

# Legislative Council,

Tuesday, 25th October, 1927.

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

## MOTION—TRAFFIC ACT.

### *To disallow regulations.*

Debate resumed from the 20th October on the following motion by Hon. W. H. Kitson:

That Regulations Nos. 4, 5, 6, 21, and 23, and Routes 7a, 54, and 55, made under the Traffic Act, 1919-26, and laid on the Table of this House on the 11th October, be and are hereby disallowed.

HON. E. H. GRAY (West) [4.35]: I cannot allow this motion to go through without expressing an opinion upon the matter. I congratulate the Leader of the House upon the splendid address he delivered on Thursday last. I think, however, he will find himself in the position of the person mentioned in Holy Writ, the man who built himself a house upon the sand.

Hon. Sir William Lathlain: You cannot build it anywhere else in Perth.

Hon. E. H. GRAY: When a storm arose, the house was swept away. Through no fault of his, the speech he delivered was based on statements that were not exactly true. When the icy blast of truth sweeps down upon it, his case will be carried away.

Hon. H. Seddon: He may have a few piles driven in.

Hon. E. H. GRAY: I am one of those who has no interest whatever in motor taxis or charabancs. I have not even been approached by any shareholder in a charabanc company or any driver of a motor taxi. I am speaking in the interests of the public generally, and the people of Fremantle in particular.

Hon. E. H. Harris: You are spotless, are you?

Hon. E. H. GRAY: I do not say that. Certain innuendoes were thrown out by the Leader of the House which I desire to throw back. When the facts are known, this House

and the public will realise that everyone who is supporting or backing this motion has been moved solely by interest in the public welfare. The Leader of the House laid great stress upon the opinions of the Solicitor General. Whether or not this motion is carried, I do not think the Government have any right to rely upon their legal rights in forcing an injustice upon any section of the community. I claim that a serious injustice is being inflicted upon a large number of men.

Hon. Sir Edward Wittenoom: What about the competition with the railways?

Hon. E. H. GRAY: The public mostly concerned in this matter do not constitute people who own private motor cars and compete with the railways, but persons who have not the means of their own with which to enjoy privately the modern form of transport. Motor transport has come to stay, and must be recognised. The Leader of the House tries to make out that the Government have not hampered this motor traffic. He referred to the taxi drivers as a lawless band of men. There are men engaged in that occupation in Fremantle who are just as good citizens as, and have a reputation equal to, that of anyone in the State. It was an uncalculated aspersion to cast upon the reputation of those men to refer to them as lawless members of the community, and on their behalf I strongly object to the remark. The Minister made out a case for the new starting point in Fremantle for motor taxis. When other regulations were being discussed here, there was a proposal to shift the starting point for charabancs in Fremantle. In the motor taxi traffic there are between 120 and 140 men engaged. These men tried in all kinds of ways to point out the injustice that was being done to them. The charabanc proprietors, who now form a private company, also made out a case for the retention of their starting point. The private company was successful, strange to say. Despite what the Leader of the House said, the busiest place in Fremantle at certain times of the day is where the charabancs start in George-street. This is at the front gate of the Fremantle railway station. The department could, in that instance, have put up a reasonable case for the shifting of the starting point, because the charabancs are catering for traffic that would go to the railways. It is also the terminus of the trams. When the trams, charabancs and the public are congregated there, one thing or the other

has to stop. The charabanes, in order to get away from that place, have to pass over to the wrong side of the road to turn the corner. I challenge the Leader of the House to say there is a busier part of Fremantle than this spot. Near the Town Hall, where the taxis were starting, there is a fairly large area and a certain amount of room to move about in. Where the charabanes start it is dangerous from the point of view of the trams, the travelling public, and the traffic going to and coming from the wharf. I regret that the Minister did not take time to go to Fremantle, and make himself personally acquainted with the various starting places for taxis and charabanes. He is a just man and has a reputation for being sincere. If he had personally acquainted himself with the whole business of the taxis and charabanes, he could not have put up the case he did on Thursday. The buses are now the property of a private company. All this agitation will not help the railways or the tramways. This persecution of the taxi drivers will not help those Government services either, but it will help the charabane company, which is in the hands of private individuals and will make profits. We can draw our own conclusions from what has occurred. The taxi traffic is mostly in the hands of owner-drivers. When we see Government regulations and Government departments bending themselves to harass these men and place every obstacle in their way, it looks very ugly.

Hon. G. W. Miles: You do not insinuate that the Government are interested in the company?

