

Hon. J. W. KIRWAN: I would like to know when they met.

Hon. J. Nicholson: To-day.

Hon. J. W. KIRWAN: I can hardly conceive it possible that the women of Western Australia would take that view. Is a woman to be punished because she has faithfully performed her duties as a wife? Is not she punished sufficiently by suffering from insanity? Is further punishment to be imposed on her because of her fidelity to the marriage arrangement by permitting the husband to cast her off? It is positively cruel, and I am opposed to anything of the kind. This is a most important question; several members have left for their homes, and it would be most unfair to send the amendment to a division in such a thin House. I hope progress will be reported.

Hon. A. SANDERSON: Is the information I sought last night, regarding the law in other States, available? I am fighting the Bill on one principle and that is on what is done in other parts of Australia.

Hon. J. NICHOLSON: I agreed to report progress last night to enable Mr. Sanderson to ascertain all the information he required. The duty to provide it does not devolve upon me. We are here to consider our own legislation, not the legislation of the other States.

Hon. A. SANDERSON: I am more than satisfied with the answer. The member in charge of this important Bill does not know the position in the other States, but wishes to throw on me and on other members of the Committee the onus to ascertain it. If I ever take charge of a Bill I hope I shall be able to answer any reasonable question. This is a reasonable question, and the hon. member professes himself ignorant on it.

Hon. J. W. KIRWAN: Does the leader of the House propose to sit after tea?

The Honorary Minister: No.

Hon. J. W. KIRWAN: Then I suggest that progress be reported. I have a medical book which I do not wish to start reading now but if the points it contains were brought before the Committee, they would have an important bearing on this discussion. The work is by Blandford and is entitled "Insanity and its treatment."

Hon. J. NICHOLSON: It is not fair of the hon. member to ask for further delay. Every opportunity has been given to make the fullest inquiries, and he should be satisfied with the decision of the women.

Hon. J. W. KIRWAN: What organisations were represented by the ladies who sent the letter?

Hon. J. Nicholson: The Women's Service Guild and the W.C.T.U.

Hon. J. W. KIRWAN: Have those organisations communicated with the ladies in my province? I can hardly believe that they have communicated with the women throughout the State during this morning. Evidently a few ladies met together as an executive and expressed this opinion. With all due respect to them, I am quite convinced they do not represent the views of the women of this

State. If the amendment is not agreed to, there will be some justification for the statement frequently made in opposition to man-made-law. It is a provision under which women will receive first consideration, and it is our duty to give them first consideration.

Hon. J. Duffell: Do you expect to carry the amendment by stonewalling tactics?

Hon. J. W. KIRWAN: I would like the hon. member to explain what he means. It is unfair to have to take a division on such an important question in such a thin House. I know of no instance where such an important question has been decided on a Thursday afternoon in a thin House.

[The President resumed the Chair.]

Progress reported.

House adjourned at 6.16 p.m.

Legislative Assembly,

Thursday, 2nd October, 1919.

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

QUESTION—SOLDIER SETTLEMENT, DANGAN DISTRICT.

Mr. GRIFFITHS asked the Premier: 1, How many different applications have been made by returned soldiers in the district covered by the Dangan local repatriation committee? 2, How many of those applications have been approved by the Soldier Settlement Board and how many refused? 3, How long was Inspector Sugden a resident of this State before he enlisted, and what were the qualifications on which he was appointed as lands inspector?

The PREMIER replied: 1, Information is not available, but can be obtained after communication with the local committee. 2, Answered by No. 1. 3, We have no information as to actual date of Inspector Sugden's arrival in Western Australia. He had five years' practical experience in pioneering in the wheat belt—he took up land in Latham in 1910. He has a knowledge of rough sur-

vey work, good clerical experience, and excellent references. He left Western Australia with the original 11th Battalion, and lost his left arm at Gallipoli.

BILL—TRAFFIC.

In Committee.

Resumed from 30th September. Mr. Stubbs in the Chair; the Minister for Works in charge of the Bill.

Clause 40—Regulations:

Mr. ROCKE: I move an amendment—

That after "vehicle" in line 2 of sub-paragraph (d) of paragraph (viii), Sub-clause 1, the words "or agricultural implements" be inserted.

It is a common and objectionable practice for farm implements having sharp edges and bevelled wheels to be drawn over the road from the dépôt to the railway, to the great damage of the road.

The MINISTER FOR WORKS: There is no necessity for the amendment. The clause is quite clear. It is to prohibit or regulate the use on any road of any vehicle. The agricultural implements referred to by the hon. member are vehicles, because they have wheels. The definition of "vehicle" in the Bill covers agricultural implements.

Mr. ROCKE: On referring to the interpretation, I see that the Minister is right. I withdraw the amendment.

Amendment by leave withdrawn.

The MINISTER FOR WORKS: I move an amendment—

That after "any" in line 2 of sub-paragraph (g) the words "vehicle or" be inserted.

Amendment put and passed.

Hon. P. COLLIER: Paragraph (ix), sub-paragraph (a), provides for the periodic licensing of camel drivers. We do not provide for the licensing of men driving horses. Why place this imposition on camel drivers?

The MINISTER FOR WORKS: Practically the whole of this part of the Bill is taken from the Roads Act. I am not aware what reasons impelled the Legislature of the past to insert these provisions, but I am confident that this one would not be in the Bill if there were not some occasion for it.

Mr. UNDERWOOD: When camels first came to this State they were in charge of Afghans, and it seemed wise to impose a penalty on those Afghans. That is why these provisions were first made law. But camels are now being handled by white men, our own fellow citizens, who should not be penalised any more than the drivers of horses. In the Gaseoyne and the Murchison districts camels are almost exclusively used, and it is unfair that these provisions should be allowed to remain, seeing that the reasons for their invention no longer exist.

Hon. P. COLLIER: I move—

That sub-paragraph (a) of paragraph (ix) be struck out.

Mr. SMITH: After the explanation given by the member for Pilbarra I am disposed to move that all the sub-paragraphs from (a) to (g) be struck out.

The MINISTER FOR WORKS: From the remarks of the member for Pilbarra it appears that there is a good reason for striking this out.

Amendment put and passed.

Mr. SMITH: I move an amendment—

That sub-paragraph (b) be struck out.

Amendment put and passed.

Mr. SMITH: I move a further amendment—

That sub-paragraph (c) be struck out.

The MINISTER FOR WORKS: I cannot see any reason for striking this out. It was framed at the instance of the Kalgoorlie Road Board and there must be some justification for it. I should say that it is a proper provision to have in this Bill.

Mr. SMITH: I am surprised to hear that the Minister has gone to the Kalgoorlie Road Board for instructions. There are no camels in that district. Why should not the Minister legislate for other parts of the State where there are camels? The Minister should give some good reason for the retention of this sub-paragraph, for in my opinion it is most unfair and will impose a penalty on the North-West districts.

Mr. MALEY: Drivers of vehicles along the road have to exercise care that they do not cause danger to other vehicles. Horses have a great fear of camels, and a long string of camels will often cause the driver of a horse team endless trouble. Some restriction should be imposed upon the number of camels that a man may drive.

Mr. ANGELO: I am in favour of the amendment. If the sub-paragraph is left in some officious local authority may impose great handicaps upon camel owners. The number of camels that travel together depends upon the length of the journey, more being used for a long journey than for a short journey. Not much danger is likely to occur through camels travelling in out-back districts. I do not agree that camels frighten horses. As a matter of fact, a camel is usually more afraid of a horse than a horse is of a camel. I have frequently seen a horse and a camel coupled on to the same vehicle.

Mr. MUNSIE: I support the retention of this sub-paragraph, but I wish the Minister would give us some idea of what he contends is a fair number of camels for one man to drive. Unionists object to a man driving two or three teams at once, for this keeps other men out of a job. It is only a reasonable thing to limit the number of camels that a man may drive.

Hon. W. C. ANGWIN: This is not a regulation, but only gives the right to make one. It may be necessary in some parts of the State to do this. If this sub-paragraph is struck out, it will be impossible to make such a regulation. If one is made that is of too severe a nature, hon. members have an opportunity of objecting to its being put into effect. I hope this sub-paragraph will not be struck out.

