterwards submit it in proper form for inclusion when the Bill is before the Legislative Council.

The MINISTER FOR WORKS: I am willing to accept the amendment but I prefer to first of all get the opinion of the Solicitor General, so as to make sure that we do not interfere with those farmers who should not be interfered with. We might postpone the consideration of the clause.

Mr. ROCKE: I am willing to withdraw the amendment to permit of the consideration of the clause being postponed, if the Minister will promise to recommit the Bill to give me an opportunity of again submitting the amendment.

Hon. T. WALKER: If the clause is postponed or recommitted I want to have the opportunity of moving an amendment. I want to be assured that I will not be precluded from doing this.

Mr. Johnston: I also want to move an amendment.

The CHAIRMAN: If the consideration of the clause is postponed hon. members may move any amendments they like, when it comes up again for discussion.

Mr. ROCKE: On that assurance I will withdraw my amendment.

Amendment by leave withdrawn; the clause postponed.

Clause 11—Apportionment of fees:

Mr. NAIRN: The meaning of this clause is that if a license is granted, the half-yearly fees must be paid, even though the license be applied for on the last month of the year. I would like to see the words "pro rata" inserted, so as to provide that a pro rata fee not greater than for the period to be covered before the expiration of the year should be paid. I move an amendment—

That in line 6 the words "one half of the annual" be struck out with the view of inserting other words.

The MINISTER FOR WORKS: I can hardly imagine a person applying for a license in the closing days of a year, but I think we might accept the amendment, because a person should not be expected to pay the full fee for the closing period of the year.

Mr. THOMSON: The amendment is reasonable. It will make it compulsory on the authorities if there is, say, only one month to run to collect only a pro rata fee, instead of the fee for the full period.

Amendment put and passed.

Mr. NAIRN: I move a further amendment—

That the words "a monthly pro rata" be inserted.

This will provide for monthly pro rata payments, although I think we should see that this did not apply to fees of less than £2.

Hon. T. WALKER: Under the system favoured by the Minister, those who take out licenses in the second half of the year would have an advantage over those whose licenses were issued during the first six months of the year. If we are to have pro rata monthly payments at all, why not start from January? If we desire to ease the burden we should do it proportionately throughout the year, and there should be no special advantage for those taking out licenses in the second half of the year.

Mr. MONEY: The existing practice under the Cart and Carriage Act is similar to that proposed. Anyone taking out a license during the second six months pays only one half the full licensing fee. So far as I know, there has been no complaint against that system, so I think we ought to perpetuate it. Persons owning high-powered cars can well afford the fee demanded. I think we should be doing wrong to alter the practice. The discussion of the proposal savours of wasting time.

Mr. NAIRN: Anything the hon. member does not agree with is wasting the time of the House. To me it seems wasting the time of the House that the hon. member should be here at all. It is a question, not of how much can be extracted from a licensee, but of how much is fair. Some of these fees represent £25 per annum. Not everyone who owns a car is a millionaire. Many buy cars on the hire-purchase system, with a view to earning a living by those cars.

The MINISTER FOR MINES: Instead of going to the extreme of a monthly pro rata, it would be wiser to provide a quarterly pro rata. Personally I am inclined to think that a half-yearly pro rata would meet the case.

Mr. NAIRN: To adopt a quarterly pro rata would involve the re-drafting of the whole clause. In view of the fact that many cars engaged in carrying either passengers or goods are being acquired on the hire-purchase system, it is only right that we should make the pro rata a monthly one.

Mr. Pickering: I think a quarterly pro rata would meet the case.

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

Ayes	..	..	..	..	13
Noes	..	..	..	..	18

Majority against .. 5

AYES.	
Mr. Angwin	Mr. Lambert
Mr. Brown	Mr. Nairn
Mr. Chesson	Mr. Smith
Mr. Collier	Mr. Thomson
Mr. Davies	Mr. Walker
Mr. Durack	Mr. Green
Mr. Jones	(Teller.)

NOES.	
Mr. Angelo	Mr. Money
Mr. Duff	Mr. Pickering
Mr. Gardiner	Mr. Piesse
Mr. George	Mr. Pilkington
Mr. Griffiths	Mr. Roche
Mr. Harrison	Mr. Scaddan
Mr. Hickmott	Mr. Troy
Mr. Johnston	Mr. Willmott
Mr. Mitchell	Mr. Hardwick
	(Teller.)

