

in the clause. It provides that the court shall have jurisdiction on its own motion to deal with industrial matters and disputes, and under paragraph (b) sub-paragraph (i), to settle and determine "all industrial matters and disputes referred to it by the Minister, as being proper in the public interest to be dealt with by the court, and irrespective of whether the parties to any dispute are registered industrial unions or not, if the dispute has caused a cessation of work." Cannot the Minister trust the court to do its own work? What right has the Minister to poke his nose into a row between a few people who are not members of a trade union?

The Minister for Works: I shall be glad to keep out of it.

Hon. Sir JAMES MITCHELL: So will the people concerned. What is it all about? I thought that the court was already over-worked and that even registered unions could not get to court under those circumstances. The Minister has widened the interpretation of "industrial matters" so as to bring in almost everything. I object to any Minister being called upon to do this work.

The Premier: This is one of the provisions that the Minister thoroughly convinced you upon last year. You supported it. I will show it to you in "Hansard."

Hon. Sir JAMES MITCHELL: I will be pleased if the Premier can do so. The Bill is not the same as that of last year.

The Premier: Very nearly.

Hon. Sir JAMES MITCHELL: At any rate, I object to the Minister having the power to invoke the aid of the court to settle disputes with which the court may not even be interested.

The Minister for Lands: Someone should have that right.

Hon. SIR JAMES MITCHELL: But the court has the right.

Hon. G. Taylor: If some people, who are not in an industrial organisation, create trouble and tie up industries, someone should have the power to force them to court.

Hon. Sir JAMES MITCHELL: Then let them have the power to go to the court.

The Minister for Works: If they refused to go to the court, would you allow them to continue to tie up an industry?

Mr. Heron: That is what happened a couple of years ago on the Kurrawang wood-line. The whole industry was held up.

Hon. Sir JAMES MITCHELL: I do not think this is a job for the Minister.

Progress reported.

### BILLS (3)—RETURNED.

- 1, Group Settlers' Advances.
- 2, Transfer of Land Act Amendment.
- 3, Land Tax and Income Tax Act Amendment.

Without amendment.

*House adjourned at 10.30 p.m.*

## Legislative Council,

*Thursday, 10th September, 1925.*

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

### QUESTION—SOLICITORS' FEES.

Hon. J. R. BROWN asked the Colonial Secretary: 1, Is it a fact that, under the Rules of the Supreme Court, the scale of fees payable to solicitors has been increased by 25 per cent.? 2, If so, when did such increase come into force? 3, Was Section 26 of the Supreme Court Act, or the Interpretation Act, 1880, complied with? 4, If so, when?

The COLONIAL SECRETARY replied: 1, Yes. 2, Published in "Government

Gazette" 24th September, 1920; brought into force, 24th October, 1920. 3, Section 26, Supreme Court Act, 1880, and Section 36 of the Interpretation Act, 1918, were complied with. 4, On the 5th October, 1920.

### PRIVILEGE—ALLEGED INTIMIDATION.

*Hon. J. Duffell and the Minister for Works.*

Debate resumed from the previous day on the following motion by Mr. Duffell:—

That the conduct of the Hon. A. McCallum, M.L.A., Minister for Works, in using threatening and abusive language in the precincts of this House to the mover was a gross breach of privilege and deserving of the censure of members of Parliament.

**THE COLONIAL SECRETARY** (Hon. J. M. Drew—Central) [4.33]: Any member of Parliament who lays a charge against another member for breach of privilege and asks the House to pass a motion of this nature, should himself have some respect for the privileges of Parliament. I do not know what has taken place between Mr. Duffell and the Minister for Works to warrant a motion of this character, but I do know that Mr. Duffell, no doubt unintentionally, has done the Minister a grievous wrong. In this House on Tuesday afternoon last, when the Main Roads Bill was under consideration, and after referring to the traffic fees collected in the metropolitan area, Mr. Duffell said:—

There is nothing in the return to show what has been spent in the various electorates, not even around the metropolis, but I am informed that in one particular district no less than 12 miles of road have been constructed since the Bill passed the Assembly last session, and that that district is included in the electorate represented by the Minister for Works. To me that is astonishing, and when I asked for the return I hoped that the Minister would be able to submit a statement which would have permitted me to deny the correctness of what was told to me. At any rate the Colonial Secretary will have an opportunity to deny that statement, if it is not correct, when he replies to the second reading speeches. If what I have been told is correct, how can hon. members be expected to give the Minister the power he seeks to obtain under the Bill, the power to control huge sums of money which will go into the main road trust account?

This is a grave charge to make against any Minister of the Crown. The accusation, of course, is qualified by the words, "I am in-

formed," but in my opinion, and I think in the opinion of a majority of the members of the House, that only aggravates the offence. No one has a moral right to get up in the House and attack a man's character on hearsay; if one had it would be possible to destroy or mar the reputation of many innocent men and women on the authority of an anonymous and lying informant. If I wrote a letter to the Press falsely accusing a reputable citizen of forgery, embezzlement, or some other crime, I do not think I would escape the law of libel by saying I had been so informed. In any case there is not the slightest doubt that my statement would severely injure the man's character. But, owing to the special circumstances, the charge is more damaging to Mr. McCallum than it would have been to any other Minister, for under the Traffic Act Mr. McCallum is the trustee of the traffic fees collected in the metropolitan area. It is his duty and responsibility to see that those fees are equitably distributed. Whatever Mr. Duffell meant I do not know; he seemed to be warning members against Mr. McCallum; but the impression he has created, not only amongst some members of the House, but also amongst the public outside, is that Mr. McCallum has been false to his trust, that he has mis-applied funds to keep his seat in Parliament; in other words that he has been guilty of bribery and corruption. If Mr. McCallum were guilty of such conduct he would not only be unfit to be a Minister, but he would be unfit to be a member of Parliament, and should be hounded out of public life. What are the facts? They can be very easily related. The only roads that have been under construction during the period mentioned are two. One of those, the Hammond-Lyon road, was authorised by the previous Government and is an outlet from the Peel Estate to the Jandakot railway station. The other is the Keane-Nicholson road, which is an outlet from the Peel Estate to Perth. This road was selected by the Commonwealth Engineer, Mr. Hill, after a visit to the district. Both roads start in the Murray-Wellington electorate, and although they run through the South Fremantle electorate, the Keane-Nicholson road runs on to the Canning electorate and connects with the Perth road. Those roads have been approved to afford outlets from the Peel Estate for

