

mine the distance from the pit's mouth, warrants a further reduction of working hours. If it be held that the conditions have not become so prejudicial as to warrant that, then there can be no objection to striking out the clause.

Hon. J. R. Brown: You do not want to wait until the conditions enforce a shorter day.

Hon. J. CORNELL: The hon. member knows that in the gold-mining industry every man underground is limited to eight hours, and he knows also that the Arbitration Court has reduced the working week from 48 hours to 44 hours. The only reason for that was that the conditions of work underground warranted a reduction of hours in the industry. Whether or not the court should deal with these things, is a question for argument.

Hon. H. Seddon: That court did it. That is the point.

Hon. J. CORNELL: I admit it. I appeared in the Arbitration Court, and I remember the president pointing out that the court was embarrassed in some degree, in as much as it was asked to amend the statutory law. Here again the court will be asked to amend the statutory law; and it will then become a question as to the working conditions, as to whether an eight-hour day is a fair thing, or whether the day should be shorter. The same arguments can be adduced here, and the case decided on its merits. In the main I agree with all the provisions of the Bill, and particularly with that in respect of the superannuation fund. This is an attempt by the men and the employers to build up a fund so that as the years go by the coal-mining industry will not be in the unfortunate position in which the gold-mining industry finds itself to-day. As to the change houses, it must be said for the management that the conditions asked for are provided to-day. The sole effect of the provision will be that if another coal-mining company starts operations in this State, it will have to do what good employers at Collie have already done. I have pleasure in supporting the second reading.

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

House adjourned at 8.22 p.m.

Legislative Assembly,

Wednesday, 22nd September, 1926.

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

QUESTION—RAILWAYS, MEEKATHARRA STOCK TRAIN.

Mr. MARSHALL asked the Minister for Railways: 1, Is he aware that an estimated wastage on cattle of approximately 150lbs. per beast, and a proportionate amount on sheep, is due to the long haulage by rail from Meekatharra to Midland Junction? 2, In view of this serious loss, will any attempt be made in the near future to expedite the transportation of special stock trains ex Meekatharra? 3, If so, when?

The MINISTER FOR RAILWAYS replied: 1, No. 2, The transit now given is considered to meet reasonable requirements. 3, See answer to No. 2.

QUESTION—AMUSEMENT TAX.

Mr. MARSHALL asked the Treasurer: 1, What amount was collected by the State for the year ended 30th June by way of amusement tax? 2, Over what period was the total spread? 3, What was the total amount collected by the Federal Government through this same tax for the preceding year?

The TREASURER replied: 1, £19,919. 2, 15th October, 1925, to 30th June, 1926. 3, This information is a Federal matter and cannot be supplied without approval.

QUESTION—WHEAT, NON-SETTING OF GRAIN.

Mr. THOMSON, for Mr. Griffiths, asked the Minister for Agriculture: 1, Is it correct that a large area is affected by non-setting of grain in wheat crops in the Eastern Districts? 2, Have reports as to the cause, other than that of the Superintendent of Wheat Farms, been received from the Vegetable Pathologist (Mr. Carne), the manager of the Merredin State Farm (Mr. Langfield), and the field officer (Mr. Rudall)? 3, If so, is it the Minister's intention to lay those reports on the Table of the House?

The PREMIER, for the Minister for Agriculture, replied: 1, As was to be expected, some early sown crops, following a good but mild season, have failed to set grain. 2, A report regarding the condition of the crops in a certain area has been received from Mr. Langfield, and the matter has been discussed generally with the Vegetable Pathologist. 3, No.

QUESTION—LAND BOARD, KARLGARIN LOCATIONS.

Mr. E. B. JOHNSTON asked the Minister for Lands: 1, Will a Land Board meet at Merredin next Thursday to deal with a number of locations at Karlgarin? 2, If so, why is the board not sitting at the local district centre, namely, Narrogin? 3, In view of the inconvenience caused to local applicants in reaching Merredin, both as regards distance and train service, will the principle of local land boards sitting at the district centre of Narrogin be observed in future?

The MINISTER FOR LANDS replied: 1, Yes. 2, The places at which the Land Boards sit are decided to suit the convenience of the majority of the applicants. 3, Answered by 2.

QUESTION—FLOUR, ALLEGED ADULTERATION.

Hon. G. TAYLOR (for Mr. Teesdale) asked the Premier: 1, Has his attention been called to a statement in a City Analyst's report recently published in the local Press, to the effect that a sample of flour examined by him contained 78 per cent. of

plaster of paris and 17 per cent. of flour and bran? 2, If this is true, will he see that the name of the firm concerned is published and such action exposed? 3, If the matter is an official joke, will he see that as much publicity is given to the rebuttal of the statement, so that the Western Australian milling trade and the State generally may not be injured in their reputations?

The PREMIER replied: 1, Yes. 2 and 3, As structural alterations were in progress in the bakehouse of the complainant, it is believed, after investigation, that plaster of paris must have become mixed with the flour by misadventure. No further complaints have since been received, and it is not anticipated that the milling trade of this State will suffer.

QUESTION—INSURANCE.

Government and Workers' Compensation.

Mr. MANN asked the Premier: 1, How many claims against the Government workers' compensation fund have been (a) contested by the Government in the courts, (b) disputed without reference to the court? 2, In how many of the court cases have the Government been successful, and in how many unsuccessful? 3, Has the cost of contesting such cases, if any, been debited against the fund?

The PREMIER replied: 1 to 3, This information is not tabulated by departments.

QUESTION—WORKERS' HOMES BOARD.

Mr. LATHAM asked the Premier: 1, Is he aware that the Workers' Homes Board are without funds, and that according to the latest information there will be no money available until February next? 2, In view of the immediate demand for workers' homes in country districts, will he make funds available for the purpose?

The PREMIER replied: 1, Yes. The money will be available in January next. 2, The provision of further capital for the operations of the board is at present receiving consideration.

MOTION—WROTH BANKRUPTCY CASE.

To inquire by Select Committee.

Debate resumed from the 15th September on the following motion by Mr. Richardson:—

That a select committee be appointed to inquire into the allegations made by the "Subiaco Weekly" newspaper regarding the Wroth bankruptcy case.

MR. SAMPSON (Swan) [4.40]: The Wroth bankruptcy case is full of intricacies, and many allegations have been made against the Official Receiver. In connection with the matter a summons has been taken out by Mr. A. J. Wroth, and an application is to be made to a judge in Chambers. The summons asks that the Official Receiver be directed to furnish the applicant, Wroth, with a statement of accounts, and the supporting affidavit is in the following terms:—

MR. SPEAKER: Does the hon. member intimate that the matter is now sub judice?

MR. SAMPSON: Yes, and that is the reason why I do not propose to deal with the matter at—

MR. SPEAKER: The hon. member should not deal with it in any form beyond making the intimation that the matter is before the court. To read the affidavit would be, in a manner, to go into the case.

MR. SAMPSON: In the circumstances the Minister may perhaps allow a further adjournment of the debate.

The Minister for Justice: I am not in charge of the motion.

MR. SPEAKER: The House is in charge of the motion.

On motion by Mr. Thomson, debate adjourned.

MOTION—RAILWAY GAUGE UNIFICATION.

Debate resumed from the 15th September on the following motion by Mr. North:—

That in the opinion of this House the time has arrived when the Federal policy of extending the standard railway gauge should be consummated in Western Australia.

MR. E. B. JOHNSTON (Williams-Narrogin) [4.43]: I congratulate the member for Claremont (Mr. North) on having brought this matter forward. Certainly it

opens a wide field for thought. Unification of gauge is one of those matters which everyone thinks ought to be done, and as to which everyone feels regret that they have not been done, but which are extremely difficult of attainment. The railway gauges of Australia should have been unified when the States first entered Federation. Had the problem been attacked at that time, it would have been much smaller than it is to-day. At the present time it is entirely beyond the range of this State's financial abilities to finance its portion of a general conversion of the railway gauges. The matter is one in which the Federal Government should be called upon to find the money. If they did so, we would of course be contributing our share of the cost on a population basis. Unless and until the Federal Government are prepared to supply the necessary funds, the matter cannot be dealt with so far as Western Australia is concerned. Apart from that aspect, the main necessity for the unification of our gauges arises from considerations of defence. It was pointed out by Lord Kitchener and by every other authority on defence who has visited Australia that for the sake of the possibility of prompt transport of troops and materials the gauges should be converted. The diversity of gauges is one of the heirlooms left to us from the days before Federation, when there was so much intercolonial jealousy that even colonies closely associated with one another on the eastern side of the continent were not able to come to an arrangement to secure uniformity of gauge. I have here an interesting report setting out the desirability of bringing at least the main trunk lines between the Australian capitals to a uniform gauge. It is pointed out that in order to convert the main trunk lines from Fremantle to Brisbane, an expenditure of £21,600,000 would be necessary. If this expenditure were spread over eight years, it would only mean that the Commonwealth would have to spend £2,700,000 per annum for the eight years. In view of the size of the Federal expenditure it is a comparatively small amount, particularly when we remember that the various States and the Federal Government are spending and have spent during the last five years £8,800,000 per annum in railway construction spread over the whole of the Commonwealth. It is interesting to remember that in the United States prior to 1886 they had seven different railway gauges. In 1886 the United States Government assisted in the

conversion of 13,000 miles of railway. The writer of this interesting report asks—

Would anyone say they would have gained an advantage by delay? The unified gauge in America has given such transport facilities as to assist in the establishment of industries inland, and the building up of very large cities far removed from the coast. This is the very object it is desired to achieve in Australia. It is in the country alone that Australia can be truly developed and become rich, and the accomplishment rests largely upon providing adequate and efficient transport.

The report adds—

The United States could not have reached its present stage of development if breaks of gauge had to be encountered.

The Premier: Whose report is that?

Mr. E. B. JOHNSTON: It is a report issued by the Commonwealth Government and signed by Mr. Sims as secretary to the Commissioner. It was issued in 1922. I have already said that the change of gauge should have been effected at the time we entered Federation. I find that in 1897 the railway mileage of the whole of Australia was 10,837 miles. In 1913 it had increased to 17,269 miles. In 1921 it had further increased to 22,667 miles, and in 1924 it reached the total of 27,283 miles. So it will be seen that all the States are building railways on their respective gauges. Of course those figures do not take into consideration the large number of railways under construction and authorised to be constructed in the several States of the Commonwealth. It is pointed out in this report that the cost of altering the gauge from Fremantle to Kalgoorlie to the standard gauge of 4ft. 8½in. would be £5,030,000.

Hon. G. Taylor: A mere fleabite.

Mr. E. B. JOHNSTON: We do not have to find it. Our proportion on a population basis would be one-fifteenth of that amount.

The Premier: That all depends on the Commonwealth.

Mr. E. B. JOHNSTON: Yes, and this motion asks that the Federal system be extended by the Federal Government. It is on that basis I am supporting the motion. To-day something is being done in this direction between Brisbane and Kyogle, and through the Federal Government we are contributing on a population basis towards the cost. I have been unable to find in the records of the House the exact arrangement entered into between the two Governments, but I know that the Federal

Government are concerned and that we are paying our proportion of costs.

The Minister for Railways: We are paying both directly and indirectly.

Mr. E. B. JOHNSTON: Yes, but we in Western Australia are suffering very great disadvantages owing to the narrow gauge of the line from the end of the Transcontinental railway to Fremantle. It would be of great advantage to this State if our Government were able to persuade the Federal Government to undertake the work of standardising that gauge.

The Premier: Expenditure on work of that kind would be more truly national than is expenditure on housing schemes, on which the Commonwealth Government are spending 20 millions. Strictly that is not their business, but standardising the gauge would be.