Hon. E. H. GRAY: Nothing of the kind, but we have to face the facts. When the new transport started there was some reason which caused the Government to hold back the charabane traffic, in order to safeguard the interests of Government utilities. That day is now past, and the argument between the Government and the buses is ended. All these bus proprietors, who individually owned the vehicles, are now combined into one company. The scene has changed. It is now a case of the Government and the charabanes against the taxi drivers. As one who is concerned on behalf of the public and about getting a fair deal for any man, I say it is our duty to stand up in this House and point out the injustice and the persecution we see going on. The Minister made reference to a deputation that waited upon the Minister for Works and said that the Mayor of Fremantle was the only person who was present. What

are the facts? A deputation was arranged to discuss various matters in which the local authorities at Fremantle were concerned; was not to discuss motor traffic problems only. Mr. Sleeman, the member for Fremantle, was present to introduce the deputation, and the Mayor of Fremantle and Councillor Sumpton were present. Among many other matters that were discussed, reference was made to the starting point for the taxis at Fremantle. This is what the mayor said, "the department insists upon the starting point being in Queen-street, the council will request the Government to provide that taxis only shall be allowed to stand there." My information has been received from the most reliable source and I believe it to be absolutely correct. The Leader of the House did not mention that when he was discussing the question in this Chamber. He made out a case on the information supplied to him that the Fremantle Municipal Council were in favour of the new starting point. As a matter of fact, they are much against it because they have spent £7,000 in buying property and constructing a new street—Queen-street. If the regulations are allowed to stand, that street will be choked with motor cars and the people who desire to use the thoroughfare will not be able to do so. In the circumstances, is it likely that the council would spend money only to see it wasted because of a useless attempt to persecute the taxi drivers? Despite what the departmental officers may say, the town hall starting point is far more safe and more convenient for the public. It does not seem to have struck the officers who have supplied the Leader of the House with his information that the trouble could be avoided if the taxis left there in a different direction. They said it was necessary to go into High-street and thence to Perth, but it is not necessary at all. The Leader of the House said that there were four lines of tramways converging at that point, and that the motor drivers would have to load up and drive their cars through the heavy traffic at that point in order to go to Perth. They would have to do nothing of the kind. All that would be necessary would be for the cars to face in the opposite direction and drive round the town hall block into Adelaide-street, and thence to Perth. By that way, they would come out opposite the new starting point that will be adopted should the regulations be allowed. It would be hard to meet half-a-dozen motor cars or traffic of any description from the starting point at the town hall round into Adelaide-street.

so that there would be no danger at all if that route were followed. Thus the case put up by the Leader of the House falls to the ground. There was an objection to the cars facing the main street and going through the traffic in order to start for Perth. On the other hand, if the route I suggest were adopted, it would overcome that objection. The taxi drivers have formed themselves into a sort of co-operative society. They put their heads together in a businesslike way and rented an adjoining block of land that is ideal for parking cars. In addition, they effected certain improvements that have enabled them to attend to repairs, and so forth. By concentrating there it was convenient to the public as well. It is unreasonable, unjust, and cruel persecution of men of small means that all the power of government should be utilised to deprive them of their living.

Hon. J. J. Holmes: It is your Government!

Hon. E. H. GRAY: We are free agents, and if we consider an injustice has been done, it is our duty to speak against it. When he moved his motion, Mr. Kitson said that the taxi drivers were agreeable to the abolition of the river route, and to the Perth-Fremantle traffic being diverted at Nedlands to the King's Park-road and thence to the city. I disagree with Mr. Kitson and also with the motor drivers, and I do so in the interests of the public. Surely it is to the interests of the State as a whole that the people who come to Western Australia should journey to the city along the most attractive route. It is of advantage to people who may be spending a few hours or days at the port to use the taxis in order to reach Perth via one of the best roads through the most beautiful scenery to be found in Western Australia, or in Australia. There is no better view to be obtained anywhere than that of the river along Mount's Bay-road. The departmental officials seek to divert that traffic and say that it is dangerous to human life. If that is so, why do they allow the lumbering motor trucks to pass along the river-side road in both directions? If that traffic is dangerous to the general public, why not insist on traffic going one way to Perth and coming back the other way? If that were done, then people, particularly strangers, who make use of the taxis would be able to reach Perth and have the advantage of the beautiful river views. There is another side to the argument. Under the new regulations the use of the riverside road

is cut off from the men and women of small means. The working man cannot own his own motor car and therefore he will not be able to make use of the riverside road at all. Why should the working man and woman be deprived of that drive merely to benefit the middle and upper classes who own their own cars? It is an astounding proposition to come from a Labour Government. I am astonished that they should advance it for a single moment. If the traffic is too great for the road to carry, why not allow the taxis to go via King's Park-road one way, and round Mount's Bay-road on the return journey?

Hon. C. F. Baxter: Do you suggest a new Government?

Hon. E. H. GRAY: I would not suggest that because I am satisfied that when the question is thrashed out, the Government will give way. This controversy provides one of the greatest arguments in favour of the appointment of additional Ministers. The fact is that the departmental activities he is called upon to carry out are too great for the Minister who is in charge of them. It is useless to expect him to get in touch with all the interests concerned and know the exact position. The Chief Secretary pointed out that the Minister alone is responsible. If the Minister is to actually decide upon questions involved in all the ramifications of his many offices, it must be patent to hon. members that the task is too big for the Minister, able man though he undoubtedly is. This agitation shows that it is quite impossible for the Minister to be in direct touch with all those concerned.

Hon. E. H. Harris: Will you tell us why the Government will not appoint extra Ministers.