Amendment thus negatived.

Mr. NAIRN: I move an amendment—

That after "only" in line 5 the words "a quarterly pro rata fee" be inserted.

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

Clause 12—Apportionment of fees between districts:

Mr. ROCKE: The clause provides that if licenses are issued in one district and the vehicles licensed are used wholly or mainly in another district, the local authority of that district may claim the fees from the local authority that issued the licenses. But this deals with only two classes of licenses, namely, those for carrying passengers for hire and those for carrying goods. In my opinion it ought to apply to all licenses. I move an amendment—

That in lines 3 and 4 of Subclause 1, the words "used for the carriage of passengers for hire, or the carriage of goods for reward" be struck out.

Hon. W. C. ANGWIN: I should like the Minister to explain how it will be possible to work the clause at all. Most of the vehicles licensed in Perth to carry goods for reward are used outside of Perth. It would seem that the Minister realises the necessity for pooling all the fees collected in the metropolitan area. The Minister has inserted this clause as a bit of camouflage for the outside local authorities, who will have to maintain roads for the use of Perth and Fremantle traffic while the latter bodies collect the fees.

Mr. Thomson: They do so now.

Hon. W. C. ANGWIN: Yes, but it is wrong. Take the motor cars on the rank in St. George's-terrace, probably one-fifth of them would supply all the requirements of Perth. They are mostly used outside of Perth. Similarly, the motor lorries licensed in Perth are used to carry goods to the suburbs. It would not pay to keep them to run merely within a few yards of the city establishments which own them. The clause is unworkable and impossible of application. It may prove a good thing for business in the law courts.

The Minister for Works: I think it will work out all right.

Hon. W. C. ANGWIN: Probably it will, if the local authorities disregard it. What will the Minister do if disputes arise?

The Minister for Works: Disputes arise even in this Chamber.

Hon. P. Collier: Oh no, they are friendly discussions.

Hon. W. C. ANGWIN: The Minister is the only member who has waxed warm over this Bill. Disputes are bound to arise under this clause. The Minister should adopt the pooling system for the metropolitan area. It is the only just system to the local authorities and the only one which will give satisfaction. I regret that we cannot follow the English practice of imposing an excise duty on petrol so that the owners of heavy motor lorries would contribute more adequately to the maintenance of main roads; but excise duty could be imposed only by the Federal Government. I realise that the Minister is adopting the line of least resistance, seeing that the Legislative Council has turned down the Traffic Bill on two previous occasions.

The MINISTER FOR WORKS: The hon. member is quite correct. If I could see a possibility of getting the Bill, with the pooling provision included, through both Houses, I would insert it. But I know the Bill will not go through another place if the pooling system is restored. Pooling is the only equitable way to deal with the license fees and, in my opinion, the only honest way, in order that the money may be used in the districts where the work is done.

Mr. Munsie: Let us try it.

The MINISTER FOR WORKS: Take the Perth-Fremantle-road. The Claremont Road Board has about two and a half miles of that road to keep in repair and

there is only one vehicle licensed in the district. At least, that was the position two years ago. Yet this board is supposed to maintain that long section of a 13-mile road out of its meagre revenue. Of the total traffic on the Perth-Fremantle-road, 45 per cent. originates in Perth. I travel on that road morning and night, and see great motor lorries, some laden with beer and others with merchandise, passing out of Perth along the road. It is unfair to the smaller road boards to have to maintain a road, destroyed by traffic which does not contribute a single cent towards its share of the maintenance. In the Old Country, the toll bar system used to operate, but that was abolished because it hampered traffic. Something is needed to equitably distribute the burden, and the pooling of fees is the best method. If an hon. member will move to insert the pooling provision, I shall accept it, but I wish to get the Bill through Parliament.

Hon. P. COLLIER: The Minister has been arguing against the clause. He says the pooling principle was embodied in a Bill passed by this Chamber on two former occasions, and that it is the only fair and equitable system. I believe a majority of this House is with him in that opinion. The only reason why the pooling provision has been omitted from this Bill is because the Minister fears, or knows the measure will not pass another place.

The Minister for Works: It has been thrown out twice.