Mr. E. B. JOHNSTON: Yes, it is a Federal matter from every point of view and primarily from the point of view of defence. There are some who would not desire to stay in the Federation were it not for the fact that the question of defence is paramount. Reverting to the estimate of cost of £5,030,000 for the conversion of the line from Fremantle to Kalgoorlie, it is pointed out that alterations to existing railways and structures would cost £1,260,000, new lines necessary would cost £3,120,000 and adjustments of rolling stock together with new rolling stock would cost £650,000, making up the total of £5,030,000. I consider this a Federal responsibility entirely. The Federal Government should find the money and the State should contribute only on a population basis. I draw attention to some remarks made by Sir James Connolly, our late Agent General on this subject when recently he was in Australia. We all know the distinguished position that Sir James Connolly occupied in the public life of this State and the breadth of vision he has displayed since he was removed from State politics to the post of Agent General. One of the things he did was to spend—and to an Australian it was an interesting experience—some months in the United States. He was amazed to find how they had opened up the inner part of that great country, at one time regarded as arid and unsuited for population. To-day he assures us they are producing wheat in many parts of the United States that were once looked upon as being out of the range of profitable cultivation.

Mr. Marshall: Has not that been done here also?

Mr. E. B. JOHNSTON: We are doing the same thing gradually and increasingly.

Mr. Marshall: In this State the wheat industry has been developed much more rapidly than in America.

Mr. E. B. JOHNSTON: I am just pointing out these facts in order that the House may realise that Sir James Connolly's opinion as to what might be done in this State is an exceedingly valuable one. I have in mind an interview that he gave to the "Daily News" a few weeks ago, in which he pointed out that the Transcontinental railway should be quickly extended on the broad gauge to Fremantle.

The Premier: Good Lord, we were not waiting for him to tell us that!

Mr. E. B. JOHNSTON: He recommended that it should not be done on the existing route.

The Premier: Is the hon. member aware that the railway has been already authorised?

Mr. E. B. JOHNSTON: Yes, the Scaddan Government authorised it, and I had the privilege of speaking in support of it.

The Premier: So we realised the necessity for it 12 years ago.

Mr. E. B. JOHNSTON: But Sir James Connolly suggested something entirely different from what was passed at that time, and I am now putting his opinion forward.

The Premier: You have no room for more railways at Narrogin.

Mr. E. B. JOHNSTON: Yes, we have. At that time we authorised this expenditure from the pockets of the State. I am opposed to that. I say that under the existing conditions the expenditure should be borne by the Federal Government, for it is a national work. We authorised the extension of the Transcontinental railway from Kalgoorlie to Fremantle along the existing route. There may have been small deviations provided for, but there was nothing proposed in the way of opening up new country. What I am advocating now, and what Sir James Connolly suggested, is that that should not be done, but that an entirely new route should be opened so that the whole of this large expenditure of £5,030,000 should be devoted to a route that would open up new country for settlement. Sir James Connolly's suggestion was that a new line on the broad gauge should leave the Trans-

continental railway at Karonie and should run from there to Norseman through new country. It should then run from Norseman to Narrogin and from Narrogin to Armadale, and so through to Fremantle, opening up districts at present unserved by railways. That was the suggestion of our ex-Agent General, publicly put forward in the Press of this State as the result of what he had seen of the opening up and developing of the dry and other agricultural districts in the United States. Certainly the Government, before any expenditure between Fremantle and Kalgoorlie be entered upon, should take the whole question into consideration, but whatever route is adopted it should not be the present route of the Eastern goldfields railway. If £5,030,000 is to be spent on railway construction on the broad gauge, I say that whether the Government adopts the route I advocate, via Norseman and Narrogin, or any other route, we should spend that money to open up new country. The point I wish to impress is that the railway should go on a route that would open up new country over the whole of its length, leaving the existing railway as it is until we are in a position to enter upon the general conversion of the whole of our railways. I urge the Government to investigate this matter fully, to investigate also Sir James Connolly's recommendation and to impress on the Federal Government the urgency of taking action for the extension of the broad gauge from Karonie to Narrogin and Fremantle on whatever is the best possible route. I support the motion.

THE MINISTER FOR LANDS (Hon. W. C. Angwin—North-East Fremantle) [4.58]: Whenever this question has been under discussion and I have heard members urging the expenditure of a large sum of money on the conversion of the Kalgoorlie line in order to make it a little more comfortable for the passengers travelling between the goldfields and Fremantle, I am reminded of the crying need for developmental railways in many parts of the State.

Mr. Latham: But this motion could be used for that purpose.

The MINISTER FOR LANDS: It could not, for whatever route were selected the country is already served by a railway. If only hon. members could have come into my office yesterday and seen the scores of young men applying for a few blocks of land that had been thrown open, they would have re-

alised that it would be a far greater advantage to the State to spend money in developmental railways than on the existing line from Kalgoorlie to Fremantle. No doubt from a defence point of view it may be desirable, but I do not think it will be necessary for many years to have such a railway for defence purposes. We hope that the note of peace which is now being sounded throughout the world and the arrangement being made at the conference in the Old World will remove, for many years at least, the need for using any railway for defence purposes. I wish to see railways constructed for use in the peaceful development of our lands. Unless something is done in this direction at no far distant date there will be no land for us to open up in order to secure increased production. Most of the land near to railways has been alienated from the Crown. Consequently if we wish for increased population to help to shoulder the financial responsibility for constructing the proposed railway, we cannot do it unless arrangements are made for further railway development within the State to open up those large areas situated scores of miles from railway communication. That, to my mind, is of greater importance than the trans-Australian railway, because Western Australia is dependent entirely upon its future development, and that development must be such as to permit people who take up land to farm it commercially, which they cannot do if they are located too far from a railway. While I do not object to the construction of the railway on the standard gauge, I consider it would be far better to devote our energies to a further development of our own system by extending it to areas at present without railway facilities. The proposal can be nothing more than a pious resolution; I do not think anything will come of it. Many years ago the question was considered: routes were discussed and surveyed, and the information that the member for Williams-Narrogin (Mr. E. B. Johnston) has quoted as coming from the ex-Agent General could have been obtained from the files in the department years ago.

Mr. Lindsay: Not in respect of its coming via Narrogin.

The MINISTER FOR LANDS: A route in that direction was surveyed previously and was turned down. I wish members would direct their attention to the need for the early development of the large areas of land within the State, areas that

are crying out for railway facilities, instead of worrying about a standard gauge for the trans-Australian line.

MR. NORTH (Claremont—in reply) [5.4]: I am very pleased at the reception accorded the motion. It has been well received all over the House, the only jarring note having been in the few remarks made by the Minister for Lands, but he merely used the well-worn argument that it was better to extend a bad thing than to put a bad thing right before developing it.

The Minister for Lands: We cannot get the money to do it.

Mr. NORTH: That is quite true. In the report mentioned during the debate, the question to which the Minister has referred was dealt with, namely, whether it is wise for Australia to continue to develop its railways upon diverse gauges, or whether we should take time by the forelock and convert the several systems to the uniform gauge, leaving the matter of development to a later stage. The arguments were as follows:—

It is suggested that it would be better to build railways into Australia's vacant spaces rather than unify the gauges. The unification of the gauges will not get any new mileage, but it will make the existing railways of greater assistance to the producer, will encourage closer settlement by giving rapid and direct access to markets, will prevent loss and delay to perishable products, and safeguard stock in time of drought. From a military point of view also, it is apparent that the first consideration is to make the existing railways connecting the main centres of population capable of handling large bodies of troops expeditiously by unifying the gauge.

Then follow figures showing the cost of railways in Australia as compared with the cost of those in other countries. Per head of population we have many more miles of railway than has any other country, but the capital cost of our railways is very low. That fact provides food for thought. It may be argued that this is a good thing and that the more we can get of these cheap railways, the better for the country; but if in the long run the existing gauges have to be unified—and the report of two of the world's experts was to that effect—a motion of this sort is necessary to bring to light the aims of the Federal Government and to show that we on this side are equally anxious for the conversion to standard gauge. I was pleased to notice in the Press the other day a statement that the Federal Minister for Works, Mr. Hill, will

be visiting Western Australia next week to go into the question of the conversion of the first line in this big scheme, namely, the Kalgoorlie to Perth railway. I should like to summarise under five headings my reasons why this motion should be carried and why the work should be undertaken at the earliest possible date, no matter what the cost may be. Even if the cost be greater than that of any other project before the people at the moment, it is most important that the unifying of gauges should be undertaken. The first reason is that we are a White Australia. If the country was being developed by black labour we could afford the economic disadvantage of a change of gauge, because the lower cost of handling by black labour would overcome the disability. In India there are 13,000 or 14,000 miles of railway of the metre gauge, but there the disadvantage can be overcome by reason of the fact that cheap labour is available. Therefore the first reason that necessitates a standard gauge in Australia is the white Australia policy. The second reason is that our railways being State-owned, State enterprise is on its trial. In no country of the world are there to be found railways of diverse gauges run by companies. In India the railways are State-owned. Wherever there were railways of diverse gauges run by companies, they have been converted to a uniform gauge. The only exception is Japan, where the State has bought the railways and is itself converting them to a uniform gauge. That is the second reason why our railways should be converted. The third reason is the defence aspect, which already has been stressed sufficiently to need no repetition. The day will surely come when Australia will be put to the test. If we can believe that henceforth and for evermore war will be a thing of the past and that the League of Nations will be successful in preventing war, the very money that otherwise would be wasted on war will be to our credit and available to be spent on this important project. I have stated that the existing railway mileage per head of population is higher in Australia than in any other country in the world. That is another way of saying that our railways have been built more cheaply than has been the case elsewhere, and therefore we as a community are justified in increasing our responsibilities by bringing our lines to a uniform gauge in order to improve their utility, and thus once and for all stop the rot that is going

on year by year of constructing increased mileage on diverse gauges. The uniform gauge will give other benefits apart from that of mere convenience in the change-over. Far less rolling stock will be required than is needed at present. If we can divide the railway systems by three, as will be possible when there is one gauge, we can divide the rolling stock also by three as against the volume now required by reason of the tremendous crush at the change point. Droughts do not occur all over Australia at the one time, and given a uniform gauge, it would be possible to use the rolling stock to the better advantage of the community as well as of the railway system. The disadvantage now experienced from the different gauges will become worse as time goes on. Each State is faced with the need for incurring enormous expenditure to provide sufficient rolling stock. If, for example, we had a gauge similar to that of New South Wales, we could perhaps use much of that State's rolling stock when we required to shift live stock from drought-stricken areas or *vice versa*. The fifth reason why the motion should be passed is that time is the essence of the contract. The member for Williams-Narrogin (Mr. E. B. Johnston) has shown that during the last 20 years the mileage of railway in the Commonwealth and in the State has doubled, or more than doubled. Therefore we have doubled the cost of conversion that must come sooner or later. It is argued that the 3ft. 6in. gauge is a cheap railway. Nothing of the kind. If to-day we have to find £3,000,000 or more to put our railways in order, what will be the amount in 20 years' time when probably we shall have double the present mileage to deal with? It is a false attitude to shelter ourselves behind the argument that we should continue to build railways because we are building them cheaply. We must face the contingency of conversion. I ask the House to support my motion because it will not in any way add to the demands upon the State Treasurer. The idea of the motion is to encourage the Federal Government by applauding their construction of the Brisbane-Kyogle section and their action in South Australia, and to show that we in Western Australia are willing and anxious at the first opportunity to bring about a conversion, not only of the Perth-Kalgoorlie line, but of all the railways in this State. Further, we wish to encourage the Federal engineers to go ahead with the necessary

schemes and to revive what I am afraid was becoming, although an old cause, a lost cause. I ask members to support the motion.

Question put and passed.

On motion by Mr. North, resolved—

That the resolution be transmitted by message to the Legislative Council and its concurrence desired therein.

BILL—JUSTICES ACT AMENDMENT.

Report of Committee adopted.

BILL—BROOME LOAN VALIDATION.

Introduced by the Minister for Works and read a first time.

BILL—SOLDIER LAND SETTLEMENT.

Council's Amendment.

Amendment made by the Council now considered.

In Committee.

Mr. Panton in the Chair; the Minister for Lands in charge of the Bill.