Mr. UNDERWOOD: Under present conditions there should be no restrictions on camel drivers that are not imposed on horse drivers, bullock drivers, or donkey drivers. I do not think that a man leading a string of camels could manage 20. On the other hand, a man driving camels attached to a wagon three abreast, can handle 17 of these animals; and if he has a particularly heavy load, or if he has some heavy ground to get over, he can put on another ten camels and still handle them. As regards danger to horses, the member for Greenough must be thinking of the early days of the camel. In districts where camels are common a horse is no more afraid of them than a horse in the metropolitan area is afraid of a motor car. Members representing districts where camels are not used should not seek to interfere as regards districts where camels are commonly employed. On the rabbit-proof fence it is common to see two horses attached to a wagon with from eight to 15 camels in the lead. In fact, a camel has considerably more fear of a horse than a horse has of a camel. We should allow the camel to be an ordinary beast of burden in the matter of restrictions and license fees. In the past the iniquitous fee of £1 per camel imposed by road boards was collected chiefly from Afghans; but white men are now driving camels. As a matter of fact, camels do not do nearly as much damage to roads as horses do.

Amendment put and passed.

On motions by Mr. SMITH sub-paragraphs (d), (e), (f), and (g) were struck out.

The MINISTER FOR WORKS: I move an amendment—

That the following be inserted to stand as paragraph (xiii): "Prescribe license fees to be payable for any class of vehicle not specified in the Third Schedule, and prohibiting the use on roads of any such vehicle unless a license is obtained and a license fee paid."

Hon. W. C. ANGWIN: The powers asked for by this amendment are very wide. The other vehicles which the Minister proposes to license should have been included in the Third Schedule. Unless the Minister can give some good reason for this amendment, it should not be carried.

The MINISTER FOR WORKS: Since the Bill was printed, a new vehicle has been introduced into Western Australia, as figured in the catalogue I hold in my hand. The vehicle does not appear to have any special

name, but it might be called a glorified scooter worked by a motor. The fees provided in the Third Schedule might be too heavy for such a vehicle.

Mr. Smith: Does not the definition of "motor car" cover that vehicle?

The MINISTER FOR WORKS: No.

Amendment put and negatived.

Clause as amended agreed to.

Clauses 41, 42—agreed to.

Clause 43—Fees relating to camels:

The CHAIRMAN: This clause will be struck out consequentially.

Clauses 44, 45—agreed to.

Clause 46—Tramways:

Hon. W. C. ANGWIN: The clause should be struck out. The Tramways Act provides all that is necessary.

The Minister for Works: This clause does not affect the Fremantle Tramways.

Hon. W. C. ANGWIN: Yes, it does. I note that the Government do not desire the clause should apply to the Government Tramways in Perth. It is better to leave the local authorities to deal with trams running in their districts. As regards the Perth tramways, the various local authorities through whose districts those trams run, can, if they so desire, fix stopping places. If this clause passes, they will no longer be able to do so. Why should the Public Works Department frame regulations for tramways in Kalgoorlie or Fremantle, and not for tramways in Perth? I hope hon. members will reject this clause. There are only three schemes in the State, those at Kalgoorlie, Fremantle, and Perth.

The MINISTER FOR WORKS: There is no intention to interfere with the Fremantle or Perth tramways. The altered method is to give the Governor power to make all regulations and to meet special conditions where local authorities want special regulations of their own. The Governor may then delegate powers to them in like manner to other traffic. This applies to private tramways of which there are the Kalgoorlie trams which run through the Kalgoorlie and Boulder municipalities, and the Kalgoorlie road board. Then there is the Leonora tramway.

Hon. W. C. Angwin: Not now.

The MINISTER FOR WORKS: Part of that tramway has been dismantled, but I am informed that part is still being used. The clause will be very useful if any other tramway schemes are undertaken in future as it might be necessary to make regulations to govern them.

Mr. ROCKE: If we also excluded tramways owned by any local authority, that would meet the wishes of the member for North-East Fremantle.

Hon. T. Walker: That would exclude all of them.

Mr. ROCKE: It would retain the clause in the event of tramways being run by private companies.

The MINISTER FOR WORKS: I would sooner see the clause struck out than emasculated.

Mr. ROCKE: I move an amendment—

That after "tramways" in line 2 of the proviso, the words "nor to tramways owned by any local authority" be inserted.

The MINISTER FOR WORKS: If the amendment is passed there will be nothing for the section to apply to.

Mr. Munsie: It would apply to the Kalgoorlie tramways.

The MINISTER FOR WORKS: No, it would not. I hope the amendment will not be accepted.

Hon. W. C. ANGWIN: Under the Tramways Act, the local authorities have power to make regulations to control the trams, whether privately or municipally owned. If the clause is passed, this power will be taken from the local authorities and placed in the hands of the Governor-in-Council. I think the powers under which the Perth tramways were constructed reserve this right to the local authorities. I am a member of the Fremantle tramway board, and also of the Fremantle council. There is a move on foot to curtail the stopping places, to which the council object, on the ground that stopping places are for the convenience of the public, and should not be reduced in number. If the local authority did not have power in such a case, pressure might be brought to bear in a manner which would be inimical to the convenience of the public.

The Minister for Mines: If you stop every car half way between blocks, all the traffic is held up.

Hon. W. C. ANGWIN: I am referring to stopping places which have been in existence ever since the trams have been running. The local authorities know best where such stopping places should be; the Government are not concerned in any way.

Mr. ROCKE: I am still of opinion that if the amendment is passed it will meet the wishes of the member for North-East Fremantle.

Hon. W. C. Angwin: I want the power retained for Kalgoorlie also.

Amendment put and negatived.

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

Ayes	13
Noes	14

Majority against .. 1

AYES.

Mr. Angelo	Mr. Nairn
Mr. Draper	Mr. Piesse
Mr. Durack	Mr. Scaddan
Mr. George	Mr. Underwood
Mr. Maley	Mr. Willmott
Mr. Mitchell	Mr. Hardwick
Mr. Mullany	(Teller.)

NOES.

Mr. Angwin	Mr. Rocks
Mr. Brown	Mr. Smith
Mr. Cbesson	Mr. Walker
Mr. Collier	Mr. Wilcock
Mr. Gardner	Mr. Wilson
Mr. Lutey	Mr. Munsie
Mr. O'Loughlin	(Teller.)
Mr. Pilkington	

Clause thus negatived.

Clauses 47 to 49—agreed to.

Clause 50—Power of road authorities to recover expenses of heavy or extraordinary traffic:

Mr. ROCKE: I cannot understand the language in the second part of the third line of this clause. I move an amendment—

That in lines 2 and 3 the words "which is liable or authorised or has undertaken to repair" be struck out, with the view of inserting others.

Amendment put and negatived.

Clause put and passed.

Clause 51—Unauthorised use of vehicles:

Mr. ANGELO: I move an amendment—

That after the word "use" in line 4 the words "or tamper with any" be inserted.

The clause as it stands does not provide for anyone tampering with a vehicle, and I suggest the addition of the words which I have read. The clause will then cover any person who, without authority, assumes control, or uses, or tampers with, any vehicle. We have had instances where people have tampered with motor cars standing in the street and it is to reach those people that I suggest the clause should be amended.

The Minister for Works: I will agree to the amendment.

Hon. W. C. ANGWIN: The Minister has very readily agreed to this amendment, but can he tell us the meaning of the word "tamper"? If a man puts his hand on a vehicle he is tampering with it. He might also put his foot on the step of a vehicle and in that way tamper with it. The object of the clause is to prevent persons from stealing cars or damaging them. The word "tamper" covers almost everything under the sun.

Mr. ANGELO: We have had cases recently of men not competent to drive cars endeavouring to take them away for the purpose of indulging in joy rides, and in that way they have damaged the machinery. The only way to get at such people is to amend the clause in the direction I have suggested.

Mr. NAIRN: There have been instances where those who have been about to interfere with cars have given the excuse that they were only looking over the car. I will give an instance of the manner in which a car may be tampered with without being damaged. A car may be left in the street locked but anyone with a knowledge of motor engines could lift the bonnet of the car and by means of a little manipula-

tion establish a circuit, and in that way drive off. That would be tampering with the car.

Hon. T. WALKER: The word "tampering" is altogether too vague a term to make a man a criminal over. The member for North-East Fremantle is correct in the statement that this clause has a specific purpose. There have been those who have stepped into a car and driven it away and in that way have practically stolen it for the time being, and it has not been possible to bring any charge against them in the police court. The clause particularly deals with that offence.