Hon. P. COLLIER: I hope this House will not adopt the attitude of framing its legislation in accordance with what it believes will meet with endorsement in another place. Such a principle as that should not be allowed to creep into this Chamber. We must stand by what we believe to be fair and equitable and best for all concerned, and chance how it fares in another place. No doubt there will be some difficulty in getting the pooling provision through another place, but this only serves to indicate that legislation in this House is very often influenced or coloured by the reception it is anticipated such legislation will receive in another place.

Hon. T. Walker: It goes up mutilated.

Hon. P. COLLIER: Yes, we pass out of our hands work we do not endorse or agree with, simply that it might have a better opportunity to get through another place. There have been some changes in another place since the former Traffic Bills were under consideration. I do not know how far those changes might affect the adoption of this principle, but it is our clear duty to send up a Bill which we believe to be fair and equitable and then, if another place sees fit to make any amendments, we can consider them.

Mr. Foley: The strongest opponents there have gone.

Hon. P. COLLIER: I do not care if another place were unanimously against the proposal. It is our duty to send it on,

or presently we shall reach the stage when we shall send up nothing we believe in, and thereby shall hand over the legislation of this country to the Legislative Council. I hope this clause will be struck out, and that the pooling clause which appeared in the Bill on the former occasions will be inserted in lieu.

Mr. THOMSON: I hope this clause will not be struck out because we have no guarantee that the pooling clause will be inserted.

Hon. P. Collier: Those who vote to strike out this clause will support the other.

Mr. THOMSON: I believe in pooling the fees, but country members should realise that this is a matter affecting the metropolitan area. This clause was suggested by the Road Board Conference. Out of 119 road boards in the State, 107 are affiliated with the Road Board Association, and the Committee should take notice of a recommendation from such a body. A vehicle travelling for hire may be licensed in one district, and yet be engaged for nine months of the year in another district, practically tearing the roads to pieces.

Hon. P. Collier: This Bill provides for cases of that kind.

Mr. THOMSON: I am aware of that. It is not fair for one road board to collect the whole of the fees and for others to get nothing. In the case of the Perth-Fremantle road it is the large motor wagons which constitute most of the traffic, and are really trading in opposition to the railway.

The Minister for Mines: They ought not to be allowed to do so.

Mr. THOMSON: We have no guarantee that we shall have a pooling of the fees.

Hon. P. COLLIER: If the Committee think the clause ought to stand in order that the road board districts that are affected may receive some redress, I would point out that the object can be achieved by passing it. The Act of 1913 says that notwithstanding anything therein before done the Minister shall be the licensing authority of any district and sub-district comprised in the metropolitan area. By passing this we could still adopt the pooling principle for the metropolitan area. At the same time I fear the clause will be a source of litigation, and that a magistrate will find it difficult to decide whether a vehicle is being used wholly or mainly in that locality in which it has been licensed. If members think that some road boards will obtain a measure of justice under this clause, I have no objection to it.

Mr. MUNSIE: I trust the clause will be allowed to remain. I want to see the pooling principle adopted for the metropolitan area. I would point out that it would also apply to the Kalgoorlie and Boulder Road Boards. There are 43 motors licensed to carry passengers between Kalgoorlie and Boulder. About a quarter of a mile of that road belongs to the Boulder municipality,

and a little over that length belongs to the Kalgoorlie municipality, and the remaining portion of the road belongs to the local road board which derives very little revenue from it. If the clause goes through this road board will be entitled to a fair share of the revenue derived from these cars.

Mr. PILKINGTON: There will be great difficulty in getting a share for the road boards under this clause. It is not easy to prove that a vehicle is used mainly in a particular road board district.

Mr. MUNSIE: If we do not put through a clause something like this these road boards will get nothing.

Mr. FICKERING: I was told that this clause would save the position, but it is like a red rag to a bull. No one is satisfied with it. The wisest course will be to have a general pool for the whole State, and not confine the principle to Perth and its environments. The clause is valueless and will lead to endless litigation. I shall vote against it.

Mr. UNDERWOOD: I shall vote against the clause, which is unworkable. The member for Hannans could not have quoted a better instance of the waste that goes on in local government circles than that of the traffic between Kalgoorlie and Boulder. His desire evidently is to give these three local governing bodies something to squabble about. He has not thought about abolishing two of them.

Mr. Munsie: I have put that forward on the public platform.