Schedule — Strike out the figures “£4,535,202 6s. 1d.,” in column 6 of the Schedule to the Agreement set out in the Schedule, and insert “£4,635,202 6s. 1d.”:

The MINISTER FOR LANDS: I move—

That the Council's amendment be agreed to. It is only a question of altering the first “five” in the figures and substituting “six.”

Question put and passed; the Council's amendment agreed to.

Resolution reported, the report adopted, and a message accordingly returned to the Council.

BILL—TRAFFIC ACT AMENDMENT.

In Committee.

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

Clause 28—Insurance by owners of motor buses:

The CHAIRMAN: The member for Katanning had moved an amendment to proposed new Subsection 49a, that all the words after “therefore,” in line 4, be struck out, with a view to inserting other words.

Mr. E. B. JOHNSTON: I support the amendment. My experience of the local insurance companies is that they are always ready to make a full and prompt settlement. If they failed to do so, they would soon lose their business. There is a good deal of competition amongst them under the existing rates, although some of them may differ as to the manner in which they effect a settlement. The Committee would feel easier if the Minister gave an assurance that all the local companies would be those which would be approved by him. Under this clause the Minister may refuse to give approval to any of the local companies to do this particular business.

The Premier: They are not really local companies.

Mr. E. B. JOHNSTON: Many of them are Australian companies, and as such may be regarded as local companies. I am opposed to the idea of giving any Minister the power that this clause gives him, for a Minister may come into office who would use the power in an arbitrary manner.

Mr. DAVY: The Minister has said candidly that if this clause is carried, he will take it as an authority to constitute himself a premium fixing commission. He proposes to fix the premiums of companies for this class of business. He also stated that the State insurance office was now open to do any class of business, although the only authority for which he is asking Parliament is one to permit of its transacting workers' compensation business.

The Minister for Works: This is the same class of business. I did not refer to fire and life insurance, but to accidents and compensation, and to common law cases.

Mr. DAVY: The State Insurance Bill is intended to confer on the State insurance office power to do workers' compensation business, not motor accidents, or any other kind of insurance business, merely employers' liability compensation business.

The Minister for Works: And common law.

Mr. DAVY: That is always the kind of insurance that insures the employer against any liability he may incur towards his employee. The Minister now says the office will be prepared to do all kinds of insurance business.

Hon. G. Taylor: That was a contradiction of the Premier's statement.

Mr. DAVY: Yes. The Minister now talks about fixing premiums at his own sweet will; and he may decide that the premiums

fixed by the company do not suit him, and that he will not approve of any of the companies. That will give him the right to impose up the State the necessity of embarking upon a State monopoly, and to wipe out the local companies. It is astonishing that any Minister should, in a light-hearted way, ask for this kind of power. I hope it will not be conferred upon him.

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

Ayes	..	..	..	15
Noes	..	..	..	21

Majority against .. 6

AYES.

Mr. Angelo	Mr. North
Mr. Barnard	Mr. Sampson
Mr. Davy	Mr. J. H. Smith
Mr. George	Mr. Taylor
Mr. E. B. Johnston	Mr. Teesdale
Mr. Latham	Mr. Thomson
Mr. Lindsay	Mr. Richardson
Mr. Mann	(Teller.)

NOES.

Mr. Angwin	Mr. Lamond
Mr. Chesson	Mr. Marshall
Mr. Clydesdale	Mr. McCallum
Mr. Collier	Mr. Millington
Mr. Corboy	Mr. Panton
Mr. Coverley	Mr. Sleeman
Mr. Cunningham	Mr. A. Wansbrough
Mr. Heron	Mr. Willcock
Miss Holman	Mr. Withers
Mr. W. D. Johnson	Mr. Wilson
Mr. Lambert	(Teller.)

PAIRS.

AYES.	NOES.
Mr. Stubbs	Mr. Kennedy
Sir James Mitchell	Mr. Troy
Mr. Maley	Mr. Munste

Amendment thus negatived.

Mr. THOMSON: I move an amendment—

That in proposed Subsection 49a the following be added:—"That such policies shall be taken out in an insurance company which has complied with the 1915 Companies Act."

The CHAIRMAN: The amendment seems to be contradictory.

Mr. THOMSON: We have 64 insurance companies upon which to work.

The CHAIRMAN: At any rate, the amendment does seem to be a contradiction of the clause itself, for we have already decided that the Minister shall have the right to approve of companies.

The MINISTER FOR WORKS: No doubt the amendment is framed with the object of preventing Lloyds from getting the

business. I am in a position to say, on the assurance of the Premier, that Lloyds have deposited the £5,000 with the Treasury so that I hope the last complaint of the insurance companies has gone by the board.

The Premier: The money has been there for 12 months.

The MINISTER FOR WORKS: The money vested in all the insurance companies is not within the State. They talk about being local companies, but they are not local companies!

Mr. Mann: Some of them have advanced large sums with which to assist in the development of the State.

The MINISTER FOR WORKS: So have companies in England. Much more money has come from London firms than from elsewhere.

Mr. Mann: Yes, but you will admit that they have done so.

The MINISTER FOR WORKS: These so-called local companies have no right to charge exorbitant rates.

Mr. Thomson: How do you know they will charge rates that are not warranted?

The MINISTER FOR WORKS: I do not know, but the hon. member wishes to bind me down and to compel me to allow the business to be handed over to companies that have a committee who sit round a table and fix whatever rates they like, with the result that the Government would have to agree to whatever rates were decided upon.

Mr. Marshall: That is how they stifle competition!

Mr. Davy: There will always be competition if the field is left open.

Mr. Marshall: This discloses it.

Mr. Davy: In came Lloyds and cut the rates!

The Premier: Who did?

Mr. Davy: Lloyds.

The Premier: There will be no cutting on the part of the so-called local companies.

Mr. Davy: There may be, eventually.

The Premier: They have been fleecing the people for years.

The MINISTER FOR WORKS: Of course they have.

The Premier: That is proved on their own admission by the reduced profits they have made.

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

The MINISTER FOR WORKS: The object of the amendment is so apparent that

there is no need for me to discuss it any further. The object is to make me hand over the business to a little clique of a few people, who will fix the rates that the people will have to pay. That is the whole object of the amendment. The hon. member wants me to hand the people over to a few men who will be the dictators regarding insurance business in this State.

Mr. THOMSON: The objections raised by the Minister to the amendment are surprising. He imputed to me motives that were never in my mind.

The Minister for Lands: You are not so ignorant as all that.

Mr. THOMSON: I have not discussed this amendment with, nor have I met, the gentleman who represents the Underwriters' Association, nor have I discussed it with any of the insurance companies. The Minister has told us that he has the assurance of the Premier that Lloyds have deposited the £5,000 that is required by our legislation. The Minister also stated that the object of the amendment was to prevent dealings with Lloyds. I fail to see how the Minister can read any such thing into my amendment. The Insurance Companies Act of 1918 provided for a deposit of £5,000 by insurance companies doing business in the State.

Hon. G. Taylor: That was to furnish evidence of good faith regarding the business capabilities of the companies.

Mr. THOMSON: That is so. I take no exception whatever to that. The Act also provides that if any insurance company carries on business without having put up that deposit, it will be guilty of an offence against the Act and shall be liable to a daily penalty of £20.

The Minister for Lands: The Auditor General has reported that one company did do that.

Mr. THOMSON: It is to be hoped that the company, about which the Minister for Works is so concerned, has not been doing business in Western Australia without having placed the necessary deposit in the Treasury. It would be interesting to inquire into that point because I have reason to believe that the company has been doing business in this State for more than 12 months.

The Minister for Lands: If so, it is not the only company.

Mr. Marshall: At any rate, what has this to do with the clause?

Mr. THOMSON: If companies have been carrying on in that way, the Government have been lacking in their duty.

The Minister for Lands: Your Government did not impose any penalty.

Mr. THOMSON: I have not been at the head of any Government yet. The Minister for Works also said that I desired to place the people in the hands of a little clique who would charge what they liked. In view of the Minister's own statements, he should have no objection to my amendment. If he desires to do business with Lloyds, and that company has deposited £5,000 with the Government, there is nothing to prevent him from making the necessary arrangements and entering into an agreement with that particular company. As we have induced 64 companies to engage in business here, no Minister should have the right to say that people must insure with this or that company. What would be said if members of the Opposition were in charge of the Treasury bench and were to propose that all insurance business was to go to one particular company? Considerable objection would be raised by members who are now sitting on the Government side of the House. They would say that we had no right to use our positions as members of the Government to force people to support any particular company.

The Minister for Lands: That happened with your party before to-day.

Mr. THOMSON: That is all I ask for in my amendment. I wish to protect the interests of those people who have lodged £290,000 with the State in order to prove their bona fides. I commend to the Minister an announcement appearing in this morning's paper which shows that one of the insurance companies last year showed a loss of £10,723. It will thus be seen that they are not all profit-making concerns.

Mr. Marshall: And there are 64 in the State.

Mr. THOMSON: There are 50 members in this House.

Mr. Marshall: And there is one whom we could do without.

Mr. THOMSON: I have no doubt that the hon. member would be pleased to see hundreds of gold mining companies in existence to-day, all of which would be competing for whatever labour was offering. We should not do anything that would have the effect of preventing the expansion of any business. What will happen if the in-

ention of the Government is put into effect? The Minister will then stipulate the insurance company that he will recognise. I am pleased to learn that Lloyds are here, but I do not know why the Minister or anyone occupying a Ministerial position should make present to Lloyds of the whole of the business.

Mr. Mann: Lloyds is not a company; it is just a name. Bennie Cohen runs it.

Mr. THOMSON: It sounds Israelitish, but in any case I have no desire to prevent Lloyds or anyone else coming here and competing for the business.

The Premier: Lloyds have saved the State tens of thousands of pounds in insurance premiums.

Mr. THOMSON: Then there is evidence that Lloyds have done business here of a character that they had no right to do, and that they committed a breach of the Act and are liable to heavy penalties.

The Premier: You don't know what you are talking about.

Mr. THOMSON: Lloyds could not have saved the State tens of thousands of pounds in the short period that the Government have been dealing with them.

Mr. E. B. Johnston: That is where the Government have been doing their re-insurances.

The Minister for Lands: You are wrong again.

Mr. THOMSON: The insurance companies operating here are paying a considerable amount by way of taxation, and are providing employment, and so far as I can learn their rates are no higher than those quoted elsewhere. I cannot understand the sudden desire of the Minister for Works to protect the interests of the people of the State. I wish he would protect them in other directions. I hope the Committee will accept my amendment.

Mr. DAVY: It is important that members should understand that Lloyds are not a company at all, and that is why they are able to engage in the insurance business in Western Australia without coming under the provisions of the Insurance Companies Act. Lloyds is the name of a building in which there is an association of individuals who carry on underwriting. Personally I think it is a very healthy thing to find them operating here. When they came here they were new blood and imported competition into the insurance business. My theory of economics is that if you keep things open

prices will adjust themselves, the people will themselves insist upon getting lower rates. If a thing is overdone and a new company springs into existence, prices will fall to their proper level.

Mr. THOMSON: Lloyds will not be cut out. Section 2 of the Act protects them. I have no desire to debar Lloyds from doing business here. I want the gates kept wide open for everyone, so long as they comply with the law. But I do object to restrictive legislation, that which is an interference with the rights and privileges of the people.

The Minister for Works: But the people are being protected.

Mr. THOMSON: It depends on the viewpoint. If the Minister had laid down a standard that should not be exceeded, it might then have been possible to say that he was submitting a fair and reasonable proposal. He is placing in the hands of the Minister the right to say which company shall issue the policy. That is not right, and I strongly protest against it.

Hon. G. TAYLOR: I do not know whether the Minister is right in asking for the authority he is seeking. Some 24 years ago there was a quarrel amongst the insurance companies and they reduced the rates by more than one-half for a period of about a year. Eventually, however, they put their heads together again and there has been no quarrel since. How will the Minister regulate his tariff? In the same way as is done now by some of the State trading concerns? We have timber combines, and if one goes to every timber yard in the metropolitan area one is quoted exactly the same prices.