Mr. Mullany: The clause should not be in this Bill; it should be in the Criminal Code.

Hon. T. WALKER: Whether it is wise to insert it here, or in some other measure, is another question. The clause deals with a specific offence and we cannot be too particular in the criminal law, where imprisonment is the penalty. We cannot confuse a lot of issues and embrace in the one drag-net, as it were, everything from merely touching a car to interfering with it in any way and actually driving off with it.

The Minister for Works: The magistrate dealing with the case would exercise common sense.

Hon. T. WALKER: The magistrate deals with the wording of the Act, and not with common sense. I have repeatedly heard judges taking the Legislature to task for limiting their power of discretion and judgment. The magistrate is bound by the words in the statute and must take those words as they stand. Let us have another provision if you will, but do not let us put into this any reference to tampering with cars. Do not let us mix two issues.

Hon. W. C. ANGWIN: The amendment contains a very serious proposition. The words have an exceedingly wide interpretation, and the penalty provided is very heavy. If a person damages a car, he should be made pay for the damage done. Why should a person, because he has a motor car, have a special provision inserted for him as against the owner of any other form of vehicle?

The Honorary Minister: Because as a rule the motor car is more valuable than any other vehicle.

Hon. W. C. ANGWIN: Why, because some slight damage is done, should provision be made, not only for damages but for a heavy penalty?

The Honorary Minister: Suppose one tampers with the key and runs your battery down. You could not prove damage, yet the resultant inconvenience might be very great indeed.

Hon. T. Walker: Damages could be claimed on the score that he had stolen your electricity.

Hon. W. C. ANGWIN: The amendment is exceedingly dangerous. Yet the Minister accepts it in a light-hearted manner, not-

withstanding that he has stoutly fought other amendments of little or no importance.

The Minister for Works: This will do no harm.

Hon. T. Walker: But do not let us mix up two separate issues.

Hon. W. C. ANGWIN: The penalty provided is too severe for so elastic a word as "tamper." Moreover, I object to special legislation for the special protection of motor car owners.

Mr. Nairn: I have known a car man screw the cap off the wheel of his competitor and let him down on the road.

Hon. W. C. ANGWIN: The sufferer could have taken action for damages against the other man. Under this amendment he might even have him sent to prison. To my mind a suit for damages would fit the offence. It is wrong to insert in an Act of Parliament so wide a word as "tamper."

Mr. ANGELO: I agree with the member for North-East Fremantle that this is a serious addition to the Bill, but I intend it to be so. Motor-cars cost from £300 to £2,000, and there should be some means of preventing people from tampering with such valuable vehicles. This amendment is intended to enable the law to reach a man who takes unlawful possession of another man's motor-car, and, though he may have no knowledge of how to drive it, so tampers with the machinery that considerable injury is done to it.

Mr. SMITH: I support the amendment. No means have been available of getting hold of persons who indulge in joy rides in other people's motor-cars, and that position should be remedied. There is also the other class of persons who go about tampering with motor-cars, not necessarily doing any damage to them, but interfering with them in such a way as in all probability to lead to an accident. Such persons, too, should be brought within reach of the law.

Hon. T. WALKER: My objection to the amendment is that it confuses issues that are distinct from each other. The object of the clause is definite, and it carries out that purpose as it is worded. Is it the intention of the Committee that all kinds of other offences should be mixed up with this particular offence of unlawfully using another person's vehicle? Parliament cannot be too clear and definite in these matters, and there must be no excuse for a magistrate or a judge for not understanding the law.

Mr. Smith: Will you support the amendment if it is inserted in another clause?

Hon. T. WALKER: I have no objection if words of a less ambiguous nature are employed. I refer particularly to the word "tamper." If a person interferes with a motor-car without doing any injury to it, he is trespassing on another person's property, and the law as it stands to-day already deals with trespass of that nature. The object of the clause is to prevent people, who have taken motor-cars away without authority, excusing themselves by saying that they were

only going for a joy ride, in which circumstances they could not be charged with stealing or appropriating the vehicle.

Mr. Smith: How is it they have not been charged with trespass?

Hon. T. WALKER: In order to make the offence more criminal such persons have been charged with stealing. We are now making it an offence for anyone to drive a motor-car without the consent of the licensed driver or owner. Let us not mix our acid with our alkali in the same bottle.

Hon. W. C. ANGWIN: I hope the hon. member will withdraw his amendment so far as this clause is concerned. I do not like the word "tamper."

Mr. Angelo: Why not supplement the word "interfere"?

Hon. W. C. ANGWIN: Perhaps the hon. member will withdraw the amendment, and alter the wording.

The CHAIRMAN: I suggest that the hon. member should move to strike out the word "tamper" and insert the word "interfere."

Hon. W. C. ANGWIN: I would rather that the amendment were withdrawn and a new clause drafted.

Mr. ANGELO: On the understanding that members will agree to a clause to this effect being inserted in the Bill I will withdraw the amendment.

Amendment by leave withdrawn.

Clause put and passed.

Sitting suspended from 6.15 to 7.30 p.m.

Clauses 52 to 62—agreed to.

Postponed Clause 10—Fees:

The MINISTER FOR WORKS: I move an amendment—

That at the end of the second paragraph the following words be added:—"but such exemption from fees shall not extend to locomotive and traction engines drawn or driven over roads from farm to farm for use, for hire or reward."

This is carrying out the promise I made to the member for South Fremantle.

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

Postponed Clause 31—Not to be liable for damage to traction engine:

Clause put and passed.

New clause:

Mr. SMITH: I move—

That the following new clause be added to the Bill:—"Paragraph (a) of Section 237 of the Municipal Corporations Act, 1906, and Section 147 of the Roads Act, 1911, are hereby repealed."

The paragraph in question in the Municipal Corporations Act reads—

At least two persons shall be employed with each locomotive, one of whom shall on foot precede the locomotive when in motion, and who shall in case of need assist

riders and drivers or horses and carriages passing the same.

Hon. P. Collier: That is the chap with the red flag.

Mr. SMITH: Yes, although it does not say anything about the red flag.

Hon. P. Collier: This is an attack on the red flag.

Mr. SMITH: I assure the leader of the Opposition that my amendment is in no way intended to attack the famous red flag. This business goes back to the days of George Stephenson, when the locomotive was a novelty.

Mr. Rooke: And the only man who was ever killed by one of these street locomotives was the man who carried the red flag in front of it. That actually happened in Victoria.

Hon. W. C. ANGWIN: The sections in the two Acts referred to should not be interfered with. The locomotives such as those owned by the Swan Brewery, and which are driven about our streets, are a menace to those who drive vehicles, particularly women. It is only right and proper that there should be somebody available to render assistance in the event of difficulties arising out of horses becoming unmanageable through taking fright at these steam engines.

Mr. Smith: The proper place for the man with the flag is at railway level crossings.

The MINISTER FOR WORKS: The member for North Perth is not quite right. The section in the Municipalities Act provides for the use of steam rollers under certain restrictions, one of which is that two persons shall be in attendance. It is not merely the steam from the engine that causes trouble, but the noise and rattle that comes from the heavy machine passing over newly laid metal. The hon. member is thinking about the old law under which traction engines on country lanes were required to have an attendant in front to give warning of the coming of the engine. The provision proposed to be struck out is a good protection.

Mr. ROCKE: It would be wise if the existing provision were allowed to remain. It may be necessary at times to have at hand a man who could render assistance in the case of a horse being frightened by a traction engine or steam roller. Only on one occasion in Australia has anybody been injured by a steam roller. That was in Victoria, when the man carrying a flag in front of a roller was run over by the roller.

Mr. UNDERWOOD: I support the amendment. We have evidence that an attendant walking in front of a steam roller was run over by the engine.

Hon. P. Collier: There should have been a man in front of the man in front.

Mr. UNDERWOOD: Out of consideration for the man carrying the flag in front of a steam roller we should cut out the existing provision. If a horse has made up its mind to shy at the engine, it does not matter

whether there is a man in front with a red flag or not. I once had a horse that would go off the road looking for something to shy at. We should cut out this useless attendant in front of the steam roller, especially when we remember that one of them has been run over while on duty. If we could get a man fast enough to carry a red flag in front of a motor car, he would be doing useful work.