Mr. UNDERWOOD: There are other parts of the State besides that and there are other people who have more sense than these people. It might be advisable to divide the State into two or three sections for pooling purposes. That is the only fair way of distributing the money obtained from these license fees.

Mr. THOMSON: I am rather in favour of pooling as a general principle, but what will the districts gain by it? Some hon. members support the principle for what they think their districts are going to get out of it. The road boards concerned in this matter are doubtful about the pooling principle and have advocated that now under review. Do the members for Sussex and Swan know how much their districts would get out of the pooling system?

The Minister for Works: The fees come to about £20,000 a year.

Mr. THOMSON: One road board at least in my electorate would lose considerably through the pooling system. It was my desire to have a select committee on this Bill in order that consideration might be given to the various questions involved in it. As the Roads Board Association is in favour of the clause I think we should accept it.

Mr. ROCKE: I have already moved an amendment to strike out the words "used for the carriage of passengers for hire,

or the carriage of goods for reward." The object of the amendment is to secure some measure of justice, which admittedly is refused to local governing bodies. In the operation of this clause there will be many difficulties and dangers, but I should not like to see it entirely struck out unless there is an assurance that a pooling clause will be inserted. I desire the inclusion of the licenses of all wheeled vehicles.

The MINISTER FOR WORKS: I hope the Committee will not carry the amendment, which will certainly complicate matters very much. The clause as it stands will not place the road boards in any difficulty. The sleeper-carting and carriage of turf logs over the roads of the Sussex and Murray-Wellington districts cut the roads to pieces and broke down the bridges, and yet those districts did not receive one penny of the license fees paid by the vehicles used. What is needed is that the road boards should receive a proper proportion of the license fees. As regards motor car traffic, the people of my district would be only too pleased if all the motors owned in Western Australia travelled there, because the occupants of the motor cars bring revenue. In that connection I need only instance Mandurah and Busselton. Any damage done by motor cars is amply compensated by such revenue.

Mr. MONEY: If the principle of this clause is good to apply to vehicles let out or the carriage of passengers or goods for hire, then it is good to apply to all motor car traffic, and in fact all vehicular traffic. That principle should be embodied in the clause.

Amendment put and passed.

Mr. THOMSON: There seems to be a general impression that this clause should be struck out.

Hon. T. Walker: No. We can retain the clause, and have the other suggestion embodied as a new clause.

Mr. THOMSON: I intend to fight for the retention of the clause. There are in Western Australia 29 municipalities and 110 road boards, and the total annual revenue they derive from license fees is approximately £20,000.

Mr. Smith: Under this new measure it will be double that.

Mr. THOMSON: But the principle remains the same, and the percentage will work out in exactly the same ratio. Perth collected in one year fees totalling £4,016, and the Katanning Road Board in my electorate collected £467 in one year. I want to know why my constituents should accept the proposed pooling system.

Mr. Smith: The fees will be distributed at the discretion of the Minister.

The CHAIRMAN: This clause makes no reference to pooling.

Mr. THOMSON: But one of the reasons advanced for the striking out of this clause is that a pooling clause ought to be inserted.

The CHAIRMAN: Why not discuss the principle of pooling when it comes up?

Mr. THOMSON: Then it might be too late. So far as I can gather, under the pooling system the Katanning Roads Board, instead of receiving £467, would receive only £130. I can quite understand the member for Sussex supporting the pooling systems, as the whole of the fees collected in his district—

The CHAIRMAN: I must ask the hon. member to confine himself to the principles of Clause 12. If the hon. member can show me in Clause 12 anything referring to pooling, I shall be greatly obliged.

Mr. THOMSON: I cannot point to anything in that clause referring to pooling.

The CHAIRMAN: I cannot allow the hon. member to discuss under this clause the question of pooling.

Mr. THOMSON: With regard to the proposal of the member for Sussex—

Mr. Pickering: Is the hon. member in order in discussing a subject that I have not yet brought forward?

The CHAIRMAN: No.

Mr. THOMSON: The member for Sussex gave notice of an amendment when we were dealing with Clause 10, and I consider I am justified in referring to it.

The CHAIRMAN: I will ask the hon. member to discuss the clause as it is printed, and not a matter that has not yet come before the Committee.

Mr. THOMSON: Some road boards will gain more by having this system brought into existence. One particular board in the South-West Division, which is a strong supporter of the pooling system—if I may dare to mention the pooling system again—only collected £13 from licenses. We can therefore understand why boards are anxious to have the clause deleted. I hope members will support the clause as it stands.