The Minister for Lands: I say competition is gone.

Mr. Latham: Even with the State enterprises?

Hon. G. TAYLOR: The Government's timber costs exactly the same price as anybody else's timber.

Mr. Latham: In some cases it is a little dearer.

Hon. G. TAYLOR: I have found it satisfactory enough to deal with the State timber yards. If as regards insurance the public are to be treated in the same way as they have been treated in the matter of timber, they will not benefit from the Government's proposal.

Mr. LATHAM: How does the Minister propose to determine a fair rate of premium? It can only be determined on

an actuarial basis, and consideration must be given to the establishment of a reserve fund. I agree that some provision should be made for insurance, but why should Parliament give the Minister the sole voice in determining what companies shall be permitted to cover the risk? If insurance companies are established here and have made the necessary deposit in the Treasury, that should be sufficient security. I could understand the proposal if the Minister were attacking the Underwriters' Association rather than the companies.

The Minister for Lands: Who are the Underwriters' Association?

Mr. LATHAM: I understand they are an executive of the companies.

The Premier: You are highly unsophisticated.

Mr. Lindsay: The State insurance office would join the Underwriters' Association.

Mr. LATHAM: The State insurance office would be riding for a fall if it did not establish a reserve fund. There is no need to restrict the business under this measure to offices approved by the Minister, and he might well accept the amendment.

Mr. MANN: There is no doubt about the intention of the amendment, but whether it is rightly worded is another question. The intention is to prevent the Minister from so managing the business as to drive all the insurance into the State office. Certainly the amendment is not directed against Lloyds. All that is desired is that the companies should have an equal chance with the State office of getting business.

The Minister for Works: On your own showing, the amendment will prevent any of the business from going into the State office.

Mr. MANN: In the course of the debate the Minister has shown that he is not at all friendly to the insurance companies. Yet the Bill proposes to leave the whole control with him.

The Premier: It is not a matter of hostility to the companies, but of protecting the public against the companies.

Mr. MANN: Let us take that hurdle when we reach it. The companies have not shown any hostility towards the public.

The Minister for Works: They wanted to increase the rates for workers' compensation by 40 per cent.

Mr. MANN: That was for business of which they had no knowledge or experience.

The Minister for Works: It was a class of workers' compensation insurance with

which they had been dealing for many years and had no connection with miners' complaint.

Mr. MANN: There has never been a suggestion that the premiums charged by the companies were too high.

The Minister for Works: Has there not

Mr. MANN: To-day I asked the Premier a question as to State losses, and his reply was that the State insurance office did not keep records of them.

The Premier: Your question referred not to losses, but to the number of contested cases.

Mr. MANN: The reply I got was that whether the cases were contested or uncontested, the State office did not keep a record of them.

The Premier: Not at that time.

The Minister for Works: What companies keep such records?

Mr. MANN: I wish to make it clear that the amendment does not seek to exclude Lloyds or the companies either. The Minister has said that there is no desire to drive the business into the State insurance office. Now let the Minister explain what is the object of the clause.

The Premier: To protect the public against exploitation by insurance companies.

Mr. MANN: Who is to be the judge of exploitation?

The Premier: The Minister. Someone must be the judge.

Mr. MANN: But the Minister does not approach the question with an open mind, because he has already said that the insurance companies are robbers and exploiters. Whatever premium rates they quoted would be viewed by the Minister with suspicion.

The Minister for Works: The Minister will be guided by the advice of his expert officer.

Mr. MANN: That expert officer is at present the manager of the State insurance office, and his inclination will be to look after his branch and build it up.

Mr. George: But he need not be unfair to the companies.

Mr. MANN: Will the Government get an unbiassed opinion from an officer who is trying to build up a department of his own?

The Premier: He must always be in a position to defend his recommendations.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. MANN: The Minister is to be commended for having inserted this clause with the desire to protect the travelling public; but I am afraid he has overlooked the necessity for covering the person controlling the car. In 90 per cent. of instances the owner will not be in charge of the car, for most of the vehicles are held on hire purchase agreement, and so are the property of the agents who have sold them. Nor has the Minister provided a penalty in the case of a person whose policy, for some reason or other, has been cancelled by the insurance company. The Minister might know nothing about it.

Mr. Thomson: The Minister would have to be notified.

Mr. MANN: There is nothing in the Bill to compel the holder of the policy to notify the Minister that his policy has been cancelled.

Mr. Davy: Suppose he is under the influence of alcohol when the accident happens.

The Minister for Works: Do you expect us to provide a clause that will make him sober?

Mr. Davy: No, I am merely pointing out what it is makes the whole clause ridiculous.

Mr. MANN: There should be a penalty for any person who fails to comply with the conditions.

The CHAIRMAN: It is the amendment we are discussing.

Mr. MANN: I am supporting the amendment, but I wish to point out that the whole clause is bad.

The CHAIRMAN: We are discussing the amendment, not the whole clause.

Mr. MANN: Because of the defects in the clause, I am compelled to support the amendment.

Mr. ANGELO: Unlike the Leader of the Country Party, I have discussed the Bill with several insurance people.

Mr. Marshall: On a point of order. I want your ruling, Sir, on the amendment, which, I claim, is a direct negation of the decision of the Committee on the previous amendment.

Mr. Davy: You are a bit late in the day.

The CHAIRMAN: I was doubtful at first, but I find this amendment goes further than the last one. It is an addendum to the clause.

Mr. ANGELO: I have discussed the Bill with several insurance people.

The Premier: You are the only one they have seen about it.

Mr. ANGELO: They have not seen me; I have seen them.

The Premier: Then you are the only one who has.

Mr. Davy: No, he is not.

Mr. ANGELO: From personal conversations with the insurance people, I can confirm what the member for Katanning has said.

The Minister for Works: Have they given you a question to be asked to-morrow?

Mr. ANGELO: No. I can say it is not the desire of the insurance companies to keep Lloyds out of the business. They are merely endeavouring to get a fair share of this new business, and also to see to it that they can quote for it on equal terms with the State insurance office. If the Minister is to approve of the companies, the companies cannot get an equal right to this business; for the Bill provides that the Minister is really in control of licenses, and that also he is to have control of the insurance business. In those circumstances, it is most likely that the licensee will reason that if he deal with the State insurance office he will have a good chance to secure advantages, such as extended routes, or an extension of his license. Another point: The Minister has already realised the rotten business the Government have taken over under the Workers' Compensation Act; they must lose heavily on it.

The CHAIRMAN: Order! That question must not be discussed.

Mr. Teesdale: No, don't mention it.

Mr. ANGELO: In an endeavour to equalise matters, they are trying to extend their ramifications. What they are losing on the swing boats, they propose to pick up on the roundabout. That is why they are out to get this new business, although not prepared to do it on the existing rates quoted by the insurance companies. That is why the Minister wants the right to say what the rates shall be. Is the Minister prepared to let the outside companies quote a lower rate than that quoted by the State insurance office? I hope the Minister will yet amend the Clause by striking out the obnoxious provision that the companies allowed to do the business shall be only those approved by the Minister.

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

Ayes	..	..	..	17
Noes	..	..	..	20

Majority against .. 3

AYES.

Mr. Angelo	Mr. North
Mr. Bernard	Mr. Sampson
Mr. Davy	Mr. J. H. Smith
Mr. George	Mr. Taylor
Mr. Griffiths	Mr. Teesdale
Mr. E. B. Johnston	Mr. Thomson
Mr. Latham	Mr. C. P. Wansbrough
Mr. Lindsay	Mr. Richardson
Mr. Maley	(Teller.)
Mr. Mann	

NOES.

Mr. Angwin	Mr. Marshall
Mr. Chesson	Mr. McCallum
Mr. Clydesdale	Mr. Millington
Mr. Collier	Mr. Panton
Mr. Corboy	Mr. Sleeman
Mr. Coverley	Mr. A. Wansbrough
Mr. Cunningham	Mr. Willcock
Mr. Heron	Mr. Withers
Mr. Hughes	Mr. Wilson
Mr. W. D. Johnson	(Teller.)
Mr. Lamond	

Amendment thus negatived.

Mr. Thomson: I understand there were 18 ayes and I draw your attention to the fact, Mr. Chairman, for the sake of the member whose name has been omitted from the division list.

The CHAIRMAN: The teller for the ayes has certified the number and the division must stand.

Mr. SAMPSON: Subclause 2 appears to be inconsistent and liable to cast an added burden on the small man as compared with a company running a fleet of buses. Whereas the small man might have one vehicle licensed to carry any number of passengers up to ten, for which he must take out a policy for a minimum of £1,000, a company owning a fleet would be called upon to provide a policy of only £5,000 for the lot.

The MINISTER FOR WORKS: It would be unnecessary to compel a company owning 20 or 30 charabancs to insure all the passengers proportionately to the minimum, because it is unlikely that every bus would be involved in an accident at the same time.

Mr. Sampson: The policy would not cover the lot unless it was so stated.

The MINISTER FOR WORKS: It would have to be so stated.

Mr. SAMPSON: If an employer had 100 men working in an industry and had to

insure them under the Workers' Compensation Act, why should he not, on the argument of the Minister, pay for a reduced number?

The Minister for Works: A bus owner will insure himself against claims by passengers.

Mr. SAMPSON: But the object is to insure against accident to the passengers. It seems illogical to expect an insurance company to cover a fleet of buses having a passenger-carrying capacity up to, say, 200 for a policy of £5,000, seeing that one vehicle must be covered to the extent of £1,000. I move an amendment—

That in line 4 of Subclause 2 the words "and not less than one thousand pounds" be struck out.

That would mean an insurance of £100 for each passenger the vehicle was licensed to carry.

The MINISTER FOR WORKS: The amendment will not achieve the hon. member's object. It will merely mean that a bus carrying seven passengers will have to be covered for £700 instead of £1,000, but it will not affect a big company whose limit will still be £5,000. If there was an accident and one life was lost, the £700 would not be sufficient to cover the amount stipulated for loss of life under the Workers' Compensation Act, namely £750. In the Eastern States £200 per passenger is provided. When I set down a minimum of £100, I considered that the bus owners would be wise enough to cover themselves against all risks.

Mr. George: They will have to insure the drivers also.

The MINISTER FOR WORKS: The drivers must be covered under the Workers' Compensation Act.

Hon. G. Taylor: Even £1,000 would not meet the liability in certain cases.

The MINISTER FOR WORKS: No. The premium amounts to only a few shillings per cent., and I feel sure that bus owners will take out adequate cover.

Mr. SAMPSON: Could the whole of the insurance be exhausted in providing compensation for one passenger, as the Minister has indicated?

The Minister for Works: Proceedings would have to be taken in behalf of each passenger, and it would be a question of who got in first.

Mr. SAMPSON: I propose to move later on to delete the proviso, so that the rate of

insurance will be £100 for each passenger. If the principle is a good one for the small man, it should be equally good for the owner of a fleet of buses.

Hon. G. TAYLOR: If any value is to be derived from the clause it should be left as it is. The amendment would render it valueless.

Mr. ANGELO: The Minister says the rate of insurance will be about 2s. per cent. If that is the case, would it not be better to make the minimum £1,500 instead of £1,000.

The Minister for Works: I am not giving these figures definitely.

Mr. ANGELO: If one person is killed in an accident, many others may be badly injured, but would possibly not be provided for unless the insurance was made bigger.

Mr. GEORGE: A man may own several charabanes. If a serious accident occurred with one of them this would absorb the whole of the £5,000. I should like to see the amount increased to £10,000. In the case of the railways, the Commissioner is liable almost for an unlimited amount in the event of an accident. The Minister could well increase the insurance in the way I have indicated. I would draw the attention of the Minister to the fact that the amount contributed by these vehicles in the way of license fees and in other directions is very small compared with the sum that has been laid out in the construction and maintenance of the Perth-Fremantle-road.

Amendment put and negatived.

Mr. SAMPSON: I move an amendment—

That the proviso be struck out.