Hon. W. C. ANGWIN: There is nothing in the Municipalities Act providing for the carrying of a red flag in front of a steam roller. The work of the man in front may be of an unproductive nature, but it is sometimes necessary to employ men on non-productive work as, for instance, members of Parliament. A steam roller in action frightens nearly every horse that passes, and it is quite necessary to the public safety that there should be an attendant in front of the roller.

Mr. Nairn: Why not put a speed limit on the roller?

Hon. W. C. ANGWIN: Frequently the driver of a motor car finds it necessary to leave his car and render assistance in the case of a frightened horse; yet a motor car makes not one-twentieth part of the noise of the steam roller. I hope the Committee will not agree to the new clause.

Mr. MUNSIE: I do not know of a single instance of the man in front of a steam roller rendering assistance in the case of a frightened horse. Why, then, should we compel any local governing authority to pay a man to walk in front of a steam roller? I hope the Committee will agree to the new clause.

Proposed new clause put and a division taken with the following result—

Ayes	16
Noes	12

Majority for 4

AYES.

Mr. Angelo	Mr. Nairn
Mr. Chesson	Mr. Piesse
Mr. Collier	Mr. Pilkington
Mr. Durack	Mr. Smith
Mr. Lutey	Mr. Underwood
Mr. Maloy	Mr. Willcock
Mr. Mullany	Mr. Wilson
Mr. Munsie	Mr. O'Loghlen

(Teller.)

NOES.

Mr. Angwin	Mr. Hudson
Mr. Draper	Mr. Mitchell
Mr. Gardiner	Mr. Roche
Mr. George	Mr. Scaddan
Mr. Griffiths	Mr. Walker
Mr. Hicknott	Mr. Hardwick

(Teller.)

New clause thus passed.

New clause: License fees to be pooled and distributed amongst local authorities:

Mr. PIESSE: On behalf of the member for Sussex I move—

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

This matter was discussed at length a few nights ago and there should be no need to repeat the arguments.

Mr. PILKINGTON: I shall oppose the clause. It is not well thought out. To leave this matter in the hands of the Minister is most objectionable. Whatever he does will be considered unsatisfactory by those concerned. The present system is rough and ready, but is as good as we can get. There are anomalies, but they will be found in any system. On the Perth-Fremantle road, there are local authorities who receive very small license fees in comparison with the traffic, but there are many motor cars which frequently use the streets of Perth and which pay no license fees to the city council. A large number of motor cars throughout the State, and practically all motor cars paying license fees to suburban authorities, use the city roads.

Mr. Smith: The owners come to Perth and spend their money and so benefit the rate-payers.

Mr. PILKINGTON: Perhaps so, but the pooling system will be extremely difficult, and will not be so effective or satisfactory as the present system.

The MINISTER FOR WORKS: This question has been before Parliament on two previous occasions. The member for Perth might have carried his argument further. The roads outside Perth are used by vehicles supplying material and delivering goods, for which those who sell the goods receive payment. The bulk of the people who use the city roads come in to spend money and obtain supplies, and any use they make of the roads of Perth is more than compensated for by the business they do. The Perth municipality receives fees for 1,174 motor vehicles, while the neighbouring local bodies issue licenses to only 600 such vehicles. From our experience of the Perth-Fremantle road, the traders of Perth, by the traffic of their

vehicles, do more damage to the roads outside Perth than do the people in those districts. The census taken proved beyond doubt that 45 per cent. of the traffic on the Perth-Fremantle road is provided by Perth, and that traffic is principally the result of the trade of various merchants, shopkeepers and others exercising their callings in Perth. To show the unfairness of the present system, the Claremont road board, having $2\frac{1}{4}$ miles of road to maintain, received only one license fee towards the upkeep of their portion of the road—a decimal per cent.—while the Perth council took 45 per cent. That census might be disputed, but the figures for the Perth-Fremantle road and the Perth-Subiaco-Karrakatta road came out as nearly as possible the same, which indicates that the guide is a fair one. The new clause may require some amendment, and the member for Perth might suggest any necessary alteration to the verbiage. The Government did not introduce this clause. When moving the second reading, I stated that I had omitted the pooling system because it was desired to get the measure passed into law, and there had previously been trouble over the pooling provisions. It was open to any member to introduce this system, and it has been introduced at the instance of the member for Sussex, and it now rests with the Committee to say whether it shall be adopted.

Mr. SMITH: A good deal might be said in favour of the pooling system, because many country road boards are penalised for the upkeep of roads for the benefit of foreign traffic. The member for Perth referred to vehicles coming from outside the City and making use of the City roads. I would point out that those people coming from the country spend their money in Perth, and the ratepayers of Perth, therefore, derive an indirect benefit from that fact. I gather that the Minister is favourably disposed towards the principle of the pooling of license fees, but I am surprised that he has not come forward with a comprehensive scheme in this direction. Until I am more satisfied on this matter, I do not intend to vote for the amendment.

Hon. W. C. ANGWIN: I am of opinion that the fees in the metropolitan area should be pooled. The police will control the traffic in the metropolitan area but not in the country districts. If we adopted a section of our existing laws which make the Minister the licensing authority, in every district or sub-district in the metropolitan area, we would get over the difficulty. The only trouble I can see in that regard is as to the new definition of "district." Western Australia must have altered very much of late if the Government are to get anything out of road boards. If the local authority has to collect the fees and send them on to the Minister, less 10 per cent., I am afraid he will not get very much. The road boards are assisted by the Government in the upkeep of their roads, but municipalities derive no assistance from

this source. Some of the local bodies have ceased to be municipalities and have returned to the position of a road board in order to get this subsidy from the Government. If all the districts followed suit, the Government would probably have to consider seriously the question of paying these subsidies. It is my intention, if the proposal is defeated, to move to insert a new clause along the lines of the section I have referred to. It is almost impossible to so alter this proposed new clause as to embody all that I desire.

Mr. MALEY: I hope the new clause will be carried. If the Committee take away from the local authorities the right to demand the recovery of license fees paid into the funds of another local authority, when they should have been paid to them, it is necessary to insert some provision to take the place of that right. Most of the license fees for new motor cars are collected by the Perth City Council, and the local authority of the district in which the owner of a new car resides should have some power of recovering the fees that are paid for that particular year. The same remarks apply also to such centres as Banbury and Geraldton.

Mr. PILKINGTON: It is somewhat astonishing to hear the Minister now intimate, before the matter has received full consideration and been fully discussed, and after having selected the non-pooling system as being the principle of the Bill, that this system has been deliberately discarded.

The Minister for Works: Is that fair, after what I have said?

Mr. PILKINGTON: It is quite accurate and fair. It is not the first occasion that this has happened. We sit here striving as best we can to frame a suitable Bill, but this kind of thing makes the whole business grotesque, and the results of our labours are not likely to be satisfactory. What this Bill has now become Heaven only knows.

The Minister for Mines: You helped to make it what it is. I am sure you did not know what you were voting on just now.

Mr. PILKINGTON: I was well aware what I was voting for and I am certain I voted for what was right. It has been suggested by the Minister and by the member for North Perth that the principle now sought to be introduced is fair because motors coming into Perth from outside do business here, and that this is good for the ratepayers. Is it going to be suggested that that is the principle on which the Bill is drafted? I venture to say it is not. As I understand, the principle which was intended in this Bill was to enable those road boards and local authorities whose roads were used, to receive as far as possible the proceeds of the licensing. Now we are told that the Bill is to proceed upon an entirely different principle, and the question is to be asked, how far the traffic coming in is good for the ratepayers into whose district it comes.

If that is really the principle, the Minister, when under this amendment he comes to apportion the fees, will have to go into that question. No Minister under heaven would ever dream of doing it. If a Minister did attempt it, he would be quite unable to arrive at any fair result. The Minister's figures do not appear to carry his case further. He says that roughly there were about 1,200 licenses in the city of Perth, and about 600 in the metropolitan area outside the city. His argument was that because there were 1,200 licenses of motor cars of certain classes in Perth, and only 600 in the surrounding metropolitan districts, obviously Perth was getting an unfair proportion of the fees if it got the fees from 1,200 licenses while the surrounding metropolitan districts got fees from only 600 licenses.