the settlers to reach the market, and are not being constructed to serve settlers of the South Fremantle electorate. The Peel Estate is in the Murray-Wellington electorate. In a nutshell, the position is that those two roads have been constructed out of the Federal grant to serve the Peel Estate, which is not in Mr. McCallum's electorate. One of the roads was authorised by the Mitchell Administration, and the other was selected by Mr. Hill. One goes to Jandakot and the other connects with the Perth road. So much for the allegation that since the Main Roads Bill passed another place, 12 miles of road have been constructed in Mr. McCallum's electorate.

Hon. H. Seddon: Have any roads been constructed in his electorate?

The COLONIAL SECRETARY: I can give that information. It is obvious that Mr. Duffell has been confusing the traffic fees with the Federal grant. However, I shall deal with that when I reply to the second reading speeches on the Main Roads Bill. As for Mr. Seddon's interjection—

The PRESIDENT: I do not think that a part of the debate. The debate is the question whether or not this action took place.

The COLONIAL SECRETARY: Very well. Will this motion be carried? I do not think so. This House will never carry a motion adjudging someone to be guilty of improper conduct, without giving him an opportunity to speak on his own behalf. The House will not condemn anyone on an ex-parte statement such as we have here. "May" clearly points out the procedure to be followed in such a case. "May" says:—

It is no longer the practice to refer such matters to the committee of privileges, although that committee is still nominally appointed . . . It is the present practice, when a complaint is made, to order the person complained of to attend the House, and on his appearance at the bar, or, if a member, in his place, he is examined and dealt with, according as the explanations of his conduct are satisfactory or otherwise; or as the contrition expressed by him for his offence conciliates the displeasure of the House. If there be any special circumstances arising out of a complaint of a breach of privilege, it is usual to appoint a select committee to inquire into them, and the House suspends its judgment until the report has been presented.

In accordance with that, the Minister for Works should be summoned to the Bar of the House and should be permitted to give his side of the case. It would mean a long process if a select committee were appointed,

but no process should be considered too long where the principles of justice are concerned.

Hon. J. Duffell: Hear, hear!

The COLONIAL SECRETARY: Evidently the Minister for Works used heated language. I have here a statement from him which, with your permission, Sir, I will read:—

Dear Mr. Drew: What actually occurred between Mr. Duffell and myself is as follows:— I approached him and told him that I regarded the statement he made in the House on the previous day as a distinct reflection on my honour, that it was absolutely untrue, that I had supplied you with all facts and figures, and that after you had given the information to the House I relied on him to do the manly thing and withdraw and apologise.

Mr. Duffell replied that it would all depend whether the statement you made was true or not. I asked him what he meant by this; whether he was insinuating that you, as Minister, would give false information to the House, and told him that it was as mean and paltry an insinuation as he made the previous evening, regarding the construction of 12 miles of road in my electorate. He then became very excited, said he was not going to be intimidated, and I told him that if he did not withdraw and apologise after hearing the facts I would deal with him in more ways than one. I walked away then and left him, and he still continued to shout after me up the corridor.

The COLONIAL SECRETARY: The letter continues—

You will see by this that he still continues to cast grave reflections upon you as Minister, and the Government as a whole. The statement he persists in was tantamount to saying that the return laid upon the Table of the House regarding the roads constructed out of the Commonwealth grant was not reliable and was misleading, and yesterday he insinuated that you were capable of giving false information to the House. (Sgd.) Alec. McCallum.

Hon. J. Duffell: That statement is not in accordance with the facts.

The COLONIAL SECRETARY: The only remark I can see in that, to which exception can be taken, or about which there can be a misunderstanding, is as to the words "I told him that if he did not withdraw and apologise after hearing the facts, I would deal with him in more ways than one." If an allegation was made against me, and I happened to be a member of another place, I, too, would deal with Mr. Duffell in more ways than one.

Hon. J. Duffell: It was so serious that when I made the statement you raised no objection to it.

The COLONIAL SECRETARY: I would deal with him in the Press, and would take every opportunity of also dealing with him on the public platform. I would ask the Legislative Assembly to appoint a select committee to investigate these charges. That is how I would deal with Mr. Duffell.

Hon. J. Duffell: Anything I said in my speech was so serious that you offered no objection at the time I was making it.

The COLONIAL SECRETARY: I do not know what was the procedure the Minister had in mind. It is very evident that the Minister for Works was heated. Can anyone blame him? Mr. Duffell's statement is a serious implication against his honour. It had not been whispered amongst a few people. It was made in Parliament, and published in the Press. It was broadcasted throughout Western Australia, and probably throughout the Commonwealth. I once knew a member of Parliament who was not experienced in political life, and was new to the political game. He made charges against a Minister at a cricket social. That Minister was the Premier. He indicated that the Premier was too liberal in his hospitality and too generous towards members of Parliament whose support he desired. That was the effect of his statement. The statement created consternation not only amongst members of Parliament but amongst the people generally. The result was that a select committee was appointed.