If this amendment is carried it will ensure a minimum insurance of £100 per passenger carried.

The MINISTER FOR WORKS: I have no desire to place any unnecessary burden upon the owners of taxis, but there is no doubt if a big disaster occurred the amount mentioned in the clause would be insufficient to cover the liability. Owners would be wise if they insured for an amount greater than the minimum provided. A big company owning 20 buses running between Perth and Fremantle would hardly be content with a policy for only £5,000. It would be as well to leave the proviso as it is.

Mr. MARSHALL: If a taxi owner had but one taxi, he would be liable under the clause for an amount up to £1,000, but if he purchased another taxi, and carried in all

14 passengers, would his liability be increased to £5,000?

The MINISTER FOR WORKS: If a man owned two taxis and insured for £1,400, he would be deemed to be complying with the law, but if he became the owner of other taxis he would have to insure for an amount up to £5,000. I do not know what the courts might award in the way of damages in the event of an accident occurring.

Amendment put and negatived.

Clause put and passed.

Clauses 29 and 30—agreed to.

Clause 31—Amendment of Section 53:

Mr. SAMPSON: I move an amendment—

That all the words from and inclusive of "may" in line 2 to the end of the clause be struck out, and the following be inserted in lieu:—" 'authority' the words 'for a period of one month,' and by adding to the subsection the following words:—'but the exercise of such power shall not extend beyond such period, except with the approval in writing of the Minister.' "

Subsection 2 of Section 53 provides that a local authority may exercise a similar power to that held by the Minister regarding the closure of roads unsafe for public traffic, and the Bill seeks to continue that power with the approval of the Minister in writing. I realise the difficulties that have arisen under this section but there are reasons why one month's grace might be permitted. A culvert may be burnt out or washed away; a road may be damaged by floods, by heavy traffic, or other difficulties may arise. Under my proposal a local authority would hold that power for one month only, after which the continued closing of the road could only be with the approval in writing of the Minister. I am sorry to ask for the period of one month because I know of what has happened in the past, but in my opinion no other board would be guilty of the monstrous conduct that animated the Belmont Road Board. In that case there was a road constructed partly out of Government funds, partly from the funds of the settlers and partly from moneys provided by the landowners. At all times the local governing authority was opposed to the construction of the road. The needs of the public prevailed and as hon. members may know, after the road was opened up, heavy traffic was allowed to utilise it. In one instance a steam lorry weighing 8 tons and hauling a further 6 tons, was permitted by the board to pass over the road, without any objection. Later

on, a firm of contractors engaged in carting sand offered to repair the road if the Belmont board permitted them to make use of it. In opposing the construction of the road, which provided the short cut to the hills districts, the board practically held a pistol to the head of the Minister saying that they could not afford to maintain the road and threatening that if he did not provide the necessary funds, the board would close it.

The Minister for Works: That was what they said.

Mr. SAMPSON: The remarkable part about it is that the board did close the road. For a long time past the board have fenced the road off and have hung out hurricane lamps at either end of the road at night.

Mr. Lindsay: And someone pinched a lamp!

Mr. SAMPSON: It speaks well for the law-abiding nature of the people that the fence has not been destroyed and burnt on the road. The Minister did not come to heel.

Mr. Lindsay: One could not imagine him doing so.

Mr. SAMPSON: This condition of affairs started very soon after the present Minister for Works assumed office. The majority of the members of the Belmont Road Board are not lost to every sense of decency as to behave in the way I have indicated, but some of them told the Minister that he would have to find the money or they would close the road. The member for Guildford knows that the road in question was a great convenience to some of the residents in his constituency.

Hon. W. D. JOHNSON: I don't mind you dealing with local government matters in your own district, but keep off mine!

Mr. SAMPSON: The road represented a saving to residents desirous of coming to Perth, of about two miles each way. This is a very unsavoury matter to discuss and I am sure the Committee will agree that this particular board acted in a way opposed to good Government and good citizenship and have not discharged their duties as representatives of the local people. The remarkable part about the actions of the road board is that they had the temerity to threaten the Minister for Works. That action alone speaks volumes for what the Premier would regard as their incorrigible stupidity. The Minister has been long suffering and I regret he did not supersede that board. The position certainly called for the

dissolution of the Belmont Road Board and the installing of an administrator. The present shameful condition of affairs will end, I hope, with the passing of the Bill.

Mr. GEORGE: I hope the Minister will accept the amendment. I will not animadvert upon the Belmont Road Board; my opinions on that subject are recorded on the files. The road was provided in order to allow the people settled in Maida Vale and other districts to gain the advantage of a shorter route to and from Perth. With the closing of the road those people were forced to lose more time than was necessary in undertaking that journey. It meant to some of them an additional eight miles both ways. The action of the board in closing the road was an outrage against public decency and I cannot understand any such action being taken. If I can possibly regret that I am not Minister for Works to-day it is because I have not the power to deal with the situation in the strongest way possible. I do not believe in any local authority unreasonably interfering with men engaged upon earning their living. Whether the member for Guildford agrees with the views of the member for Swan does not matter a rap. The Maida Vale people have a right to use the shortest road available in order to get their produce to market. It is not for any road board or municipal council to interfere in such a matter. The reason the board would not undertake the upkeep of the road was that it would be used by people who did not contribute towards the rates, but that applies all over the metropolitan area and in a lesser degree, all over Western Australia. It would be a usurpation of power if any local authority took drastic steps as did the Belmont Road Board. It is the function of Parliament to see that nothing is done to injure the interests of our people.

Hon. W. D. JOHNSON: The two members who have spoken have not given the whole of the facts, and I propose in defence of the local authority to supply the remaining portion of the history. The road in question was first made in order to reduce the distance between Kalamunda and Perth. True, it was of direct assistance to Maida Vale. It was during my time as Minister for Works that the first portion in the Kalamunda area was constructed. The Belmont Road Board were decidedly hostile to the road being completed, their point being that they were not prepared to

contribute to the portion in their area because it would be of no value to their rate-payers, it being a through road to serve Maida Vale and Kalamunda.

Mr. George: But they got a grant from me to put down a plank road.

Hon. W. D. JOHNSON: When the boundary of the Darling Range district was reached, certain amounts were spent on the road inside the Belmont area, but the road could not be used because the portion inside the Belmont district was of heavy sand. Then began an agitation in favour of completing the whole of the road. The member for Murray-Wellington, who was Minister for Works, decided to complete the whole of the road and it was agreed that, provided the Belmont board contributed £500 towards the construction, he would find the balance. I think certain land owners were also to contribute toward the cost.

Mr. George: The land owners contributed about £250.

Hon. W. D. JOHNSON: When the estimate of the cost was submitted to the Minister, he was not prepared to pay his portion, but contended that he could build the road at a cheaper rate. The Belmont board then said, "We will give you £500 if you will do the work, but we want a road." The Minister said, "Very well," and proceeded with the work, but he had not gone far before the Belmont Road Board inspector pointed out that the road was not being built up to the Belmont standard. Consequently, the board were not prepared to endorse what was being done.

Mr. George: That was a shuffle out on the part of the board.

Hon. W. D. JOHNSON: No, the road was being constructed at the time and the hon. member had the road board's money.

Mr. George: From whom did they get the money?

Hon. W. D. JOHNSON: From their rate-payers, either by loan for which the rate-payers were responsible or from revenue.

Mr. Sampson: The Belmont Road Board opposed it from the outset.

Hon. W. D. JOHNSON: Yes; but after they had put £500 into the proposition, they found that the road being built would not be suitable for the traffic. They protested consistently that the road was fit only for perambulators and not for traffic.

Mr. George: That exists only in your imagination.

Mr. Thomson: Was not there a specification?

Hon. W. D. JOHNSON: No, the Government were building the road and they would not provide a specification. The battle continued for a considerable time. The then Minister would not listen to the board's overtures but went ahead with the work. It was not long before the road became impassable. Then the Belmont Road Board said, "We protested right through; we cannot be held responsible for this scandalous waste of money, seeing that we did our best to persuade the Minister not to go ahead." The board could not undertake to reconstruct the road; they had paid £500 towards the cost of the road and received no return for it. Therefore they said they had no alternative to closing the road.

Mr. George: The portion that became impassable was that which they themselves constructed.

Hon. W. D. JOHNSON: The hon. member is wrong. The present Minister for Works was shown all the correspondence and was taken to see the road.

Mr. Sampson: Notwithstanding that the Belmont board did not spend a penny piece on maintenance, the road is not impassable to-day.

Hon. W. D. JOHNSON: I am prepared to admit that from a Darling Range Road Board point of view, no road is impassable. There are times when even bullock drays, much less motor cars, get stuck on the Darling Range roads, and the hon. member maintains they are not impassable. I am speaking of the Belmont standard. This road was not of the standard of either the Belmont or Guildford districts. It was not fit to carry the traffic, and could not provide the facilities to which the travelling public were entitled. The Belmont board decided that it was only an apology for a road, and that it would be misleading the public if they were permitted to use it. They then fenced it off. So that people would not run into the fences, a lamp was fixed at each end.

Mr. Sampson: And they pay 14s. a week to keep the lights going.

Hon. W. D. JOHNSON: That is in order that the travelling public might not be injured through trying to use the road.

Hon. G. Taylor: The specification was brought up by your Minister?

Hon. W. D. JOHNSON: No, the member for Murray-Wellington knows who was

Minister at that time and can tell the hon. member about the specification. It is all very well to attempt to put the blame on the Belmont Road Board, but I say definitely that the Belmont board are not to blame. It is true the public go around the fences and use the road. However, the board told the Minister of the day that the road would not last, and that it would be beyond their capacity to maintain it. I have been appealed to to find some way by which the road may be made available to the public.

The Minister for Works: We have done that.

Hon. W. D. JOHNSON: I am pleased to hear it. The Minister will agree that the Belmont Road Board are deserving more of pity than of blame.

Mr. SAMPSON: I have been amazed to listen to the member for Guildford.

Mr. George: So have I.

The CHAIRMAN: The hon. member must confine his remarks to the amendment. Several speakers have already gone entirely beyond the question, and I cannot allow a controversy on this question.

Mr. SAMPSON: I should like to add that the member for Guildford said the Belmont Road Board asked the Minister to do this work, and then in the next breath he told us the road was impassable. Then he said that in spite of that the people used the road and no objection was made. The hon. member in his heart does not support the Belmont Road Board.

Mr. George: He could not.

Mr. SAMPSON: Not one penny has been spent in repairing the section of the road within the Belmont road district. Several landowners, including Bewick, Moreing & Co., Harold Redcliffe, Peet & Co., and the settlers, contributed to the extent of £100.

The MINISTER FOR WORKS: I have no objection to the amendment.

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

Clauses 32 to 35—agreed to.

Clause 36—Amendment of Part 3 of Third Schedule:

Mr. MANN: I have an amendment on the Notice Paper that the words "or stream" in Part 3 of the Third Schedule of the Act of 1924 be struck out. There are four or five steam wagons in use. The license for these vehicles has been increased by 20 per cent. They do not inflict as much damage to the

roads as motor lorries, but because they burn coal instead of petrol they are penalised.

The MINISTER FOR WORKS: The word "steam" does not appear in the lines mentioned by the hon. member. The steam-driven vehicle is dealt with at the bottom of the section. The additional charge was imposed in order to even up things with the motor vehicle, which has to pay a petrol tax that the steam-driven vehicle does not have to pay.

The CHAIRMAN: The hon. member had better move for the recommittal of the Bill at a later stage, when he can bring his amendment forward in its proper place.

Clause put and passed.

Clauses 37 and 38—agreed to.

New clause:

Mr. SLEEMAN: I move—

That a new clause to stand as Clause 34 be added as follows:—'Amendment of Part I. of Third Schedule.—A proviso is inserted in Part I. of the Third Schedule to the principal Act under the heading 'Passenger Vehicles and Carriers' Licenses' after the words 'fee for a carrier's license per wheel £0 10 0,' as follows:—'Provided that if, in the case of the owner of several vehicles for which a carrier's license is required, it is proved to the satisfaction of the licensing authority that the drivers employed (including the licensee) are less in number than the number of such vehicles owned by him, any vehicle in excess of the number of drivers employed shall be exempted.'''