The Minister for Works: That is not my argument at all.

Mr. PILKINGTON: That is the most favourable way of putting the Minister's argument. While there are in the city of Perth, as naturally there are in every metropolis, numerous motor cars that do almost all their work within the city boundaries, the motor cars which are housed outside the city boundaries, but close to the city, mostly do a large proportion of their work inside the city boundaries. The figures of 1,200 and 600 licenses do not appear to me to bear out the Minister's argument at all. If those figures are to be taken as indicating the general proportion of licenses within the city to licenses in the metropolitan area outside the city, they rather suggest that the traffic within the city is, in proportion, greater than the amount of fees which the city receives.

The MINISTER FOR MINES: From the last speaker's remarks it is very evident that he has not a good case. In the interests of the constituency which he represents, he is naturally trying to lead the Committee to a certain conclusion. But that conclusion cannot be established from facts or from actual experience. The pooling arrangement suggested by the amendment would include all license fees from all classes of vehicles, and what has to be taken into account is the total amount received from all such licenses. The number of licenses issued by the Perth City Council is over 6,000. Fully 4,000 bicycles are licensed by the City of Perth, and that is because the City of Perth has made a regulation that every possessor of a bicycle within riding distance of the City of Perth must register that bicycle, or else he cannot come into Perth with it. The total of license fees collected in the metropolitan area, from the Darling Ranges to Fremantle, is £6,085 11s., of which total the Perth City Council collect £4,016. The total collected by all the road boards in the metropolitan areas is £1,508. Thus the total of license fees collected by municipalities and road boards in the metropolitan area is £7,589, of which the Perth City Council gets £4,016. The member for Perth contends that all the

motor cars licensed within the metropolitan area use chiefly the roads within the city boundaries. But is not the very contrary the fact? Is it not the fact that motor cars housed within the city boundaries use the roads outside those boundaries more than they do the roads within those boundaries? The city of Perth gains great advantage from the present method of distribution. If that is not so, why does the City of Perth always contend for the present system? Within the City of Perth is property which is highly ratable. But what is the ratable value of property, for instance, along the Perth-Fremantle road? I want to make the position clear to country members. The total of license fees of all descriptions collected within the metropolitan area is £11,622, out of a total of approximately £22,000 for the whole State. It is extremely questionable whether, if that amount were allotted on the basis suggested by the amendment of the member for Sussex, the outside authorities would get more than they are getting now, or even as much. We have now an opportunity of collecting the fees on vehicles throughout the State so as at least to keep our main roads in decent condition. From that aspect alone the pooling system would be to the advantage of the State. We are living in an age when it is essential that people should get about speedily. Under a system of pooling the fees in the metropolitan area, each of the districts providing for the upkeep of roads would get its proportion according to the mileage of roads used, with the result that the roads would be kept in better condition. The time is close at hand when the Government or some other body must find ways and means of providing for the maintenance of some of our main arteries of communication. I believe the proposal of the member for North-East Fremantle will meet the needs of the situation. As the law stands, the man who has a business in Perth and lives in Claremont or Cottesloe, can license his motor car in Perth, because the car is part of his business plant. But the intention is that the fee should be paid to the local authority of the district where the car is housed. As regards the strictures of the member for Perth on the Minister in charge of the Bill, surely the hon. member would not suggest that a Minister should pay no heed to arguments advanced in Committee. Moreover, this particular provision was mentioned by the Minister in moving the second reading.

Mr. Pilkington: The Minister said it was the only honest method, and he adopted another method.

The MINISTER FOR MINES: While we have the opportunity, we ought to try to secure an equitable method of collecting the fees and distributing them. I favour the suggestion of the member for North-East Fremantle.

Mr. NAIRN: If this amendment is carried, would I be able to move an amendment in the second part of the proposed new clause?

The CHAIRMAN: No. The hon. member would have to move such an amendment now.

Mr. NAIRN: I wish to deal with paragraph (b) of Subclause 1, the effect of which is that local authorities shall be entitled to retain 10 per cent. of the amount of fees they collect. I want to know if there is any necessity for this, because I take it that once these fees have been collected and handed to the Minister they will then be distributed on an equitable basis as decided by the Minister. Under those circumstances the road boards and other local authorities will receive back from the Minister their proportionate shares. Why make any deduction whatever? If the intention of the clause is carried into effect, the Minister will return and distribute the whole of the amount collected.

Mr. Pilkington: Some might not even get 10 per cent. of what they collect.

Mr. NAIRN: If I were sure that the amendment was going to be rejected I would not pursue the matter further.

The MINISTER FOR WORKS: I do not know what the member for Sussex had in his mind when he framed the proposed new clause. I should say that what he intended was that 10 per cent. would be regarded as being an assured payment towards the expenses of collecting. I do not think that 10 per cent. would be too much in the case of small collections by the road boards. The member for Perth put words into my mouth which I never uttered. It would be neither decent nor honest for anyone outside the House to do such a despicable trick. I never uttered words from which the inference gathered by the hon. member could be drawn. With his power and legal training the hon. member tried to twist my words and make a laughing stock of me. When I introduced the Bill I desired to try and make it a measure under which the local authorities could carry on with ease and with some amount of satisfaction, and I left the pooling business out of it purposely, because I knew it would be fought by the interested representatives of an interested city and that further efforts would be made in another place to upset it because it would mean the depletion of some of the fees collected by Perth and which did not belong to Perth. The point I have already made is that the percentage of the traffic on the Perth-Fremantle-road was proved to be 45 per cent. and I adduced as additional proof that so far as most of the motor licenses are concerned, 1,200 were issued in Perth and 600 in the metropolitan area.

Mr. SMITH: Will the Minister tell us where he proposes to get revenue to cover the expenses that the Police Department will incur in administering the metropolitan area. It may be remembered that we altered the principle of the Bill in regard to the metropolitan area.

Hon. W. C. Angwin: We were told it would not cost anything.

Mr. SMITH: With regard to the pooling of fees will the Minister deduct the cost of

administration in the metropolitan area? If he does there will be nothing left to return to the road boards.

The Minister for Works: The question of the payment of the police does not rest with the Public Works Department.

Proposed new clause put and negatived.

New clause:

Hon. W. C. ANGWIN: I move—

That the following new clause be added to the Bill:—(1.) Notwithstanding anything hereinbefore contained the Minister shall be the licensing authority for every district and sub-district comprised in the metropolitan area, and shall have and may exercise therein such powers and discretions (under this Act or any regulation) of or concerning the issue and transfer of licenses and the effecting of registrations as are in other districts or sub-districts vested in the local authorities. (2.) All fees paid each year for licenses or transfers of licenses or registrations in the metropolitan area under this Act or any regulation—(a) shall be paid into the Treasury to the credit of an account to be called the Metropolitan Traffic Trust Account; (b) shall be chargeable with the costs of collection as certified by the Minister; and (c) shall (subject to the payment of such costs) be paid and divided to and amongst the local authorities of the districts and sub-districts comprised in the metropolitan area in such shares and proportions as the Minister shall determine. (3.) The warrant of the Minister shall be sufficient authority to the Colonial Treasurer to make any payment provided for by this section. (4.) The metropolitan area shall be prescribed by regulation.

This clause has already been passed by the House, but in the definition of metropolitan area it is pointed out what constitutes the metropolitan area. I have added to the proposed new clause that the metropolitan area shall be prescribed by regulation.

Mr. NAIRN: As one who represents a district materially affected by this clause as well as other districts just outside the metropolitan area—I have in mind Midland Junction and Armadale—I would like to know from the Minister what his view is in the direction of bringing in these sub-metropolitan districts and how far the boundary will extend. Very many cars licensed in the metropolitan area run through those districts and which districts derive no revenue at all from the licensing of those cars.

The MINISTER FOR WORKS: I would be very pleased to explain the boundaries and I would do so if I had a map here. I have the details but they do not convey much information and it is not much use reading them. Generally speaking it runs from the foothills of the Darling Range to Fremantle.

Mr. O'Loughlin: Armadale would be included?

The MINISTER FOR WORKS: Yes. I should say it runs from beyond Midland

Junction down to Armadale and across to Fremantle. I am not sure whether Rockingham would be included.