Hon. A. Lovekin: Is that the Robson case?

The COLONIAL SECRETARY: The select committee made investigations, but the member in question could not prove his allegations. The statement was based on hearsay, as in the present case. What he said had been told to him at a parliamentary picnic. That was all the evidence he could bring before the select committee. The final result was that he made a full withdrawal and complete apology. He tendered his resignation, and sank back into the obscurity of private life. It is not Mr. Duffell who has a grievance, but Mr. McCallum. Mr. McCallum could not allow such a defamatory statement to pass unchallenged. He has a right to expect, and I believe he will receive, a full apology and complete withdrawal from Mr. Duffell. I am certain from my experience of that gentleman that he has been misled by a species of political gossip, which most people allow to go in at

one ear and out at the other. It appears to me that the matter has been sufficiently explained, and that no further action on the part of the House is necessary. I, therefore, move the following amendment—

That all the words after "that" be struck out, and the following be inserted in lieu:—"This House having heard the statement of the hon. member, and the explanation put forward by the Leader of the House on behalf of the Minister for Public Works, while deeply regretting the friction that has occurred, passes to the next order of the day."

HON. J. W. KIRWAN (South) [4.51]: I regard this matter as one of great seriousness. It is a question about which I think members of this House ought to speak with a considerable amount of caution, because it may be regarded as something that is sub-judice. The statement of the Colonial Secretary, as to the original assertion made by Mr. Duffell, has, I think, nothing to do with the case. No matter how great the provocation may have been that was offered to the Minister for Works, it was unpardonable on his part to enter the lobby of the Legislative Council, call out a member, and speak to him in the manner stated by Mr. Duffell, and partly admitted by the Minister himself. That is a mode of procedure regarding which I think this House and another place cannot do anything that would indicate approval. If we were to pass the amendment moved by the Colonial Secretary, it would be almost an implication that in our opinion this was the proper thing to do. A Minister of the Crown, when any statement is made that he considers is detrimental to his character, or misrepresents him in any way, has a great many means at his disposal of setting himself right in the public eye. The method adopted cannot be described in any other way than one that is distinctly contrary to Parliamentary practice, and a method of setting a grievance right that cannot by any means be justified. I am in accord with the Minister when he says that a motion of this kind is hardly the proper way to deal with the occurrence. He has already quoted from "May" the proper procedure to be adopted in this case. I certainly think that something on those lines ought to be adopted, in preference to accepting the amendment put forward by the Leader of the House. It is to my mind a very grave matter indeed, and one that ought not to be lightly dealt with by this Chamber. Whatever we do in the

matter, we ought to be quite satisfied that we have a full statement of the case from the Minister. It was rather difficult to gather the full import of the statement made by the Minister for Works and read out by the Leader of the House. It may be that members may prefer later on that the matter should be adjourned in order that they may read that statement, and see exactly what steps should next be taken. This is a suggestion I offer to members, but perhaps there may be other suggestions that they will prefer to put forward in its place.

On motion by Hon. A. Lovekin, debate adjourned.

**BILL—WEST AUSTRALIAN TRUSTEE,  
EXECUTOR, AND AGENCY CO.,  
LTD., ACT AMENDMENT (PRI-  
VATE).**

Read a third time and transmitted to the Assembly.

**BILL—MAIN ROADS.**

*Second Reading.*

Debate resumed from the previous day.

**HON. J. EWING** (South-West) [4.58]: I have experienced a feeling of keen disappointment as the result of the debates that have occurred during the last week on this Bill, and also after perusing the Bill itself. I have always thought that this long-promised piece of legislation would come before us in a more workable form. I have looked forward for many years to the time when a Bill would be brought down that would be satisfactory to all the people, and tend in a large measure to overcome those difficulties which appeared to be almost insurmountable. I hoped that the Bill would be a measure of some magnitude and would enable the people, who are already acting as road boards and local authorities, to maintain their position, and proceed in a more dignified manner and with better financial support than they have at present. Under the Bill this will not be the case. No very large expenditure is to be brought about in order to put the main roads in good order. When we look to other parts of the world we must regard this Bill as a small item, and one which will not surmount many of the difficulties of the people in the State. In America

roads are being made from one end to the other, and no expenditure seems too great. It is recognised there, as elsewhere, that main roads, developmental roads, and subsidiary roads are necessary for the advancement of the country. In England, Scotland and Wales the authorities are contemplating an expenditure of something like 17 millions of money in order to improve the roads of the United Kingdom. When we think of the position in England to-day and what it is proposed to expend we cannot but fail to realise how far advanced they are in regard to road construction. Coming to Australia we find that Victoria has spent nine millions on road construction during the past 11 years. New South Wales, South Australia, and Queensland also have spent a considerable amount of money on road construction, having come to the conclusion that works of this kind are absolutely necessary if it is desired to develop their territory. Except Queensland there is no State that can compare to Western Australia in regard to size, and where the necessity exists for the expenditure of a great deal more money than in the States of smaller areas. During the last few years the method of transport has changed considerably. Motor transport exists now not only for pleasure but for business as well, and buses are running in and around the metropolitan area, and going into the country as well, plying their trade. All this is being done at the expense of main roads and therefore it becomes necessary to secure large sums of money to put the roads in order, especially what are called developmental roads. Motor traffic has come to stay and motor lorries are employed in work that hitherto was carried on in other ways. When transport of this kind is backed up by the public, we cannot expect to be able to stem the tide. The conveniences that are provided at the present time are very creditable indeed, and the saving that is being effected in the country districts by reason of the employment of motor traction must be realised by all. I am impressed by the small amount of money that is to be made available for the purpose of developing main roads. We are to construct thousands of miles of roads for an expenditure of £190,000. How is it going to be done? Last night Mr. Glasheen, when speaking on the Bill, put the case as I would have put it myself, and I applaud his remarks,

especially in regard to this aspect. It would be of material advantage to the city and its environs to have this amount spent there; it would do some good. But what about the North-West, the Goldfields, the South-West and the Great Southern?