Hon. W. C. ANGWIN: I have listened for arguments in support of the clause, but the only ones I have heard have come from the member for Katanning. I ask hon. members how is it going to be proved that any vehicle is going to be used wholly or mainly in other districts?

Mr. Thomson: The Minister for Works gave you an instance.

Hon. W. C. ANGWIN: The effect of the clause will be to provide fees for lawyers. It will certainly prove unworkable.

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

Ayes	..	..	..	6
Noes	..	..	..	32

Majority against	..	26
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AYES.

Mr. Money	Mr. Thomson
Mr. O'Loghlen	Mr. Griffiths
Mr. Piesso	(Teller.)
Mr. Roche	

Noes.

Mr. Angelo  
Mr. Angwin  
Mr. Brown  
Mr. Chesson  
Mr. Collier  
Mr. Davies  
Mr. Draper  
Mr. Duff  
Mr. Durack  
Mr. Foley  
Mr. Gardner  
Mr. George  
Mr. Green  
Mr. Harrison  
Mr. Hickmott  
Mr. Hudson  
Mr. Johnston

Mr. Jones  
Mr. Lambert  
Mr. Mitchell  
Mr. Mullany  
Mr. Munroe  
Mr. Nairn  
Mr. Pickering  
Mr. Pilkington  
Mr. Scaddan  
Mr. Smith  
Mr. Troy  
Mr. Underwood  
Mr. Willmott  
Mr. Wilson  
Mr. Hardwick  
(Teller.)

Clause thus negatived.

Clause 13—Obligation to grant licenses:

Mr. ROCKE: The clause provides that it shall not be competent for a local authority to refuse to grant any license under this part of the Act in respect of any vehicle, to an applicant tendering the proper fee unless the vehicle is unfit for use etc. It seems to me that the clause is incomplete. It does not say who is to declare the vehicle to be unfit. The words "in the opinion of such local authority" should be added.

Hon. P. Collier: That is obvious.

Mr. ROCKE: I desire to make it clear.

The Minister for Works: It is quite clear.

Mr. SMITH: I would like to know who is responsible for drafting paragraph (f). Whoever did draft it could not have been imbued with any idea of progress, and he must have been a believer in monopolies. I do not suppose the Minister was responsible for it. It is provided that a license shall not be refused unless . . . the number of licenses issued has reached the prescribed limit, or the reasonable requirements of the public do not justify the granting of the license. This will do away with competition; it will establish a monopoly. We want the public to get the benefit of competition. The law of supply and demand about which we hear so much is the law that should regulate the number of vehicles. If we pass this clause it will mean that some firm or person will secure a license for a ramshackle vehicle and will prevent any other person coming along with up to date vehicles and securing a license. I move an amendment—

That in paragraph (f) the words "or the number of licenses issued has reached the prescribed limit, or the reasonable requirements of the public do not justify the granting of the license" be struck out.

The MINISTER FOR WORKS: The reason why this was inserted is that it was considered the local authority would have not only a knowledge of what is required, but a sense of fair play also. The idea is that the volume of traffic in regard to passenger vehicles being known, it should be possible so to regulate the licenses as to as-

sure a decent living to those in the calling, instead of having twice the number of vehicles required. The provision was inserted at the request of some of the road boards. I do not see any of the dangers which the hon. member fears.

Mr. BROWN: I support the amendment in view of the fact that thus far the Government have never suggested the limitation of any business. This will affect the carriers' business, and those carriers now licensed will be given a virtual monopoly of the business in their towns, no competition being allowed. It is not for the local authority to say whether there is room for another competitor in the carrying business.

Mr. TROY: I should be afraid of a limitation if the local authority had no power to limit the charges. To impose a limitation of licenses without providing also that the licensees should be compelled to ply their calling at reasonable rates, would be dangerous.

The Minister for Works: That can be done by regulation.

Mr. TROY: In that case I am in favour of limitation, for the reason that a lot of these callings are overcrowded. There are in Perth no fewer than 16 insurance companies and in consequence the rates are kept up on the principle that, there being insufficient business for all, high rates are essential. I agree with the limitation of licenses, providing the local authority limits also the charges.