Mr. NAIRN: Different individuals have different methods of amusing themselves. However, from the few sane remarks the Minister made at the conclusion of his speech, I feel that he will recognise the special claims of those outlying districts.

New clause put and passed.

New clause:

Mr. ANGELO: I move—

That the following be added as a new clause to follow Clause 51—“Any person who unlawfully interferes or tampers with the mechanism or parts of any motor vehicle or locomotive or traction engine shall be guilty of an offence under this Act. Penalty: £50 or imprisonment with or without hard labour for three months.”

It is not necessary for me to support this at any length, because we have already dealt with it on Clause 51. It is intended to repair an omission in that clause, which does not provide against interference with a motor car.

Hon. W. C. ANGWIN: I move an amendment on the amendment—

That the words “or tampers” be struck out.

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

First schedule:

Hon. W. C. ANGWIN: I move an amendment—

That all reference to 49 Vict., No. 23, the Tramways Act, 1885, be struck out. Seeing that we have struck out Clause 46, this amendment in the schedule is merely consequential.

Amendment put and passed.

Hon. P. COLLIER: I move an amendment—

That in the enumeration of the subparagraphs of paragraph 42 of Section 179 of the Municipal Corporations Act, 1906, to be repealed “j” be inserted after “f.”

This will repeal the provision of the Municipal Corporations Act which now confers on local authorities power to make by-laws in regard to processions in the streets, and will confer that power on the Minister. This is more or less consequential.

Amendment put and passed; First schedule, as amended, agreed to.

Second schedule:

Hon. P. COLLIER: This includes a description of “cycle.” We are not dealing with cycles propelled by human power. I move an amendment—

That the word “cycle” and its description be struck out.

The MINISTER FOR WORKS: I hope the amendment will not be agreed to. In the third schedule the hon. member will probably move to strike out the provision for a license fee for cycles. But it is necessary that the word “cycle” should be left in the second schedule because of the regula-

tions which deal with the running and lighting of cycles. The hon. member can attain his object by taking the sense of the Committee in regard to the licensing of cycles in the third schedule.

Amendment put and negatived.

Second schedule put and passed.

Third schedule:

Hon. P. COLLIER: I move an amendment—

That the words “for a cycle, per wheel 1s. 3d.” be struck out.

This is the most miserable, pettifogging method of raising revenue I have ever known. The city council are chasing school-boys for half-crowns for their bicycles; a municipal authority with the most valuable property in the State on which to raise rates, taxes the boys for their bicycles.

The MINISTER FOR WORKS: I have a good deal of sympathy with the amendment. I take it that the original provision is intended to give power to see that number plates are carried on bicycles.

Mr. O’Loughlen: Nonsense!

The MINISTER FOR WORKS: The object of putting a number plate on a vehicle in the street is to afford in the case of accident a reasonable chance of identifying the person responsible for that accident.

Hon. P. Collier: But this deals with the fee only.

The MINISTER FOR WORKS: I fancy it is with the idea of making cyclists carry a number on their machines.

Hon. P. Collier: It is merely with the idea of collecting money. The city council collects £250 a year from the boys.

The MINISTER FOR WORKS: It is a petty sort of business, anyhow.

Amendment put and passed.

The MINISTER FOR WORKS: I move an amendment—

That the words “for a trailer, per wheel 10s.” be struck out and “for a trailer, per wheel 5s. per ton per wheel on the weight of trailer plus declared maximum load” be inserted in lieu.

Hon. W. C. ANGWIN: The Minister has given no reason for the amendment. A trailer with four wheels would have to pay £2, and it could not carry more than eight tons.

The MINISTER FOR WORKS: When a trailer on four wheels, capable of carrying anything up to five tons, is put behind a powerful motor vehicle, it adds greatly to the wear and tear on the road. Although the trailer, of its own force, is not likely to knock the roads about, much more power has to be exerted by the motor owing to the drag of the trailer, and that makes a very considerable difference to the wear on the roads. Three or four weeks ago, I saw on the Perth-Fremantle-road one of the first trailers that came into Perth. There was a big motor vehicle laden with barrels of beer from one

of the breweries, and it had a trailer carrying, as nearly as one could judge, a load equal to that of the motor. The passage of that train, for it could be called nothing else, disturbed the surface of the road so much that special repairs had to be undertaken. The Perth-Fremantle-road was not built for anything like the traffic it is carrying at present. It is bad enough to have to carry the motor vehicles, but if, in addition, heavily laden trailers are hauled behind the motors, the road will be knocked out very quickly.

The Honorary Minister: In England, they use three or four trailers.

The MINISTER FOR WORKS: Perhaps the roads there are better. To maintain the Perth-Fremantle-road is costing this State £1,500 a year. The road was not built to carry such traffic and, unless some fees can be collected to compensate for the damage, the State will be a considerable loser in that respect, and also owing to the carriage by road of goods which should rightly be carried by the railways.

Hon. W. C. Angwin: Hear, hear! Stick it on to them.

The MINISTER FOR WORKS: The railways have lost a considerable amount of legitimate traffic since the advent of these motors and, if there is not some means to deal with the traffic, the Government will find it impossible—as it is now impossible for the local authorities—to maintain the roads in anything like decent repair. If the amendment is passed, the traffic inspectors will be able to see that these trailers and motors are not overlaid. It has been laid down that these powerful vehicles should not travel at more than eight miles an hour, but everyone knows that these vehicles, heavily laden, can and do travel at anything from 15 to 20 miles an hour. I travelled behind one some months ago and was unable to pass it; it was tearing up the road so much that we would have risked damage to the screen if we had not kept at a respectable distance. Unless things alter, legislation will be necessary to compel these vehicles to travel at a rate which will not destroy the roads, because the State cannot stand the expense of upkeep under existing conditions.

Hon. W. C. ANGWIN: The charge of 5s. should be increased. An English authority told me he preferred a traction engine to an ordinary motor-car, because the latter caused more damage to the roads. We have provided railways to cater for traffic, and the heavy motor vehicles have paid next to nothing for the upkeep of the roads, which are being knocked to pieces by the loads carried over them.

Mr. Nairn: Why not limit the loads?

Mr. Smith: Why do not the Railway Department provide a decent service?

Hon. W. C. ANGWIN: The Government are to blame to some extent because, so long as I can remember, they have been allowing the Harbour Trust to make different charges for river traffic and have thus deprived the

railways of revenue. I hope the Minister will increase the charge for trailers.

The Minister for Works: I think the amount proposed will be sufficient.

Amendment put and passed.

Mr. SMITH: It seems that the people least able to bear the charges are the most heavily penalised under this schedule. For passenger vehicle and carriers' licenses, 5s. per wheel per year is to be charged. A man using a little lorry to earn a living will have to pay £1 a year, whereas a man able to afford a motor-car will be charged only £2 a year.

Mr. Nairn: A nice sort of motor it would be! A Ford motor would pay more than £2.

Mr. SMITH: Anyhow, these charges are excessive. I move an amendment—

That the words "per wheel" be struck out.

If the amendment is passed, I intend to move that the amount of 5s. be reduced to 2s. 6d.

The MINISTER FOR WORKS: The member for North Perth has not covered the full facts. There is a license for the vehicle which has to be paid by everyone, whether the vehicle plies for hire or not.

Mr. Smith: A man with a 50-guinea carriage pays the same.

The MINISTER FOR WORKS: The hon. member desires to strike out the amount of 5s. per wheel, the payment of which enables the owner to obtain a license to drive. A driver must have a license to facilitate identification.

Mr. O'Loughlen: You could make that half a crown just as well as £1.

The MINISTER FOR WORKS: Perhaps we could do it for 1s. The point is that a man plying for hire will use the roads more than one who has a vehicle for his own purposes. A man owning a cab plies for hire all day long and probably is seldom idle. An ordinary individual with a cart or sulky does not use the roads continuously day after day. The fee that is charged is a reasonable one. These are the fees already provided for in the Perth by-laws, and the hon. member is now endeavouring to take away from the city of Perth a portion of its revenue. He has given no valid reason why the amendment should be agreed to.

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

Ayes	11
Noes	18

Majority against... 7

AYES.

Mr. Brown	Mr. Smith
Mr. Chesson	Mr. Troy
Mr. Collier	Mr. Underwood
Mr. Lutey	Mr. Wilson
Mr. Mullany	Mr. Munslie
Mr. O'Loughlen	

(Teller.)