Hon. V. Hamersley: Do not forget the wheat areas.

Hon. J. EWING: Yes, and the Midland country. How far would such an infinitesimal amount go? It would not be right to select only a certain part of the State for consideration in the way of road construction. No doubt that is what will happen. If an investigation were made into the position it would be found that the money it is proposed to take from the road boards, and that which it is proposed to raise from fees, while impoverishing the local authorities, would not go far in the direction of road construction.

Hon. J. R. Brown: But the amount is in regard to annual expenditure.

Hon. J. EWING: Even if it is proposed to spend £190,000 annually; how far will that go? What is the proposal of the Government? It is to take the fees amounting to £90,000 from the municipalities and local authorities and also to impose a petrol tax; it is also intended to take from the road boards in the country districts a sum of £25,000 that they now receive from the Government. Therefore £115,000 will be taken directly from the local governing bodies in the outside districts. That will make the position for them quite impossible. None will be able to do any work of a satisfactory nature; they will be crippled. I have always regarded a Bill of this description as being of national importance. Instead of the effect being to destroy country centres, it should be to build them up and make them more available than they are to-day. We must not forget the manner in which road boards work year in and year out, and now we propose to destroy them at one fell swoop. Road boards cannot do without the revenue that they have been accustomed to receive. If it is to be taken from them, where are they to get funds, and in what manner are they to raise money. The work of road construction in my opinion, should be carried out from loan funds, and we should spend not merely £190,000 but £400,000 or £500,000 annually. Moreover, the money should be spent quickly. I suppose the

Government idea is not to borrow money for the purpose of making main roads. So far as I can see the development of main and subsidiary roads is a matter of national importance. Therefore let us borrow money as much for road construction as for railway construction; the work will last for all time. From the revenue received there should be earmarked a certain amount to cover interest and sinking fund payments. If we do that we shall be in a safe position, provided of course that we keep in proper order the asset that we shall have in the shape of good roads. The question of maintenance has not been sufficiently stressed during the debate. Let me take the railways as an illustration. They have borrowed 19 millions of money and until the present Government came into office no provision was made for a sinking fund. It is advisable to have a sinking fund, for it is not then so difficult to borrow money for reproductive works. True, the railways have kept everything up to concert pitch, and therefore the asset is worth the amount of the capital expenditure. If, in regard to roads, we have proper maintenance we shall be in exactly the same position as the railways find themselves in. Many injustices will be inflicted if the Bill is permitted to go through as it is. As Mr. Holmes pointed out, the Bill cannot be made to apply to the North-West or to the goldfields. These and many other matters should receive consideration, and that consideration can be given only by a select committee. We can see that there is a likelihood of injustice being done. Contributions from distant centres may swell the fund elsewhere, and we may find that the whole of the money will be spent in or about the metropolitan area, whilst the localities that have raised the money will not have their requirements attended to. Therefore we should have one part of the State progressing by reason of its roads being constructed, and another part of the State going back because of the absence of roads. Indeed, many of us might have crossed the Great Divide before works in some part of the State had been put in hand. Many difficulties are likely to arise if we pass the Bill as it is. Let me give an illustration. The municipality of Bunbury, not knowing what was intended, let two contracts for the construction of main streets. The expenditure involved will entail the collection of £600 a year in order to pay

interest and sinking fund. That local authority now declares that if the Bill is passed the Government will take from them £750 a year, representing the fees that they have been collecting. That amount had already been earmarked by the Bunbury Council to pay interest on the cost of the construction of the two roads in question. This is an aspect of the position that I do not think has yet appealed to members. Members representing country provinces have been strongly appealed to, to oppose the passage of the Bill. I have no intention of opposing it, but I do desire to see the Bill put into good shape so that it may assist to advance the interests of the State. I am sure there is no desire to do an injustice to any section, and particularly to those who have entered into honourable agreements. Let me quote another instance. Collie, as hon. members know, is a progressive town. It has developed into a big municipality and the rates charged are very heavy. Still, the people of Collie do all they can to help themselves. On the present income, however, the council cannot finance the requirements of the district, and it is proposed to borrow £18,000. A referendum of the ratepayers has been taken and the people have agreed to the borrowing of that sum. The money is to be used to improve the town and its surroundings. There is necessary drainage work to be done for the health and comfort of the people, as portion of the town is somewhat low-lying. No doubt other members can cite somewhat similar instances to show how harshly the Bill in its present form will operate towards local authorities. It is apparent that the Bill has not been well considered. Such injustice will be done under the measure that we should pause and consider what the results will be. Developmental roads are necessary, and they cannot be constructed by the local authorities. It is gratifying to know that we have £96,000 from the Federal Government to assist in this work. To that will be added £96,000 contributed by the State Government, making a total of £192,000 for the construction of developmental roads. I understand there is a possibility of the Federal Government increasing their contribution. When to this amount are added the proceeds of the traffic fees, petrol tax and road board subsidies, there will be available a sum of £400,000 to be expended on road construction. There are hundreds of miles