Hon. W. C. ANGIN: I hope hon. members will agree to the clause as it stands. The Fremantle local authorities have raised approximately £200,000 for the purpose of providing tramway communication. Modern motor omnibuses are capable of entering into serious competition with trams. If the Fremantle trams, which provide for the reasonable requirements of the people, are subjected to serious competition, additional rates will be necessary to make up the loss of traffic on the trams. If the tramways are providing for the reasonable requirements of the people there should be no room for motor omnibuses.

Mr. Smith: The Perth trams are not able to carry the traffic.

Hon. W. C. ANGIN: Because the Government cannot find the money necessary for the proper operation of the trams. The hon. member knows well what is wrong with the Perth trams. He has consistently agitated for penny sections, because he wanted to get a little popularity at the expense of the State. The local authorities should have power to limit the issue of licenses in the interests of those already supplying reasonable requirements.

[Mr. Foley took the Chair.]

Mr. UNDERWOOD: I intend to support the amendment. The public are best able to regulate the number of vehicles required. We have never thought of restricting the number of shops in a particular line of

trade. Why, then, should we worry about the number of public vehicles? The argument used by the member for North-East Fremantle is a truly extraordinary one, reminiscent of the troglodytes. If the public can be better served by motor buses than by trams, the public are entitled to have motor buses. If we, with all our organisations, cannot give the public a better tram service than can some private enterprise, then our trams are not being run on the right lines, and a little competition might improve them. But there are other parts of Western Australia than Perth and Fremantle, and the Bill applies to carriers with camels in out-back districts. I can see the possibility of considerable restriction in the carrying trade in the bush country, and I hope the amendment will be carried.

Mr. SMITH: The member for North-East Fremantle (Mr. Angwin) was rather unfortunate in quoting the Perth trams. One of the reasons why I urge the amendment is that the people of Perth are not getting an efficient service. The number of people who walk is greater than the number who ride in the trams. With the progress made in motor traffic, there is a possibility of an efficient motor bus service being established which would be of benefit to the public. To shut out public conveniences of this kind would be deplorable indeed. If the trams at Fremantle are as well conducted as the hon. member would have us believe, there is no fear of opposition there. The facilities which the amended clause would offer might be of advantage to other districts.

Mr. Hudson: The public have control of the local authority.

Mr. SMITH: Vested interests are very hard to contend against once vehicles have been licensed.

Mr. Hudson: You are assuming that the local authority would abuse its power.

Mr. SMITH: Yes, we can find instances of it every day. The law of supply and demand will provide sufficient protection for the local authorities. The greater the competition, the better it will be for everyone.

Hon. W. C. Angwin: Under such conditions there would not be much encouragement to improve the Perth trams.

Mr. SMITH: Why should we limit the number of buses and other like conveniences any more than the number of newspapers, bakers, butchers or carriers?

Hon. W. C. Angwin: I think they should all be limited to make things cheaper.

Mr. SMITH: To limit them would be absurd. I hope the amendment will be accepted.

Hon. W. C. ANGWIN: If the amendment is carried, it might affect the Government seriously because they will be inviting opposition to their tramways in Perth.

Mr. Money: There is none now, and there is no restriction.

Hon. W. C. ANGWIN: I am aware of that.

Mr. Money: But this applies to the whole State.

Hon. W. C. ANGWIN: Outside of Perth, there is no other place, except Fremantle and perhaps Claremont, likely to be affected.

Mr. Smith: Then the travelling public should be given proper accommodation.

Mr. Hudson: You have to trust the local authority to do its duty.

Hon. W. C. ANGWIN: There is no encouragement to give proper accommodation. The only way by which local authorities could cope with an opposition service would be to allow the roads to get into disrepair.

Mr. Smith: They must do more than maintain bare accommodation.

The CHAIRMAN: Hon. members should understand that they must not carry on conversations across the House. If the hon. member is allowed to proceed without interruption, we shall make better progress.

Hon. W. C. ANGWIN: The only reason why the Perth tramways are not up to date is that it was impossible to effect renewals on account of the war.

Mr. Hudson: Undoubtedly.

Hon. W. C. ANGWIN: It is due more to good luck than to good management that any tramway system in the State is running to-day.

Mr. Smith: I admit that.