NOMS.

Mr. Angelo
Mr. Angwin
Mr. Draper
Mr. Durack
Mr. Gardiner
Mr. George
Mr. Griffiths
Mr. Hickmott
Mr. Maley

Mr. Mitchell
Mr. Nairn
Mr. Plesse
Mr. Pilkington
Mr. Roche
Mr. Scaddan
Mr. Willcock
Mr. Willmott
Mr. Hardwick

(Teller.)

Amendment thus negatived.

Mr. O'LOGHLEN: I should like to know from the Minister whether the Dendy Marshall formula is the correct one for calculating weight?

The MINISTER FOR WORKS: I can only refer hon. members to the schedule for any information that may be desired on this point. The formula is, I understand, recognised by the leading automobile associations of the world as being the best that has yet been put forward.

Schedule put and passed.

Fourth Schedule—consequently struck out.

Title—agreed to.

[The Speaker resumed the Chair.]

Bill reported with amendments.

BILL—ANZAC DAY.

Second Reading.

The ATTORNEY GENERAL (Hon. T. P. Draper—West Perth) [9.39] in moving the second reading said: I feel sure that very few words are requisite from me to persuade the House to pass this Bill. It has for its object the legalising of a holiday for the celebration of Anzac Day and the making of the necessary alterations in certain statutes. I think that throughout the Commonwealth there is a desire that Anzac Day should be a public holiday. It is a day upon which no doubt generations of Australians will look back as some reminder of those glorious deeds of which we are all so proud, namely, the deeds of those who left to defend Australia, and their many actions in Gallipoli, Palestine, France, and elsewhere.

Mr. Underwood: They did not do it all on Anzac Day.

The ATTORNEY GENERAL: The hon. member has not the slightest conception of what Anzac Day means. Tradition, as we all know, plays a great part in the moulding of any nation. It will be something for the future generations of Australians to look back upon when they remember what Australia achieved in the greatest war in all history, and in the first great war in which Australians were engaged. It is necessary to give effect to what is the desire of the community, that two small alterations shall be made in our statutes to legalise this day as a bank holiday, and to authorise a

public holiday in the public service. Without further words, I move—

That the Bill be now read a second time.

Mr. UNDERWOOD (Pilbara) [9.43]: I move—

That the debate be adjourned.

Motion put and negatived.

Mr. UNDERWOOD: I have no desire to oppose the second reading of this Bill. I am of opinion, however, that the day selected is not the best day. The day chosen is Anzac Day, the day on which Australians fought well in Gallipoli. I would point out that our Australian soldiers fought equally well on many other occasions. Many other days may be mentioned on which they fought even better than they fought in Gallipoli. If we are having a holiday to commemorate the deeds of our soldiers we should have it on a day that will enable all our soldiers to join in. In Gallipoli or at Anzac we had 20,000 soldiers, but we had at least 250,000 of Australia's best who were never in Gallipoli, but who fought for Australia just the same. If we want to have a day—and we should have one—I would say that it should not be the day when only a few of our soldiers first fought for the Empire. I think the day that should be chosen should be Armistice Day. If we want to go further back than that we can go back to the day when our Australian soldiers turned the German advance, and made it possible for the British Empire and its allies to win the war. It is only, I believe, a lack of thought that has led to the selection of Anzac Day. Our soldiers fought in many hard and successful battles. If we celebrate Armistice Day, we shall be celebrating something that every one of our soldiers helped to bring about. I put it seriously to the Minister, on behalf of our soldiers, that we should not select a day which affects only a proportion of our soldiers, leaving entirely out of consideration five times the number who fought equally well with those who fought on Gallipoli. I ask the Minister to remember that many of our soldiers who fought in France were not able to fight on Gallipoli because they had not attained a sufficient age. But they fought at Amiens, and in stopping the big German offensive they made the absolute turning point of the war, made possible the finish of the war. In choosing a day to celebrate, let us choose one in which all our soldiers can share. Anzac Day is not such a day, because the great majority of our soldiers were not there. Anzac Day, after all, is not the only day on which our soldiers fought. In fact, it was comparatively a small day. There were infinitely bigger days in the war, days on which infinitely greater things were accomplished by the Australian soldiers. I am speaking now of the great majority of our soldiers, who were not at Anzac. If we are going to have a holiday in this connection—and I think we should—then let us fix it on some day reflecting credit not only on those

who were on Gallipoli but upon every Australian soldier who fought in the war. I am sure no one in this House would attempt to argue that Anzac represents the best work our men did. Our men did good work from beginning to end of the war, and the selection of Anzac Day means the shutting out of scores of thousands of men who fought as well as the Anzacs fought.

Hon. P. COLLIER (Boulder) [9.50]: Doubtless there is some force in the argument of the last speaker that the selection of the 25th April would, in a sense, exclude the great majority of the Australian soldiers.

The Attorney General: It depends on the significance attached to the word "Anzac."

Hon. P. COLLIER: I was coming to that. The point is, however, that the same objection could be raised to any day which was selected. If we were to select a day when the greatest number of Australian soldiers fought, say in France, in either 1916 or 1917, that would mean entirely excluding the Anzacs.

Mr. Underwood: Suppose we selected the day we won.

Hon. W. C. Angwin: The Australians put up one of their best days at Pozieres.

Hon. P. COLLIER: They were all good days. We can select only one day, and perhaps an invidious distinction would be made if we selected any particular day in the course of the war. The fact remains that Anzac Day was the first day on which Australian soldiers actually participated in the great war. Anzac is where they stood the test, and to-day the word "Anzac" is world famous, and undoubtedly it will live for all time. I take it that every man who went to the war, whether towards the end of it to fight in France, or at the beginning to fight on Gallipoli, participated in the glory of Anzac. All the Australian soldiers are called Anzacs to-day; they are known as Anzacs irrespective of whether they went to the Front in 1915, or in 1916, or in 1917. They are called Anzacs not by the Defence Department, but by the world at large. I do not see that we can select for celebration a better day than the anniversary of that Sunday morning when the Australians first set foot on the shores of Gallipoli. However, I should like to ask the Minister whether there is agreement between all the State Governments with regard to declaring the 25th April a public holiday. After all, whatever day is selected ought to be universally observed throughout Australia. It would be a great pity if one State were to select one day and another State a different day. The matter seems largely one to be decided by the Commonwealth Government. I had thought that probably the Federal Government would have communicated with the various State Governments on the subject, in order to arrive at uniformity. I have not read of the other States having proclaimed the 25th April a holiday. I am not saying it is not so; possibly they have done so. I recognise, of course, that the Commonwealth

Government would not have power to proclaim a holiday in the various States; but by communicating with the State Governments the Federal Authorities might secure unanimity in the matter. I do not know whether the Minister has any information on that point. Personally I heartily support the second reading of the Bill; and, having regard to all the circumstances, it seems to me that the 25th April is a wise choice.

Mr. ANGELO (Gascoyne) [9.55]: The object of this Bill, I take it, is to celebrate in a fitting manner the victory of the British arms in the great war, and especially to celebrate the part taken by our Australian soldiers in that war. I must say that to a considerable extent I agree with the remarks of the member for Pilbara (Mr. Underwood) and think that some more fitting day might be declared a public holiday to celebrate the victory. A precedent has already been established in this connection by another nation—I refer to the United States of America. The United States did not select as their national holiday the anniversary of a great victory. During their War of Independence they had defeats as well as victories; and they fixed on the day which culminated in the success of their arms, choosing the 4th of July as Independence Day. Therefore I consider that Armistice Day would be a very fitting national holiday for Australia. The leader of the Opposition has anticipated my ideas on another aspect of the Bill. I agree that it would be ridiculous for this State to have one day of celebration and the other States to have some other day or days. In my opinion the Government would be well advised to adjourn this debate until they have ascertained the views of the other States and of the Federal authorities, so that some understanding may be arrived at and the same day celebrated throughout Australia as the day of victory of the Australian arms.