of subsidiary roads in the State, and if the policy enunciated in the Bill is given effect to, the whole of the outside authorities will lose at least one-half of their revenue. That being so, how are the subsidiary roads to be maintained? Only by increasing the taxation on the unimproved value of the land. Most of the local authorities are taxing up to the limit allowed under the Act, and legislation will be necessary to enable them to increase their taxation. Unless better consideration is given to the measure than it has so far received, the development of the State is likely to be retarded. The constitution of the main roads board is an important matter to be considered by a select committee. I take it that a select committee will be appointed because the concensus of opinion seems to be in favour of adopting that course. The select committee will have onerous duties to perform. One of their duties will be to study the Acts in operation in other parts of Australia, the revenue obtained, the sources whence it is derived, and generally how the main roads boards operate. I think there should be a board of three constituted largely on the lines of the Victorian board. This is a matter, however, that can well be left to the committee. For the select committee it will not be a matter of a week's work; to deal with the question thoroughly and draw up recommendations will occupy fully a month. It will be useless for them to present suggestions unless they are well thought-out and are a considerable improvement upon the provisions of the Bill. We cannot expect the Minister for Works or the Government to accept amendments unless we can show that they are much to be preferred to the proposals in the Bill. I see no difficulty in the way of the roads and bridges branch of the Works Department carrying out the work of road construction. If we had a main roads board of three members they would automatically take over the department, carry out the work within their jurisdiction, and any other work at present being done by the Government. Such an arrangement should operate in the interests of the State. The proposed petrol tax is rather a vexed question. Mr. Nicholson said by way of interjection yesterday that its legality might be questioned. It might be possible for people to import petrol and, in consequence of there being no sale within the State, evade the petrol tax. If that is so, we want

to know all about it. The select committee could investigate that question and determine whether evasion would be possible. I cannot believe that the Government have introduced the Bill without considering that and other important questions. I would rather believe that they can see where the revenue can be collected, and if the Bill is passed I have not much doubt they will collect it. If it be proved possible for people importing petrol to evade the tax, it will certainly seem that the Government are not competent to handle the matter. Anyhow it will be more satisfactory to have an inquiry by select committee. If the minimum sum of £75,000, which it is estimated the petrol tax will produce, were lost to the main roads fund, the measure would be ineffective. I am glad the Minister has given notice of an amendment to exempt petrol used by aeroplanes and motor boats. Evidently someone has had a brain wave. If the Minister is now able to devise means to grant this exemption, why could it not have been done a month ago? For years members in both Houses have urged the necessity for a Main Roads Bill. For the measure before us we have to thank the Government. No previous Government introduced such a Bill because the financing of it presented insuperable difficulties. I agree with members who contend that this it is a national question to be dealt with by the representatives of the people, and not merely a question for the local authorities. If we are not prepared to sanction the borrowing of a large sum of money, it will be useless to proceed with the Bill. I do not hold with those who say that the borrowing of money for the construction and maintenance of main roads imposes an unfair burden on posterity. If main roads are properly constructed and well maintained, they will be as good 30 years' hence as at the time of their construction. The fact of providing a sinking fund would remove such a loan from the category of ordinary borrowing. In Victoria money has been borrowed for work of this description, but there the capital expenditure does not appear as a Government item. The same applies to a loan expenditure on water works and tramways; the borrowing authority provides for interest and sinking fund.

Hon. A. J. H. Saw: Do the Government guarantee it?

Hon. J. EWING: I suppose they do, but it does not appear amongst the financial

transactions of the Government. That is why Victoria appears to be in a better position financially than is Western Australia. I hope the Bill will be referred to a select committee, and that we shall be able to evolve a measure that will prove effective.

**HON. F. E. S. WILLMOTT** (South-West) [5.28]: Various speakers have voiced the opinion that owing to the advent of the internal combustion engine traffic that for many years has been carried over the railways is to-day finding its way over the roads. I very much doubt whether members yet grasp what huge strides the internal combustion engine has made in America. I think we can say that America is simply a busy hive of motor vehicles tearing about from one end of the country to the other. The other day I came across some interesting figures which I propose to read. After 100 years in the United States there are a quarter of a million miles of railway and 60,000 coaches with a carrying capacity of two and a quarter millions of people. But what of the automobile industry? After 25 years, or a quarter of the period the ordinary railway system has been in existence, the United States have 18 million motor cars to a population of 110 millions. These motor cars do a fair amount of damage. The number of people killed on the railways in one year was 7,395, and the number injured 171,712. The motor cars completely beat that record, killing 17,000 people and injuring over half a million.

Hon. J. Nicholson: Are those figures for the 25 years?

Hon. F. E. S. WILLMOTT: No; for one year. In 1924, the latest year for which I have statistics, 22,600 people died from automobile accidents.

Hon. J. W. Kirwan: It is worse than the Civil War.