This amendment is designed to cover the case of a man who owns three vehicles but is only using one of these at a time, notwithstanding which he has to pay wheel tax on all three.

The MINISTER FOR WORKS: This is shifting the basis of licenses from the vehicle to the driver. It means that if a license holder went to the traffic department in July and said he had only four men working for him, and took out four licenses that would carry him for the whole year, he might employ ten men the following week without any additional payment. No provision is made for the licensing of these extra six drivers. Every local authority would have to pull up every vehicle and ascertain whether or not the driver was licensed. Such a provision would cost more to administer than the amount of revenue derived under it. Furthermore, there could be no check upon the number of vehicles used, and there might be an incentive to big firms to reduce their

staffs on the day they took out their licenses, and restore the number a few days later. I said that if a case could be made out for relief for these carriers I would consider it. It is said that carriers have vehicles that are used as alternative vehicles, and that they are not all on the road at once, with the result that at present vehicles have to be licensed that are not in actual use. The basis is that the license shall permit the holder to stand in the street waiting for hire.

Mr. Mann: That is all right for the proprietor, but why should he have to obtain a license for every one of his vehicles?

The MINISTER FOR WORKS: Because he uses the vehicles. Why does he have the vehicles? The new argument is that the proprietor should have all his vehicles on the road at the same time. What about the owner of a motor car who uses it only during week ends, but who pays the same license fee as a business firm using the car every day? In an intricate law of this kind, inequalities are bound to occur. A dead level cannot be maintained throughout. The new clause opens the door to abuses, particularly where large firms are concerned. As an alternative, I suggest that we put the proposal the other way round. Let the proprietor take out a license for each of his vehicles at the beginning of the year, and then at the end of the year, if he can prove that he has obtained licenses for more vehicles than the number of drivers he has employed during the year, let him be entitled to a corresponding refund. To obtain a refund a carrier would have to produce his wages sheets, and the books he has to keep under the arbitration law, showing that while he held licenses for, say, 10 vehicles during the year, he did not at any period of the year employ more than eight drivers. In those circumstances he would be entitled to a refund of two license fees. Some big firms might have 20 licensed vehicles: and if at the end of the year they proved that at no time did they employ more than 15 drivers, they would be entitled to a refund of five license fees. On those lines there would be some chance of administering the principle embodied in the new clause.

Mr. E. B. Johnston: Would you do as much for the farmer also?

The MINISTER FOR WORKS: No distinction is being drawn. The provision refers to carriers' licenses.

Mr. E. B. Johnston: I was referring to farmers who are not carriers.

The MINISTER FOR WORKS: A farmer does not take out a general carrier's license. In any case, the tax is a light one.

Mr. Davy: It is enough. The carrier pays all other taxes as well.

The MINISTER FOR WORKS: There is a feeling of grievance among carriers on the score that they pay license fees for vehicles which they do not employ all the time. It is a fact that some carriers keep both light vehicles and heavy vehicles for different classes of trade, one description of vehicle being idle when the other is in use. I do not think there is very much in the thing, but I do not want people to feel that they are treated with unfairness, and if I can meet them I will do so. The new clause, however, cannot be administered satisfactorily.

Hon. G. Taylor: It is very difficult to get refunds.

The MINISTER FOR WORKS: I have indicated how far I am prepared to go. A refund can be obtained, but what the new clause suggests cannot possibly be carried out. How can a man state in July the number of drivers he is going to employ during the ensuing 12 months? It is absurd. The local authorities could not possibly keep the necessary check on him; they would need to be continually on his premises and continually checking the number of his employees. Carriers cost local authorities a considerable amount of money annually. They require particular pavements, and men have to be employed specially to sweep those pavements and keep them clean. The total annual revenue from general carriers is only £1,500.

Mr. SLEEMAN: This matter affects the small man struggling on the bread line. The Minister's statement that large firms would reduce their staffs on licensing day is utterly ridiculous. Men would not be put off, if only for the reason that every carrier on the road is liable to be stopped by the police and made to show that he has a carrier's license. Every conceivable obstacle has been placed in the way of my amendment. First it was disallowed as irrelevant. Now that I have introduced it in what I was told was the proper place for it, it is still objected to—this time on the score of difficulty of administration. However, there will be no more difficulty in administering the new clause than there is in administering other provisions. For

example, marine store dealers with two or three vehicles pay only one marine store dealer's license fee; and is it harder to regulate the licenses of carriers than those of marine store dealers? The Minister should allow the new clause to pass. The payment of an extra guinea or couple of guineas is a real hardship to struggling carriers.

Hon. G. TAYLOR: It is pleasing to note the Minister's changed attitude. When this matter was last discussed, those who dared to say a word in support of the original amendment of the member for Fremantle were severely taken to task. The Minister then declared that the suggestion of the member for Fremantle was absurdly impracticable. Now, however, it is abundantly clear that the principle of the amendment is sound, although there may be some difficulty in its application. A man should not pay a license fee on a vehicle he does not use. That is now realised by the Minister, who suggests an alternative remedy. I am not wedded to the new clause of the member for Fremantle. I suggest that the hon. member accept the Minister's offer. The Minister said there would be no difficulty about getting refunds, but I think there may be, for once the Government get their hands on cash, it is difficult to get it back.

The Minister for Works: We are making refunds every day of the week.

Hon. G. TAYLOR: At any rate, I think the Minister's proposal will overcome the difficulty.

Mr. DAVY: I am glad the Minister recognises that the principle contended for by the member for Fremantle is sound. The amendment suggested by the Minister is preferable to the one under discussion, for while it amounts to the same thing, the amendment suggested by the Minister would be easier to administer, and would eliminate ambiguities that appear in the amendment proposed by the member for Fremantle. I would like to go further than either of the amendments. It is unjust that whereas Boans, with their horde of motor vans and horse-drawn vehicles, pay two taxes only, one on the vehicle and one for the driver's license, Moullin & Co., who cart "A's" property to "B," have to pay three taxes—a driver's license, a vehicle license, and a carriage license for each vehicle. That state of affairs is not defensible. The reason for compelling people to take out

carriers' licenses is much the same as that regarding marine dealers' licenses, or auctioneers' licenses. Those avocations are responsible ones, seeing that the individuals engaged handle other people's property, and some check is required upon them. The common carrier's license is logically a personal license. If the member for Fremantle accepts the offer of the Minister, he will get what he desires. At the same time I suggest to the Minister that he should include "shall" instead of "may" in the latter portion of his proposal.

The CHAIRMAN: Unless the member for Fremantle withdraws his amendment, the Committee cannot deal with the Minister's proposal.

Mr. SLEEMAN: I am not prepared to accept the Minister's proposal, because of the hardship that will be imposed on the small man. If a man owns three vehicles he will have to license each, and the department will hold his money for a year before he can secure his refund, after overcoming the difficulties associated with the red tape of Government departments.

Mr. Davy: If you do not accept the Minister's offer, you run the risk of getting nothing.

Mr. SLEEMAN: The Minister referred to the man who used his car at week-ends. The individual who uses one car, but owns two or three, is in much the same position.

Mr. SAMPSON: The request of the member for Fremantle is unreasonable. The local authorities provide stands for vehicles, and that involves definite services. The principle suggested is that if the whole of the vehicles are not in use at one time, only one license fee shall be charged. If that principle were to be applied, the local authorities would be landed in chaos. We might just as well apply the principle to farmers.

Mr. Davy: That could not be done, because the farmers do not pay for carriers' licenses.

Mr. SAMPSON: As a matter of fact, the relief from taxation suggested will not apply to the small man at all. The only person who will benefit will be the individual owning several vehicles. An analogy can be drawn from the position under the Shops and Factories Act.

Mr. Sleeman: On a point of order. Is the member for Swan in order in referring to the Factories and Shops Act, machines and licenses, when discussing the amendment?

The CHAIRMAN: The member for Swan is out of order. I must ask him to confine himself to the amendment.

Mr. SAMPSON: I will content myself by opposing the amendment.

Mr. MANN: Boan Bros. have 12 or 15 carrying wagons. They are, to all intents and purposes, public carriers, carting produce purchased at the store to their various customers in different parts of the metropolitan area.

The Minister for Lands: The firm cart their own goods, and could not be termed a general carrier.

Mr. MANN: Foy's, instead of running their own lorries, employ a general carrier to do the work for them. Foy's have to pay for three licenses, whereas Boans, doing exactly the same work, have to pay for two licenses only. I do not know why the Minister will not accept the amendment.

The Minister for Works: Under my suggestion you would get the same principle observed but, as I have already explained, it would be impossible to administer the amendment proposed by the member for Fremantle.

Mr. MANN: If the Minister for Works occupied a seat in Opposition, he would take a different view of it. I have had experience of the Minister lately, and I know that if one is not prepared to take half a loaf when it is offered to him, there is a risk of getting nothing.

The MINISTER FOR WORKS: I move an amendment on the amendment—

That the proviso be struck out, and the following inserted in lieu:—"Provided that if the owner of several vehicles for which carriers' licenses have been obtained, proves to the satisfaction of the licensing authority that the number of drivers employed (including himself, if a driver) was at no time during the currency of such licenses equal to the number of such licensed vehicles, the licensing authority shall allow a rebate of the fees paid for any licenses in excess of the number of the drivers employed."

Under my amendment everything that is possible will be afforded, and it will be possible to administer the law under its terms. The member for Fremantle keeps harping upon marine dealers' licenses. He fails to appreciate the fact that the license in that instance is a personal one, because the marine dealers go into the back yards of people's premises. In the instance under discussion, it is the vehicle that is to be licensed. It would not be possible to administer the

new clause, for it would be ruination to the local authorities to put on the number of inspectors necessary to carry it out.

Mr. Davy: It would not be ruination to wipe out the license altogether.

The MINISTER FOR WORKS: No, but under the proposed new clause it would not be possible to collect it. Again, these carriers are licensed to make use of the stand provided by the local authorities. There should be some hold over the carriers, because they are carting other people's merchandise, and so they should be men of repute.

Mr. Davy: It really should be a personal license.

The MINISTER FOR WORKS: Yes, I also entertain that idea. These men are carrying the public's commodities. If a firm such as Boan's lose stuff off their lorries, it is their own loss, but if these carriers lose other people's stuff, all sorts of excuses are put up.

Mr. Davy: The wear and tear of the roads does not enter into the question.

The MINISTER FOR WORKS: Quite so. The proposed new clause is impracticable, and by the amendment I am showing a way out of the difficulty. I hope it will be accepted.

Mr. MARSHALL: The Minister emphasised the point that it is merely a license for a special privilege. If so, why the desire to get excess charges upon the wheels of a carrier's vehicle? The Minister says it is the person responsible for the care of public property that we have to look after. But the license is on the wheels of the vehicle, not on the person. I cannot understand why the member for Fremantle should take up the attitude that he does.

Mr. SLEEMAN: I am opposed to the Minister's amendment. People should not have to finance two or three licenses and then, at the end of the year, go to the department for a refund. The thing can be controlled just as well the other way as under the Minister's scheme.