Hon. W. C. ANGWIN: It has been almost impossible to obtain material to keep the trams and equipment in good working order. The Government should not be blamed if the system is not up to date. Rather they should be praised for having done so well in carrying on during the war. It is a wonder that one half of the cars were not thrown out of commission. The Government have not been able to get rails.

The CHAIRMAN: I do not think the hon. member is in order in straying so far from the subject. The question of rails has nothing to do with the amendment.

Hon. W. C. ANGWIN: The hon. member has moved to strike out certain words, including "or the reasonable requirements of the public do not justify the granting of the license." In Perth and Fremantle, the reasonable requirements of the public could not be maintained efficiently in consequence of the war. In London, motor buses have been knocking out the trams. Why? Because there are good roads for the buses to run on.

Mr. Smith: There are other reasons.

Mr. Money: Everybody wants good roads.

Hon. W. C. ANGWIN: How can good roads be provided if the local authorities, after having mortgaged their revenue largely to lay down tramway systems, have to contend against opposition? We should not compel local authorities to license outsiders to set up in opposition against undertakings on which the ratepayers' money is being expended. A vehicle to carry passengers may be licensed for £1, but such a vehicle would be run only during the busy times of the day. Supposing a few motor buses were run in opposition to the Perth-Subiaco trams, they would probably be put

on at the only time the trams were able to get their full complement of passengers. Would the 'buses be run during the slack periods of the day when the cars must be kept running? No, and there is no provision to compel opposition concerns to provide conveniences during the slack hours of the day.

Mr. Smith: What happened when the strike was on?

Hon. W. C. ANGWIN: The result would be that finally we should revert to the same conveniences as exist to-day.

Mr. Smith: When the strike was on, private 'buses ran all day.

Hon. W. C. ANGWIN: Many of the vehicles carried people free and many people walked. It would be detrimental to the State, which has expended so much money on the Perth tramways, to allow private companies to operate in opposition.

Mr. Smith: There are other places besides Perth.

Hon. W. C. ANGWIN: There is no other place the hon. member can mention, except perhaps Fremantle and Kalgoorlie.

Mr. Smith: Albany, Bunbury, and Geraldton.

Hon. W. C. ANGWIN: The hon. member cannot mention any other place where a continuous service is being run.

Mr. Hudson: You must conclude that the local authority would abuse its power.

Hon. W. C. ANGWIN: The local authority would have no option in the matter. A body of this description is elected by the ratepayers.

Mr. Smith: There are other people elected by the ratepayers.

Hon. W. C. ANGWIN: There are some people who would like to overrule the majority of the ratepayers if they could. If the local authorities do not act fairly and justly, there is an opportunity afforded of dispensing with the services of their members every year. Surely that is sufficient. In certain instances this will do an injury to the funds of the State and the funds expended by the local authorities. The Melville Roads Board has just expended £13,000 on opening up the district. When a little traffic has been brought there the hon. member wants to make it compulsory that a license should be granted to a private company to run their own service. The ratepayers then, although they have assisted in bearing the cost of the tramline, would have to continue to pay additional rates instead of the tramline paying for itself. The Fremantle trams have been running for 10 years and have never paid their way. Last year's loss was £630. If only half a dozen motorcars commenced to run along the tram route between, say, Fremantle and East Fremantle, at the hours of five and six at night, and seven and eight in the morning, the tramways would lose a couple of thousand pounds.

Mr. Smith: What is the use of quoting improbable cases?

Hon. W. C. ANGWIN: This is what would happen. Local authorities, having pledged the ratepayers to a certain expenditure, should have power to say whether reasonable requirements are being provided for the public, and be in a position to refuse to grant licenses in opposition to their own service.

Mr. Smith: Are you in favour of a local monopoly?

Hon. W. C. ANGWIN: I am in favour of giving reasonable requirements to the public. If the local authorities fail in this they should be compelled to give licenses to someone else to do the work. Can the hon. member want more than that? If these words are struck out an injustice will be done to the ratepayers.

Mr. TROY: I am not supporting the clause altogether for the reasons given by the member for North-East Fremantle, who is to be complimented upon his championship of the clause. If we follow his arguments to a logical conclusion we must adopt obsolete methods for all time in the country. The Perth and Fremantle tramways constitute a people's monopoly, and such an enterprise must be protected against unfair competition.

Mr. Nairn: That is what keeps us poor in Australia.