Hon. F. E. S. WILLMOTT: If we had the same proportion of motor cars as the United States have, with our present roads, there would not be much more than a few kangaroos and dingoes left in this State. Anyone who has travelled on some of our so-called main roads must admit that it is not safe to drive on them even in the fine motor cars available to-day, unless one is a skilled mechanic, or carries a skilled mechanic and also a first-aid outfit. In spite of the huge sums of money spent on them, our so-

called roads are in such a state that it is by no means a pleasure to travel on them. One finds a mile of road in fairly good condition, but following upon that are many miles unfit for anything except a wheelbarrow to traverse. However, we must travel over them, because it is quite a mistaken idea that people use motor cars only for joy riding. To-day the motor car is the most widely used means of transport for all sections of the community. The idea that the car is a rich man's toy should by this time have evaporated from the brain of even the most unthinking man. In drawing this Bill the Minister for Works has evidently had the advice of his departmental officers, who, in my opinion, have not been able to see anything outside the Public Works Department. They have not been able to recognise any good in a board consisting of, say, a skilled engineer of the Public Works Department, and two other members entirely outside political control. I do not like the idea of Government boards. The other day we were told that it was proposed to hand over such activities as, for instance, water supply, to trusts. The Government would be wise in adopting that course. For many years I have emphasised both here and in another place, the desirableness of Government handing over all such activities to trusts. Yet, as fast as we get rid of one board, another is being installed. The whole of the brains of the State are not wrapped up in the building at the foot of Parliament House. There are some good men in the building in question, but the personnel of the proposed board can be vastly improved upon. Mr. Ewing and other members spoke of an annual revenue of £190,000 to be raised under the Bill. My idea is, not that we should spend that £190,000 on road construction, but that we should borrow as much money for road construction as we can, regarding the £190,000 as an amount to be used for payment of interest and sinking fund. The £190,000 should not be spent as capital, but as the basis of our borrowing for road construction; and let us see that we do not outrun the constable in the matter of interest and sinking fund. It may be asked, who is going to find the money? That is all set out in the Bill. The security is there. It is a drag-net Bill. The Minister is taking no chances under the measure. He is conferring upon himself great powers. I know nothing about the legality or otherwise of taxing petrol brought here from the

other States; that is a matter to be dealt with later; but I see that "Minister" under the Bill means the Minister for Works, and that "petrol" includes—

petrol, petroleum, shale spirit, benzine, benzoline, gasoline, pentane, and naphtha, and any other spirit or substance which may be declared by regulation to be petrol for the purposes of this Act.

Hon. J. W. Kirwan: Would the definition include whisky?

Hon. F. E. S. WILLMOTT: Any substance the Minister likes to say is petrol will be petrol under this Bill. Are hon. members satisfied that there has always been a fair equivalent for the expenditure of funds by the officers who will constitute the board under the Bill? If so, then I can only say hon. members are easily satisfied. In the Bridgetown district every now and then one comes across half a mile of road that has been constructed under the direction of these engineers. When one looks into it, one discovers that the road was the least important part of the whole transaction, and that almost the only thing which seems to have troubled the engineers was to find employment for the unemployed. Are we going to use the money raised under this Bill to employ unemployed, or to build roads? Are we going to get a fair equivalent for the expenditure, or shall we spend the money to keep certain men in work? As regards the raising of the money, there will be no difficulty. In New Zealand £250,000 annually is raised merely on heavy traffic. New Zealand has one charge for motor lorries, whether used for passengers or for ordinary loads. That charge is made according to the tonnage. If pneumatic tyres are used on all wheels, the charge is 15 per cent. less. On passenger vehicles the charge is according to the number of passengers that can be carried. Up to 20 passengers the charge is 30s. per passenger; up to 30 passengers, 40s. per passenger; and over 30 passengers, 50s. per passenger.

Hon. J. Ewing: Is that the same charge as here?

Hon. F. E. S. WILLMOTT: No. Here the authorities put on a thumping big tax in the hope of knocking the motors out altogether. The view of the late Minister for Works was that these things are a menace; that they interfere with our railways, and that such a swingeing impost should be put on them as would knock them off the face of the earth. The result of that policy is

that to-day there are more of these passenger vehicles than ever, and that the Railway Department are carrying fewer of the public over the suburban lines than used to be the case. It is an enlightening fact that the men who so heartily condemned motor transport adopted that system for the carting of the pipes required for the Fremantle water supply. Those men discovered that an enormous saving could be effected by using the much abused motor vehicles. Accordingly the pipes were all carted along the Fremantle road on lorries, some of the lorries being Government-owned and some hired. It is rather amusing to note that at a time when an attempt was being made to frame a regulation providing that the speed of all vehicles over a certain weight should be reduced to below eight miles per hour, the lorries in question were tearing along on the return journey at anything up to 35 or 40 miles per hour, to the danger of everyone else on the road. Because these lorries were employed by the Public Works Department, or by contractors to the Public Works Department, the drivers thought they had a right to do as to them seemed fit. As fast as the Fremantle road was repaired, it was knocked to pieces again. The motor lorries, carrying four or five 28-ft. lengths of piping, were chopping the road to pieces. And this was done at the instance of people who said that motor lorries should be put off the road altogether.

Hon. J. Nicholson: Those lorries found the foundations out.

Hon. F. E. S. WILLMOTT: What little foundations were there were rattled all to pieces. Undoubtedly we must build roads which will stand up to the requirements of the traffic of to-day. However, if people think that main roads can be built with eight inches of ordinary gravel on a formation of soil in its natural condition—and eight inches is supposed to be a good coating—it means that we are going to throw our money away. That class of road is useless to-day, more especially where mixed traffic is concerned. If hon. members travel along a road where only motor cars are used, they will notice that the road gets padded down. Where motor traffic is combined with horse-drawn traffic, they will see that the road becomes ruined, unless they are viewing a thoroughfare after the style of St. George's-terrace. It is impossible to construct main roads with wood blocks, with

concrete, or with concrete with a bitumen surface. There was something in the suggestion placed before the South-West conference by the engineer of the Harvey Road Board. If the select committee be appointed, I would commend to their attention the remarks of that engineer. It may help them to get over the difficulty in providing main roads suitable for present-day traffic and at a reasonable cost. It is proposed to take the whole of the license fees away from the road boards as soon as they become proclaimed districts. Such a thing is unthinkable. In one road board district there may be 12 miles of main road and 208 miles of minor roads. If it is proposed to take away 50 per cent. of the board's revenue, in order to make 12 miles of main road, what will be the position regarding the remaining 208 miles of minor roads?