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

New clause:

Mr. LINDSAY: I move—

That the following new clause, to stand as Clause 35, be added:—"Part I. of the Third Schedule to the principal Act (inserted by the Act No. 37 of 1924) is amended as follows:—Insert after the word 'cart,' in line

10, the words 'and motor wagon,' and after the word 'carts,' in line 14, insert the words 'and motor wagons.' "

This is dealing with farm vehicles used only on occasions for the carrying of wheat and materials between the farm and the railway siding. Such vehicles pay only one-fourth of the prescribed rates, with a minimum of 15s. The existing provision applies only to horse-drawn vehicles, but under the proposed new clause the farmers' motor wagons will be included, as will also the motor wagons of bona fide prospectors and sandalwood carters. The principle was embodied in the Act of 1924, and the proposed new clause merely extends it to embrace motor vehicles. There is no fear of any abuse of the principle, for if the vehicles be used more than occasionally, or over a distance beyond the railway siding, the licensing authority will not issue a license, except at the ordinary fee. For three weeks or a month during the year the farmer uses a motor lorry for carting his wheat, and for the remainder of the year that vehicle is used for carting super. out to the drills, or for occasionally running from the farm to the siding for stores. When I moved for the insertion of the principle in the Act of 1924, it was suggested to me that I should include motor wagons. However, I thought I had a big enough job to get a reduction in the licensing fee for horse-drawn vehicles, and so I left it to somebody else to move for the inclusion of motor wagons. It was not done, and to remove the anomaly I am doing it now. The new clause will give prospectors and sandalwood carters the same advantage as it will give to farmers and station owners.

The CHAIRMAN: This proposed new clause has given me some concern, and I have come to the conclusion that it is inadmissible for the following reasons: The effect of the proposed new clause would be to reduce the fee payable for motor wagons in certain cases. This Bill, whilst it does not deal with exemptions, does not anywhere touch the amount to be charged in fees. To accept the proposed new clause would be to re-open the whole question of fees, which is purposely left untouched by the Bill, and the proposed new clause, therefore, is beyond the scope of, and irrelevant to, the subject matter of the Bill as introduced.

Dissent from the Chairman's ruling.

Mr. Thomson: On a point of order.

The Chairman: Do you wish to move to dissent from my ruling?

Mr. Thomson: I should like to know the reasons for your ruling.

The Chairman: I have given them.

Mr. Thomson: Well, I move—

That the Committee dissent from the Chairman's ruling.

[The Speaker resumed the Chair.]

The Chairman stated the dissent.

Mr. Thomson: The question of fees is dealt with in the Bill and other amendments dealing with fees have been accepted by the chairman. An amendment previously accepted by the Minister for Works dealt with fees, it being an amendment of the carrier's license. Therefore I contend that the amendment of the member for Toodyay is quite in order: in fact I think it is consistent with your ruling last week.

The Minister for Works: I hold that the Chairman of Committees has ruled correctly. The Bill in no way touches the question of fees and the schedule is not being interfered with in any way. We have purposely refrained from touching the question of fees and the Bill does not reopen it. The question of exemption was dealt with the other night and the hon. member is mixing up the question of exemption or rebate with that of fees. The amendment in dispute aims at reducing a fee by 75 per cent., and as the Bill does not attempt to interfere with the schedule of fees, the amendment is irrelevant to the Bill.

Mr. Thomson: Before you give your ruling Mr. Speaker, I should like you to have before you the amendment moved by the Minister for Works this evening to an amendment submitted by the member for Fremantle.

Mr. Lindsay: Although there is nothing in the Bill as to what fees shall be charged, there is a mention of fees in Clause 35. Again the amendment tabled by the member for Fremantle, which the Chairman permitted the Committee to discuss for an hour, dealt with fees charged for a carrier's license. Consequently before ruling my amendment out of order, the previous amendment should likewise have been ruled out. To the amendment of the member for Fremantle the Minister for Works moved an amendment dealing with fees—

The Minister for Works: It in no way affected the fees.

Mr. Lindsay: It made provision for a refund in certain circumstances. Thus we have already discussed the question of fees. If the Committee were wrong in discussing it, objection should have been taken previously.

Mr. Sampson: I feel sure your ruling will be in favour of the member for Toodyay. Clause 37 states that Section 5 of the Traffic Act Amendment Act, 1924, is hereby repealed and such Act shall continue in operation as if that section had not been enacted. Section 5 limits the operation of the Act in the matter of fees, and the repeal of Section 5 means that the Committee affirmed the continuance of the imposition of fees indefinitely. Therefore I submit that fees are dealt with in the Bill, and consequently the member for Toodyay was in order in moving his amendment.

Mr. Latham: The title of the measure is a Bill for an Act to amend the Traffic Act, 1919. Clause 36 provides an amendment of Part III. of the Third Schedule. Therefore, I contend that the Third Schedule is open for discussion. The member for Toodyay proposed to amend the Third Schedule, and I submit that his amendment is in order.

Mr. E. B. Johnston: This is a point similar to that which you so wisely and properly decided a few nights ago.

Mr. Lambert: You are not addressing a jury.

The Premier: And you are not addressing the electors.

Mr. E. B. Johnston: On that occasion the Minister for Works sought to uphold the Chairman's ruling in the following words, "This amendment opens up a question which is not embodied in the Bill. It deals with fees which do not come within the scope of the Bill." That is the contention he has put forward to-night.

The Minister for Works: It was ruled that that was a question of exemption; it was not a question of fees.

Mr. E. B. Johnston: That is not so. I draw attention to Clause 7 of the Bill, which provides for an amendment of Section 10 of the Act, and that section deals entirely with the question of fees. Section 10 begins, "Fees shall be paid to local authorities for licenses as set out in the Third Schedule to this Act," and then follow two provisos containing exemptions.

The Premier: That merely proves that Section 10 of the Act deals with fees.

Mr. E. B. Johnston: And Clause 7 is an amendment of Section 10 of the Act.

The Premier: You can amend a section that deals with fees and yet not deal with the fees.

Mr. E. B. Johnston: The question of fees is open for amendment, and I submit is properly before the Committee.

Mr. Angelo: I should like to direct your attention to a ruling of the Chairman of Committees last evening on a point of order that I raised. We were dealing with an amendment made by another place to the Government Savings Bank Act Amendment Bill, a new clause that had nothing to do with the subject matter of the Bill.

The Premier: What nonsense! It had everything to do with it.

Mr. Angelo: There was no mention in the Bill that the State Savings Bank should be deemed to be an incorporated bank within the meaning of the Trustee Act.

The Premier: That was an amendment of the original Act and the Bill was to amend the original Act.

Mr. Davy: Is not this an amendment of the original Act?

Mr. Angelo: The amendment which the Chairman of Committees ruled to be in order was not the Premier's amendment. It came from another place, and was quite outside the scope of the measure.

The Premier: Not at all. Another place had a perfect right to pass the amendment.

Mr. Angelo: I think they had a perfect right to pass it, and I consider the member for Toodyay had a perfect right to move his amendment.

The Premier: What has the Savings Bank Act Amendment Bill to do with this one?

Mr. Angelo: The two questions are on all fours.

The Premier: You raised the point last night and said it was out of order. Now you say a similar point is in order.

Mr. Angelo: If it was in order last night, it is in order to-night, but my private opinion is that both are out of order.

The Premier: There is no analogy between that Bill and this one.

Speaker's Ruling.

Mr. Speaker: I must uphold the Chairman's ruling. What I said on a previous evening when an amendment to Clause 10 was proposed I repeat now: what is not contemplated or included

in an amending Bill dealing with another Act that does not of itself incorporate the whole of the other Act but excludes specifically, by non-mention, certain portions of it, cannot but be beyond the scope of the Bill. The Minister for Works has pointed out to-night that in the framing and the purpose of the Bill a distinction has been kept in mind between the fees fixed in the schedule and the exemptions made by the amending Bill. This distinction, I believe, is embodied in the purpose of the Bill, because the fees in the schedule are purposely left untouched. The exemptions with regard to the fees are dealt with in certain clauses of the Bill. That distinction would, therefore, make it irrelevant to deal with the whole schedule of the Bill, or with the whole of the fees as they are set forth seriatim in the schedule. These fees are not included in the purpose of the amending Bill. It is in accordance with these principles that the Chairman, I understand, has ruled to-night. The ruling was:—

The effect of the proposed clause will be to reduce the fee payable for motor buses in certain cases. This Bill, whilst it does deal with exemptions, does not in any way touch the amount to be charged in fees. To accept the new clause will mean the re-opening of the whole question of fees—

I might here add, in parentheses, that this is directly against the alleged purpose of the amending Bill.

—which is purposely left untouched by the Bill, and the new clause is therefore beyond the scope of and irrelevant to the subject matter of the Bill as introduced.

I must, therefore, uphold in this instance, as quite distinct from the ruling I gave the other night, the Chairman's ruling.

Committee resumed.

New Clause:

Mr. ANGELO: I move—

That a new clause be added to stand as Clause 35, as follows:—“Part I. of the Third Schedule to the principal Act (inserted by the Act No. 37 of 1924) is amended as follows:—Between the words ‘For every exceeding 300 P.L.W. 0 12 6’ and ‘For a locomotive or traction engine’ insert the words: ‘Provided that if it is proved to the satisfaction of the licensing authority that the license is required for a motor wagon employed in the North-West Province or for a motor wagon used for the carriage of ore and mining requisites within a mining area; or for a motor wagon used only in connection with the sandalwood industry; or for a motor wagon mainly used for the carriage of stock or for the carriage of supplies to and produce from

cattle and sheep stations—the fee shall be one-fourth of such prescribed fee, with a minimum fee of seven pounds.’”

I claim that this clause amounts to asking for exemptions. Last year a similar amendment that was brought up included horse-drawn vehicles. The Minister for Works, whilst agreeing to a reduction in the case of horse-drawn vehicles, objected to any reduction in the case of motor wagons. In the course of his remarks he said—

The same situation does not apply in the case of motor vehicles used by farmers. Along one railway I noticed that the bulk of the wool had been taken to Fremantle by motor. Motor tractors travel all over the State. The owner of a motor vehicle is deriving such advantage from having it that he is not asking for any relief. In my district there are probably more farm motor vehicles than in any other, but no one has asked for any concessions. It is not a reasonable amendment to put forward. We have gone to the expense of constructing railway lines and they should be used. It is due to the local authorities that they should have this money. They will keep all the fees.

I want this exemption particularly for the North-West, but have also included motor wagons that are used for the cartage of ore and sandalwood. In the North-West there are no railways except the Port Hedland-Marble Bar line, which affects only about a dozen stations. The argument of the Minister falls to the ground. I am asking for this concession for people living in a part of the State in which there are no railways. When the Minister was in my district recently he had a conference with the representatives of the three road boards in the Gascoyne area. They all asked that a concession should be made to the owners of local motor wagons. They acknowledged that they could not make roads which would be suitable for the motor wagons, and that they were not giving the motor owners that consideration to which the high fees charged entitled them. If the Minister agreed, the road boards were quite prepared to allow a rebate out of their own funds. The Minister says it is due to the local authorities that the fees should be collected, but in the North it was the local authorities themselves who recognised the injustice to the owners of motor wagons and suggested the making of a rebate to them. The North is twice as big as the South-West, and has only one small line of railway. Therefore in the North it is not a question of motor wagons competing with railways. Further,

the North has practically no roads; motor drivers have to cut their own tracks, and it is only at the crossings of rivers that the road boards are asked to make a piece of road available. I claim also that owing to the absence of made roads in the North and the motors therefore having to traverse extremely rough country, the wear and tear on vehicles there is three times as great as it is in the southern parts of the State. Tyres in the North do not last one-third as long as in the South, nor do they cover more than one-third of the distance to which they are equal down here. Then, too, the trucks themselves have only a short life in the North. Most northern owners of motor trucks are quite satisfied if they get two years' life out of the machines. The motor wagons are doing valuable work for the North, and the progress of that province would be seriously impeded if heavy fees and high cost of petrol drove the motor wagons off the roads there. These vehicles open up the country, and make outback life much more bearable because perishable goods, such as bacon and butter, can now be delivered on the stations, whilst the long journey by camel or horse team makes that impracticable. In my district no less than 90 motor wagons now operate. Most of them are owned by returned soldiers, who recognised the advantages of this class of vehicle during the war. They have the utmost difficulty in making a living. Owing to the disadvantages which I have enumerated, they cannot operate at a profit. It might be said that their best course would be to raise freights; but they cannot do that on account of the number of camel teams operated by Afghans, who quote even lower charges than those now paid to the unfortunate motor drivers. The station owners will not pay a much higher freight to get their wool in, and without the wool freights the motor drivers cannot carry on. The Minister for Works told us that the Government hope to spend a considerable amount of money on making roads in the North.