Mr. GRIFFITHS (York) [9.57]: I endorse the remarks of the leader of the Opposition on this Bill. Anzac day is a name to conjure with. It is the day on which our soldiers broke the ice and made the Australian name famous in the world. When they were about to go into their first action, many of us were, I was going to say, anxious; but we knew they would bear themselves well. Still, we were curious as to how they would shape. They thrilled not only us, but also the world, by their achievements on the Peninsula of Gallipoli. There is everything to justify the remarks of the leader of the Opposition as to the necessity for uniformity in the observance of the day of celebration, and I take it that a suggestion for the adjournment of this debate will have the hearty concurrence of all present. Let us bring about a universal observance of the same holiday throughout Australia.

On motion by Hon. W. C. Angwin debate adjourned.

BILL—MERCHANT SHIPPING ACT APPLICATION ACT AMENDMENT.

Second Reading.

The ATTORNEY GENERAL (Hon. T. P. Draper—West Perth) [10.0] in moving the second reading said: This is only a small Bill, but I am sorry to say it is rather technical. By way of explanation I must refer to the British Merchant Shipping Act of 1894 which relates to shipping generally throughout the British Empire. The principle of it is that British ships must be registered and it deals exhaustively with almost every subject which might arise in connection with British shipping. Part 2 of the Act is important. It deals with the engagement of masters and seamen, it deals with their wages, their discharge and also with the matter which particularly affects the Bill before the House in regard to property of deceased seamen on British vessels. In many cases the Merchant Shipping Act applies only until and so far as it is not altered or adopted by legislation in the various parts of the Empire. In 1903 Western Australia passed the Merchant Shipping Application Act, and that Act adopted Part 2 of the Merchant Shipping Act of Great Britain, and it was also enacted that Part 2 should apply to all British ships registered at and trading with or being at any port in Western Australia, and to the owners, masters and crews thereof, where the ships were within the jurisdiction of the State. The port of registry in Western Australia is Fremantle, and on looking into the Act it appears that Part 2 was not applied in its fullest extent, or as fully as it might have been applied in Western Australia. There is a provision in the British Act that where a Parliament in any part of the British dominions adopts any portion of that Act, or enacts similar provisions, the Act passed by that particular part of the dominions holds good, not only in the place in which it is passed, but it is also recognised in other portions of the British dominions. That is to say, if we passed an Act here adopting the Merchant Shipping Act of Great Britain and made it applicable to ships registered say at Fremantle, or ships trading with Fremantle, and we also applied it to the crews of those vessels, it would also hold good in connection with what might happen on the vessel say in South Africa. Suppose there be some provision relating to the disposition of the property of a deceased seaman who had been engaged on a ship trading in Western Australia, then that provision would be recognised in South Africa, and if there was to be a disposition of that seaman's property, it would be effective in South Africa. That country would recognise the validity of our Act and they would administer it for us. When our Act of 1903 was adopted, Part 2 of the Merchant Shipping Act, 1894, was made to apply to all British ships registered at, trading with, or being at any port in Western Australia, and to the owners, masters and crews thereof. To

those, words were added which were really unnecessary, and they have a tendency to limit the operation of the local Act. The section in our Act of 1903 goes on to say, "Where such ships are within the jurisdiction of the State." Of course if we limit it in that way, a ship although registered here, might be within the jurisdiction of South Africa and the Act would have no application in regard to masters and crews. At any rate there is a doubt about the point, and one of the objects of the Bill before the House is to make it clear by eliminating those words and so giving to the Act the widest interpretation possible. In the Merchant Shipping Act 1894, Part 2 of which was adopted in this State, provision is made for the disposal of the property belonging to a deceased seaman. Section 179 of that Act—and reading that section as adopted in this State—provides that in the event of the death of seamen or masters of ships registered in Western Australia, if no claim is made to their property within six years after decease the Government may in their absolute discretion, either allow or refuse the claim, and subject to the allowance of any such claim, shall apply the property in the manner provided by Part 12 of the Act. That puts the Governor in the same position in this State as the Board of Trade would be in the United Kingdom. When we peruse that section, we find that it merely says that the Governor shall receive the money, and that if no claim is made within six years the Governor, instead of retaining it here, would be obliged to appropriate it in accordance with Part 12 of the British Act. Part 12 has nothing whatever to do with Western Australia. It provides for the establishment of a mercantile marine fund, and as the Act now stands, the money if not claimed within six years would have to be remitted to the mercantile marine fund in Great Britain. That is provided under Section 676 of the English Act, and under Section 677 we find that the various objects on which such moneys can be expended include the salaries and expenses of the local marine board, the salaries of surveyors of ships, etc., all being matters in connection with the Home Government, and which we really ought to get as we also incur expense in connection with the Merchant Shipping Act. That is, of course, if the moneys are not claimed by representatives of the deceased persons. This money would then go into our consolidated revenue. I do not know that I need say any more. I have pointed out that the object of the Bill is to give us fuller jurisdiction than we have at present, and is to permit funds which are received by the State and which are not claimed, to be retained by the State instead of being sent to England where they would be expended in connection with the administration of the Merchant Shipping Act there. In all fairness these moneys should be retained here to defray expenses incurred by

the State. The Bill is rather technical and I have endeavoured, as briefly as possible to explain its provisions. I move—

That the Bill be now read a second time.

On motion by Hon. W. C. Angwin, debate adjourned.

BILL—SLAUGHTER OF CALVES RESTRICTION.

Second Reading.

The HONORARY MINISTER (Hon. F. F. S. Willmott—Nelson) [10.13] in moving the second reading said: All hon. members who have given this matter of the indiscriminate slaughter of female calves any attention at all must agree with me that it is now a national necessity that the slaughter of female calves should be restricted. The slaughter of heifer calves in the metropolitan area has been engaging the attention of the Agricultural Department for some years but no definite arrangements have ever been arrived at. Various propositions were discussed from time to time with the view of establishing a company for the purchase of all calves in the metropolitan area and placing them on various farms. However, nothing eventuated in that direction. The Government therefore have decided to step in and prevent this slaughter of female stock, with a view to increasing, instead of decreasing, the dairy herds of the State. The need for dairy cows was never so urgent as at the present time, and the proposed action is fully justified. When the calves reach the prescribed age the dairymen will be able to sell them at a fair figure. It may be necessary for the Government to step in and purchase some of those calves. But I might point out that the cows in the metropolitan area, generally speaking, are the best milking cows in the State; because the metropolitan dairyman cares not what price he pays so long as the animal he buys is a thoroughly good dairy cow. Hon. members may be surprised at learning that there are 5,000 cows in the metropolitan area. The indiscriminate slaughter of calves, irrespective of sex, that has been going on for years represents a great loss to the State. It is time action was taken. Dairy cows will be needed not only for those returned soldiers who intend to go in for dairying, but also for civil settlers prepared to embark in the industry. In a period of 26 weeks 850 calves were slaughtered in the metropolitan area. It is fair to assume that 50 per cent. of those were heifers. So that, in 26 weeks, 425 heifer calves were slaughtered in the metropolitan area alone. The quality of veal killed for the trade can safely be left to the health inspectors, who are the best judges of what is fit for human consumption. To my mind there is something repugnant in eating veal only a few days old. As there is no restriction at pre-

sent, calves are killed almost as soon as born. Again, there is the economic loss to the State in killing a calf that weighs less than 50lbs. when that animal, if allowed to grow to a reasonable size, would weigh ten times as much, and the State would participate in the benefit. Somewhat similar action has been taken in America, where the tremendous slaughter of calves has been found to seriously affect the meat supply of that country. The Bill will probably save the slaughtering of over 2,000 heifer calves in the metropolitan area in one year. When it is remembered what we pay to-day for imported butter, it will be agreed that anything that can be done to assist the dairying industry in this State should be done. This small Bill will materially help that industry. I move—

That the Bill be now read a second time.

Mr. LUTEY (Brownhill-Ivanhoe) [10.20]: I have no objection to the Bill, but I think it should go farther and provide against spaying. A spayed calf would be more valuable at the end of six months than before.

The Honorary Minister: We can deal with that in Committee.

Question put and passed.

Bill read a second time.

House adjourned at 10.21 p.m.

Legislative Council,

Tuesday, 7th October, 1919.

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The House met at 4.30 p.m.

ILLNESS OF PRESIDENT—ELECTION OF DEPUTY PRESIDENT.

The Clerk: I have to announce that the President is unable to be present, owing to ill-health.

The HONORARY MINISTER (Hon. C. F. Baxter—East). [4.31]: I am sure all hon. members will join with me in regret-