Hon. A. Burvill: Some road boards have more than that.

Hon. F. E. S. WILLMOTT: I am referring to one board with which I am acquainted. If the total revenue of the board is about £1,200, of which £600 is from licenses and the balance from ordinary revenue, it will mean that, if 50 per cent. of the revenue is to be taken for the purposes of the Bill, only £600 will be left to enable the board to carry out the whole of the duties that are so necessary in a country district. It cannot be done. I hope the Bill will be so altered that only such portions of the licensing fees will be taken as will deal with the main road running through a particular district.

Hon. J. Duffell: Only enough to pay interest and sinking fund.

Hon. F. E. S. WILLMOTT: Many matters are dealt with in the Bill that require careful consideration and the only way that we can arrive at finality in our endeavour to help the Government and the State generally, is to refer the matter to a select committee, in order that a thorough inquiry may be carried out. Mr. Holmes pointed out the other evening that what might be good for one portion of the State might be bad for another. That discloses one of our troubles in Western Australia. We have such a huge territory that we must realise what is good at the Leeuwin may be bad at Wyndham. We have not recognised that sufficiently in the past, for endeavours have been made to pass legislation embracing the whole State as though the conditions were

the same all through. I believe Western Australia should be cut up into districts, each of which should be treated differently according to its particular requirements. The proposed petrol tax seems to me to be rather unfair. Amendments appear on the Notice Paper which, if agreed to, will eliminate hydroplanes and aeroplanes, but not a word is said about stationary engines used by farmers and others. I have three stationary engines for which petrol is used. Why should I pay a tax on petrol used in my stationary engines? They do not damage the roads; they are used to cut chaff, wood and so on. I suppose the Minister would say, "Scrap them and jack up the hind leg of your car and use your motor engine for your driving power." But I have the engines there and many hundreds of farmers have them as well. It is unfair to ask them to pay a tax on petrol used in such engines. Then I have a tractor. Should I pay tax on fuel used in the tractor, which never goes off the farm? It is used for ploughing, tree-pulling, ditching, or whatever is necessary. It does not use the roads and yet it is actually proposed to tax the fuel that is consumed in that machine. Again, I have my electric light plant and use petrol for that. Am I to pay a tax on that petrol as well?

Hon. A. Burvill: What about shearing?

Hon. F. E. S. WILLMOTT: Yes, and wool-pressing, too. Everything is to be taxed where petrol is used, and, worse than that, the Minister can declare any substance as coming within the province of the measure if it is substituted for petrol. It is no use converting the engines and burning kerosene or crude oil. I have tried that and have secured excellent results. The Minister, however, can bring those things in as well. I certainly desire to see a Bill passed to deal with our main roads, but not one along these lines. I object to the proposed personnel of the board. It is not advisable to have a board entirely under the control of a Minister. We should have one outside political control. The Bill is not a party one and we do not wish to make it so. On the other hand, if the Government bring in a Bill providing for a board to be controlled by the Minister, it will be a party Bill in that every Minister for Works will have his own point of view and will upset the policy of his predecessor, if only to prove how much greater he is than

his predecessor. If such a policy were to be adopted, the people would suffer. I hope the select committee will be appointed, for as Mr. Ewing stated, this is not a matter that can be dealt with in a day. All the available data will have to be collected from various quarters. For instance, we want to find out what they are doing in the Eastern States now, not what they did three or four years ago. We move rapidly in these days, and we must be up-to-date and profit by the experience of others. I trust the second reading will be agreed to without delay because the burden has been cast upon us by the Minister for Works. He has thrown the whole onus on this Chamber. I have travelled with him recently and on many occasions he stated that the action of this House, in throwing out the Bill last session, had caused the delay. I want to enter my protest against such a statement. We did not throw out the Bill because we did not have a chance to do so. We do not intend to throw it out now. I hope, however, that as the result of the select committee inquiry, we shall make it a Bill worthy of such a problem. As it stands today, it is not in the best interests of the State.

**HON. J. NICHOLSON** (Metropolitan) [5.55]: I intend to be brief in dealing with the Bill. Following the speeches that have been delivered during the second reading debate, I feel sure the Leader of the House must be impressed with the fact that, while hon. members generally have supported the second reading, they have done so with a wise reservation regarding the appointment of a select committee. The Leader of the House will appreciate the fact that hon. members are in favour of a Main Roads Bill, but one framed on wise principles such as are not laid down in the Bill before us. I have been impressed with the recognition on the part of hon. members who have spoken, of the fact that the Government are perfectly in earnest in their desire to bring forward a measure to provide necessary reforms in connection with our main roads. To-day we are without any such legislation. There can be no doubt regarding the sincerity of the Government. The whole question that has to be decided wisely, and after due reflection, is whether the Bill will provide such legislation as will enable the work

to be carried out satisfactorily. I suggest that the Bill will not meet those requirements. Many people will be affected by the measure. There are the municipalities. I represent the chief municipality in the State. I have to consider in what way the Bill will affect my province. Then there are the Metropolitan-Suburban Province, the whole of the country districts and the North-West, and other parts, all having varying conditions and varying difficulties. Having regard, therefore, to the diversity of the interests at stake, one can readily understand that there must be some difficulty in reconciling the conflicting interests of municipalities and road boards scattered throughout the State. It cannot be said that the interests of a road board in one part are identical with those of a road board in another part of the State. Conditions here are such that anyone who travels must recognise the many and conflicting interests which the Government will find it difficult to deal with in a Bill, so as to give satisfaction to all concerned. And apart from the local authorities, there are other interests affected by the Bill. For example there is the proposed tax on petrol. We have the merchants and the consumers alike affected, notwithstanding that some of the consumers use petrol exclusively in stationary engines, and have no motor cars or wagons on the roads. How are all those conflicting interests to be reconciled? Only by carrying out the suggestion made by nearly every member who has spoken, namely, by referring the Bill to a select committee. That committee, I think, should be a very comprehensive one, representing the various interests of all the districts likely to be affected. Instead of being the usual committee of three it ought, I think, to consist of six or seven members.