Mr. TROY: We nationalise and monopolise in order to give conveniences to the people as cheaply as possible. When a community is called upon to provide conveniences, which must be run at a loss, that community should be protected against unfair competition. In the outback districts most of the control in local governing matters is held by the business people, which leads to intrigue in the way of limiting licenses. I know of one man in particular who is an agent in the carrying business, and as he owns nine-tenths of the horses in the district all the goods that have to be carried are carried by him. Before a local authority can refuse a license it must be satisfied that the requirements of the public are such as not to justify the granting of a license. If a license is wrongfully refused, recourse can be had to the courts.

Mr. Smith: Why put people to that expense?

Mr. TROY: If a number of business men entered into collusion to limit licenses for their own purposes, I feel sure there would be strong opposition against them, and that the court would prevent an injustice being done.

Mr. Smith: Do you want to make people fight for their rights?

Mr. TROY: We have to do that now. We ought to protect to a reasonable degree the conveniences provided by the people, particularly when these are being run for the public advantage and at a loss to the people. They should also be protected against unfair competition.

Mr. Smith: That does not apply to the trams. They are making a huge profit and are not giving the necessary conveniences.



Mr. TROY: The Perth tramways are not controlled by the local authority, which is not interested in refusing licenses. It has no responsibility in the matter and would be entitled to grant licenses without end. We can have too many people living on an occupation in which they cannot obtain a reasonable livelihood. We have only to instance the number of motor cars in Perth and suburbs waiting to be hired. In order to live these drivers have to charge more than reasonable rates, and can combine together to see that this charge is imposed. With all the possibilities of abuse, the local authorities can be trusted and should be trusted.

Mr. PICKERING: Latterly the Perth tramways could not be kept up to the desired standard of efficiency because of the war.

Mr. Smith: They were the same before the war.

Hon. W. C. Angwin: They were only taken over just before the war.

Mr. PICKERING: This clause might provide for an appeal to the Minister. That would do away with the necessity for an appeal to a court of law.

Mr. DAVIES: I support the clause as it stands, because we should not rob the local authorities of all their powers in a matter of this nature. For the sake of comparison, I may point out that the Health Act gives a local board of health the right to determine whether or not a trade shall be commenced in its district. For example, the establishment of the Mt. Lyell works at North Fremantle and of the Cuming, Smith works at Guildford was at the discretion of the local boards of health; and these are works employing hundreds of men.

The CHAIRMAN: I would ask the hon. member not to continue on that line of argument unless he proposes to show what powers local boards of health have in the licensing of vehicles.

Mr. DAVIES: As regards the creation of monopolies, I consider it is well sometimes not to grant too many licenses in a district.

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

Ayes	..	..	..	..	12
Noes	..	..	..	..	17
Majority against					5

#### AYES.

Mr. Angelo  
Mr. Duff  
Mr. Durack  
Mr. Johnston  
Mr. Money  
Mr. Nairn

Mr. Plesse  
Mr. Smith  
Mr. Thomson  
Mr. Underwood  
Mr. Wilson  
Mr. Brown.

(Teller.)

#### NOES.

Mr. Angwin  
Mr. Chesson  
Mr. Davies  
Mr. Draper  
Mr. George  
Mr. Green  
Mr. Griffiths  
Mr. Harrison  
Mr. Hickmott

Mr. Jones  
Mr. Mitchell  
Mr. Munsie  
Mr. O'Loghlen  
Mr. Pickering  
Mr. Rocks  
Mr. Troy  
Mr. Hardwick

(Teller.)

Amendment thus negatived.

Clause put and passed.

[The Speaker resumed the Chair.]

Progress reported.

House adjourned at 10.26 p.m.

## Legislative Council,

Tuesday, 9th September, 1919.

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

### ADDRESS-IN-REPLY—PRESENTATION.

The PRESIDENT: I have to inform the House that in company with the mover and the seconder of the Address-in-reply, I waited this morning on His Excellency the Governor and presented to him the Address-in-reply. His Excellency has been pleased to forward the following reply to the Address:—

Mr. President and hon. members of the Legislative Council—In the name and on behalf of His Most Gracious Majesty the King, I thank you for your Address. (Signed) William Ellison-Macartney, Governor.

### MESSAGE—ASSENT TO SUPPLY BILL.

Message from the Governor received and read assenting to Supply Bill (No. 1) £1,561,000.