The CHAIRMAN: The hon. member is going a little beyond the clause.

Mr. ANGELO: The relief I ask for is of a temporary nature. As soon as roads have been made in the North, and the cost of operating motor wagons consequently reduced, these people will be glad to pay the same fees as are charged in the south.

The CHAIRMAN: I rule that the proposed new clause is inadmissible for the

same reasons as the new clause moved by the member for Toodyay, and for the additional reason that it differentiates between the North-West and other portions of the State.

Dissent from Ruling.

Mr. Sampson: I move—

That the Committee dissent from the Chairman's ruling.

The Chairman: The hon. member has stated his objection to my ruling in writing and has indicated that he disagreed with it on the ground that it was inconsistent with previous action. That is rather vague.

Mr. Thomson: Inconsistent with the previous ruling.

Mr. Sampson: Yes; I object to the ruling as being inconsistent with the action taken on that occasion.

[The Speaker resumed the Chair.]

The Chairman reported the dissent from his ruling and the grounds for the ruling he had given.

Mr. Sampson: It seems to me that the amendment is in order because of the precedent established at an earlier stage during the debate on the Bill. On that occasion the member for Cue moved an amendment to Clause 7 in the following terms:—

That the following words be added to the clause:—"And by inserting after the word 'purpose' in lines 8 and 9, the words 'or for any motor vehicle certified by an inspector of mines to be used bona fide by prospectors in the mining industry.'"

That affected license fees to be obtained. There was a long debate on the amendment but no objection was raised to it, nor was there any suggestion that it was out of order. The debate ended because of an assurance given by the Minister for Mines that the necessary funds to permit of this alleviation could more properly be provided from the Mines Vote. On that assurance the member for Cue withdrew his amendment. I would reiterate that no objection was raised at the time that the amendment was out of order.

The Premier: That would not make this amendment in order because another amendment might have been out of order!

Mr. Sampson: By permitting that discussion, a precedent was established.

The Premier: You do not follow a precedent if it is wrong.

Mr. Sampson: Hon. members did not argue that the precedent was wrong.

The Premier: You are merely arguing that this is right because of an earlier discussion.

Mr. Sampson: Yes, because the precedent was established. I endeavoured to show that by altering the clause, the incidence of taxation would be affected but we would continue to impose taxation. The Bill actually deals with licensing fees. For this reason I urge that the Chairman's ruling, in disallowing the amendment of the member for Gascoyne, should not be upheld.

Mr. Thomson: I also desire to dissent from the Chairman's ruling, because of the ruling you, Mr. Speaker, gave the other night when we were dealing with Section 10 of the principal Act, which reads—

Fees shall be paid to local authorities for licences as set out in the Third Schedule to this Act: Provided that any vehicle license required for any vehicle belonging to the Crown or to any local authority, or belonging to any fire brigades board or used exclusively for purposes connected with protection against fire or ambulance work, or for any locomotive or traction engine used solely for ploughing, reaping, threshing or other agricultural purpose shall be granted without any fee being paid therefor, but such exemption from fees shall not extend to locomotive or traction engines drawn or driven over roads from farm to farm for use, for hire or reward.

It also provided that a minister of religion should be entitled to obtain a license for one vehicle only, such vehicle to be kept for his own personal use. I had an amendment on the Notice Paper which was dealt with. It was to the effect that a person who had a vehicle used solely for taking his children to school should also be exempt from the payment of a tax on that vehicle. The amendment was considered relevant, but was defeated by the Committee. I maintain we are not increasing taxation, nor are we dealing with the whole schedule. All we ask is that one class of vehicle already provided for—I refer to farm wagons and other vehicles indicated in the amendment—should be placed on exactly the same lines as the Committee have already decided in another instance, when an amendment dealing with carriers' licenses was agreed to at the instance of the Minister himself. Therefore we are really dealing with fees. I maintain that this is relevant to the Bill. It is useless for the Minister to say they have carefully refrained from touching the question of fees, for the Bill is to amend an Act that

imposes fees. We must protect the privileges of members. We are governed by precedent, and so if we permit these things to go without contesting them, we may lose our privileges. I maintain that the ruling of the chairman was wrong, and that the amendment is relevant to the Bill.

Hon. W. D. Johnson: I regret that this point has been taken, because the previous decisions of the chairman on two amendments have been endorsed by you, Sir, and accepted by the Chamber. Had there been any doubt about your previous rulings, the responsibility of members was to move that those rulings be disagreed with. But they were accepted. If the previous rulings are sound, then unquestionably the present amendment is out of order, for it distinctly deals with fees. We should not bring the Assembly into ridicule. The House has accepted the decisions of the Speaker in respect of two points similar to this one; and those two decisions having been accepted, there can be no doubt that the present amendment is out of order.

Mr. Speaker: I think there is some confusion as to what is relevant to the Bill. Our own Standing Orders deal with the subject. Standing Order 277 reads as follows:—

Any amendment may be made to a clause, provided the same be relevant to the subject matter of the Bill, or pursuant to any instruction, and be otherwise in conformity with the rules and orders of the House;

The confusion arises through the arrangement of the Order. It continues—

but if any amendment shall not be within the Title of the Bill, the Committee shall extend the Title accordingly, and report the same specially to the House.

This is a Bill to amend the Traffic Act, and, therefore, the word "traffic" is used to make relevant to the Bill any subject at all. On these grounds of course we might include aeroplanes, which obviously would be beyond the scope or subject matter of the Bill. The Title can be amended if you go beyond the Title, provided the amendment has been strictly within the scope of the Bill and is relevant to the subject matter of the Bill. But you cannot amend the Title after an amendment has been moved that goes beyond or outside the scope or subject matter of the Bill. Now on the grounds of the ruling I have already given, the amendment proposed by the member for Gascoyne, notwithstanding any inaccurate acceptance of amendments that may have been moved

in the course of the history of this Chamber and to which no objection was taken and no ruling given—notwithstanding that, the amendment of the member for Gascoyne clearly goes beyond the scope of the Bill. This not only on the ruling that I gave a few minutes ago—which as the member for Guildford points out was not objected to, and therefore was accepted by the House—but also because the introduction of a principle of differentiating the scale into districts to make specific charges of fees in one particular province is clearly beyond the subject matter and scope of the Bill. Apart, I say, from matters that are on all-fours with the ruling I gave a few minutes ago, it is not part of the subject matter of the Bill either to include the whole of the schedule of fees under discussion, or to divide the State into minute districts for the purpose of fixing fees. Therefore I uphold the Chairman's ruling.

Committee resumed.

Title—agreed to.

Bill reported with amendments.

BILL—RESERVES.

Second Reading.

THE MINISTER FOR LANDS (Hon. W. C. Angwin—North-East Fremantle) [10.40] in moving the second reading said: I have lithos dealing with the reserves in question that I shall lay on the Table of the House for the information of members. I do not intend to occupy much time because this is a measure that can be better dealt with in Committee. It consists of several clauses dealing with requests from local bodies for certain powers to sell sites granted to them under trust and to purchase other sites. The Bill deals with agricultural hall sites at Perenjori, Yealering and Kulin, and in each instance a request has been made that as the present hall sites are inadequate, permission shall be given to sell to enable other sites to be purchased for the building of larger halls in keeping with the progress made by those districts. The Bill also provides for an alteration in regard to the recreation grounds at Dumbleyung. The areas at present held by the road board are too small, and the intention is to have one recreation ground for the district. The board desire to sell the small

areas and purchase a large area for a combined sports ground, show ground, and racecourse. Another proposal is to enable the Cue miners' institution trust to be dealt with. As far as I can gather several members of the trust are dead or have left the district or the State, and it is necessary that provision should be made for the surrender of the trust and for the area to be granted to the road board in the district. There is also a request from the Fremantle Trades Hall. Owing to changes in recent years it is desired to sell the present site and buildings and purchase near the Town Hall, Fremantle, another site which is more conveniently situated. It is desired to use the money for the purpose of building a new hall on that site. The Victoria district agricultural society holds a location under a 999 years' lease for a show ground. The society wish to mortgage the land for £1,500 in order to pay off an overdraft and erect a new building. The Manjimup road board have an old office that is considered to be too small, and they are building a new office and hall on a more convenient site. Consequently they desire to sell the old building and use the money for the erection of the new building. Provision is made also for an alteration to a reserve at Waddington, the settlers there desiring power to erect a new public hall on portion of a class "A" reserve and to sell the old hall which is vested in trustees. The Bill provides also for an alteration at Subiaco where there are two class "A" reserves, one vested in the Subiaco Council for recreation purposes, and another set apart for police quarters. In order to improve the recreation reserve it is desired that portion shall be excluded from the police reserve and added to it. This proposal is regarded with satisfaction by both the Council and the police. At Lake Grace a block of land was granted to the Presbyterian Church commissioners for hospital purposes, but owing to a mistake the hospital was erected on an adjoining block. Therefore permission is sought to make the necessary exchange. The Bill contains another provision similar to that introduced in the Bill of last year dealing with a reserve at South Perth. It is a class "A" reserve set apart for botanical gardens, but it has not been required for that purpose, the Zoological Gardens being considered sufficient. It is desired to set it apart as a recreation ground. There are also two reserves adjoining and as they are not required for the purposes for which

they were set apart, it is proposed that a portion fronting Labouchere-road should be declared a class "A" reserve for use as a parking ground for the cars of visitors to the Zoo. This Bill is really a Committee measure and it will be necessary for members, in order to understand exactly what is proposed, to study the lithos that I have placed on the Table. I move—

That the Bill be now read a second time.

On motion by Mr. Latham, debate adjourned.

House adjourned at 10.48 p.m.

Legislative Council,

Thursday, 23rd September, 1926.

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

LEAVE OF ABSENCE.

On motion by Hon. E. H. Gray, leave of absence for 12 consecutive sittings granted to Hon. W. H. Kitson (West) on the ground of urgent private business.

On motion by Hon. J. Nicholson, leave of absence for 12 consecutive sittings granted to Hon. A. Lovekin (Metropolitan) on the ground of urgent private business.

BILL—GUARDIANSHIP OF INFANTS.

Second Reading.

HON. G. POTTER (West) [4.35] in moving the second reading said: I have not the slightest doubt that with the usual application to duty that characterises hon. mem-

bers in this Chamber, they have studied the Bill and given it the close consideration it merits. Six years have elapsed since the present Guardianship of Infants Act was placed upon the statute book. During that period experience has been gained as the result of which the weaknesses and deficiencies of the measure have been disclosed. The intention Parliament had in mind at the time has not been fully carried out. It cannot be reasonably argued by anyone that the interests of a mother are not co-equal with those of the father respecting the welfare of their children. It is with the object of correcting an anomaly that exists in the present Act that the Bill is introduced. That this is necessary has not been determined by one or two, but by the experience of judges, justices of the peace and officers of the various courts that are handling this important phase of our social system. Experience has indicated that the interests of mothers are not adequately conserved under the Act as it stands. As the mother is equally interested in the welfare of her child as the father, it is unfortunate that the provision of the Guardianship of Infants Act rather tend to contemplate a minus quantity so far as the mother's position is concerned. Her rights cannot be asserted as the law stands to-day unless she resorts to the law court and proves to the satisfaction of a court that her husband is not a fit and proper person to have full control of her offspring. Hon. members, with their wide experience of the world, know that the majority of women with their sensitive feelings would recoil from such a formidable experience as the necessity to appear before a public court in an endeavour to substantiate such a charge against their husbands. We know the attitude of many women who are subpoenaed to give evidence in trivial cases in the courts. How much more would that attitude be displayed if they were to take the action indicated against their husbands in the law courts. Faced with the prospect of such an ordeal, many women would be inclined to subordinate their maternal instincts and by so doing tend to jeopardise the future of their children. They would do that rather than go on with an application to the court in which they would have to make allegations against their husbands' unsuitability to look after their respective families. While such women are in the minority, still there are women who are faced with the necessi-