Hon. J. R. Brown: And be a joint select committee at that.

Hon. J. NICHOLSON: That would be impracticable; because if our contribution to such a committee consisted of six members, a similar number would have to be appointed by another place, and so the committee would be altogether too cumbersome. The proposed committee ought to be one simply of this House. Several members have dealt with leading principles in the Bill, such as the constitution of the board, and the methods by which revenue is to be raised.

I propose to touch upon the last point first. The question of the means that will be placed at the disposal of the board to carry out the contemplated works is of the utmost importance. The proposal contained in the Bill to provide the necessary funds for carrying out gigantic works in a large State such as ours seems hopeless when we recognise that under the Bill only £190,000 will be made available for the purpose.

Hon. W. T. Glasheen: It is merely a joke.

Hon. J. NICHOLSON: Merely a flea bite. The thing is almost ridiculous. The only means I can see is to have an independent board and to give that board power to raise necessary funds by loan. Then we could prescribe in the Bill methods for the payment of the interest on those loans. The method proposed in the Bill for raising money for the construction and maintenance of roads is altogether wrong. Then there is another aspect of the question, which may be referred to. As a State we have at various times expressed our opposition to the Federal Government's invasion of the State's province in respect of land taxation. But what is the State now going to do in regard to local authorities? The State Government occupy relatively the same position towards the local authorities as the Federal Government occupy towards the State Government. The Federal Government filched from the State the right to impose land taxation, so throwing a greater burden on the taxpayers. Now the State seeks to filch from the local authorities certain revenues derived from traffic fees and other sources, which otherwise would go towards providing funds to enable the local authorities to carry out road construction. Obviously that is wrong. If the local authorities are deprived of a proportion of the traffic fees that they now collect, and are also deprived of other contributions, the net result must be that the local authorities will be compelled to impose other taxation on the ratepayers and so increase the ratepayers' burden. Why should we copy the wrong action of the Federal Government? That serves to show that one of the main principles of the Bill is entirely wrong. It goes to suggest also that the more consideration we give to a measure like this the better will it be, not only for the Government, but also for the people affected by the Bill. I do not think it necessary to add very

much more. If one were to go into the many provisions of the Bill it would only be wearying hon. members. I do not propose to do that, because it seems to me the Minister must necessarily be impressed with the fact that whilst members desire to pass a Bill dealing with main roads, they wish to see a measure worthy of Parliament, and one that will not give dissatisfaction. As a representative of the Metropolitan Province I would point out that the City Council have expended large sums on the construction of bitumenous roads, an expenditure that no other local authority has had to incur.

Hon. J. DUFFELL: And they have guaranteed the maintenance of those roads for some years.

Hon. J. NICHOLSON: Yes. If, under some legislative enactment, property or any rights be resumed, it is only fair that the owner of that property or rights should receive compensation for the loss sustained through the resumption. If the rights of the City Council in respect of those bitumenous roads are to be taken away, it will be only just if consideration be given to the expenditure that has been incurred on those roads. Having been a member of the Good Roads Association for quite a long time, I am particularly interested in this question of roads. I will support the second reading of the Bill, but under the reservation that the Bill be referred to a select committee.

On motion by Hon. J. R. Brown, debate adjourned.

### BILLS (2)—RETURNED.

1, Ministers' Titles;

2, Public Education Endowment Amendment.

Without amendment.

### BILL—JURY ACT AMENDMENT.

Received from Assembly and, on motion by the Honorary Minister, read a first time.

*House adjourned at 6.15 p.m.*

## Legislative Assembly,

*Thursday, 10th September, 1925.*

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

### PRIVILEGE—INCORRECT PRESS REPORT.

*Mr. Hughes and the "West Australian."*

MR. HUGHES (East Perth) [4.32]: I rise on a question of privilege. I desire to direct the attention of the House to a breach of privilege contained in a Press report of the proceedings last night. I refer to a newspaper printed and published by Samuel Thomas Williams at the "West Australian" office, St. George's Terrace, Perth. The paragraph appears under the heading "News and Notes," and reads—

"Change your solicitor."—When all of the clauses of the Jury Act Amendment Bill had been dealt with in Committee in the Legislative Assembly yesterday, Mr. Sleeman sought to have inserted a provision giving women the optional right of sitting on juries. The amendment was ruled out of order by the Chairman of Committees (Mr. Lutey), who said that it was irrelevant to the subject matter of the Bill, which only dealt with the appointment of special jurors and the fixing of jurymen's fees. Mr. Sleeman moved to disagree with the ruling and consulted with Mr. Hughes, who has legal aspirations. The Speaker (Mr. T. Walker) upheld the ruling of the Chairman of Committees, and said that the title of the Bill could not be altered to cover the desired amendment. Thereupon Mr. Teesdale's deep voice boomed across the Chamber: "You will have to change your solicitor; I can see that."

I contend the paragraph is a breach of privilege on the following grounds:—(1.) It is not a correct and faithful report; (2.) The report is made mala fide; (3.) It is not fair and accurate; (4.) It is made with