Hon. E. H. GRAY: The hon. member had better ask the Leader of the House. For the reasons I have indicated, I shall support the motion. In the first place the taxi drivers have been unjustly deprived of a valuable parking site, and I claim that that action was unnecessary, unjust and cruel. In the second place, I support the motion because the Fremantle Municipal Council have spent £7,000 in constructing a new site, and if the regulations are allowed the position will be that the road will be choked with motor cars and other people will not be able to ply their business there at all. If the regulations are amended and only two cars are allowed to stand in that street, then the taxis must assemble some-

where else. All the trouble would be avoided by allowing the first terminal point to stand. Although the Leader of the House classed these men as lawless, and referred to one instance where they had turned their cars head on, he did not mention that they were ordered to go there and to place their cars in the position he indicated. Had they stood otherwise, a street five times the size would have been required to accommodate the cars. I hope that even at this late stage the Government will give these men a fair deal, and in doing so will give the travelling public equal justice. I hope that members will discuss the question and that, if necessary, those who are not fully conversant with the actual position will go to Fremantle and Cottesloe to inspect the various routes. Practically every member in the House has a motor car.

Hon. E. H. Harris: Can we go down in your car?

Hon. E. H. GRAY: The Honorary Minister can get a Government car.

Hon. Sir William Lathlain: But we cannot.

Hon. E. H. GRAY: I hope members will get to know the exact position before they vote on the motion. If, as I anticipate, they have made up their minds that a good case has been made out, the motion will be carried. In the interests of the Fremantle people I have much pleasure in supporting the motion.

HON. J. CORNELL (South) [5.55]: No member more than myself regrets the necessity for the motion that has been moved by Mr. Kitson. When we disallowed certain regulations under the Traffic Act on a previous occasion, I was hopeful that sweet reason, which alone can bring a satisfactory solution to such a question, and even-handed justice all round, would have characterised the decisions in the future. I hoped, too, that, with such conditions obtaining, there would be no further necessity for the disallowance of such regulations. It is evident that that happy state of affairs has not been experienced by the motor drivers, otherwise Mr. Kitson would not have had to move such a motion. In common with other hon. members, I recognise the problems that present themselves in the task of handling the traffic in the metropolitan area. I sympathise fully with Inspector Hunter, who is in charge of the Traffic Department, in his efforts to arrive at a solution of the difficulty. Every hon. member will join

with me in my statement that the utmost confidence may be placed in Inspector Hunter who, I have no doubt, is acting solely in the interests of the general public. I believe that one explanation of the difficulty is the multiplicity of boards and mediocrities whereby the Traffic Department are expected to arrive at a solution. It is said that the boards are merely advisory and in no sense are their decisions mandatory. It is certain, however, that an impression has been gained that their proposals are always followed. However, at this feast there appears to be the head of the taxi driver only. The other competing factor, the charabanc people, appears to be satisfied. That is largely accountable by the fact that few individuals can buy a charabanc and operate it on the roads. Then again the charabanc corporation will only run that type of vehicle when it is to their advantage. I understand that there is no limitation upon the number of licenses that may be issued for charabancs, but I am also informed that it would be almost impossible to get a license for another charabanc, because of the considerations I have indicated. But that does not apply to the taxi drivers. They have no representation on the Routes Advisory Committee. According to the regulations, they are to be limited in their operations to a prescribed route, and they must not go off the prescribed route. I understand that the taxi drivers are fair men and I have yet to learn that, taken in the gross, they act any more unlawfully than other individuals. They do ask, however, that if they are to be confined to a prescribed route, the conditions shall be such as to permit those who operate the route a reasonable chance of earning a livelihood. With an unlimited issue of licenses on a prescribed route, this cannot be done, and I am satisfied that unless there is some limitation or some machinery provided whereby taxi drivers are permitted to have a reasonable say in the number of vehicles that shall run on a prescribed route, and as to the times that must be adhered to, they cannot be expected to give the service demanded of them by the public. There is another side to the question and it is that the other section of drivers who ply their vehicles for hire shall not have their domain invaded by the drivers who are confined to a prescribed route. I understand that those particular taxi drivers have no desire to interfere with the driver of a car that is on a stand and is plying for hire, and that the only valid

reason why the well-meaning section of drivers are forced off a prescribed route is the means to an end that all who are earning a livelihood resort to. I recognise that the disallowance of a regulation is a very serious thing. I do not agree with the Leader of the House when he said that the taxi drivers should have gone to another place. In spite of the limited franchise of this House, and in spite of the remarks that are hurled against it, the Legislative Council is generally recognised as an institution that can be resorted to in the expectation of getting from it a measure of justice. That is why the people who condemn this institution come to it for that measure of justice that probably party would not permit to be extended to them in another place. The taxi drivers who have asked us to disallow these regulations have done so with the best intention and they are satisfied they will get a fair and reasonable deal based on the facts and arguments adduced. I am not conversant with the routes, but I understand that the members for the West Province are at one regarding the Fremantle terminus, and I extend to those hon. members that consideration to which they are entitled.

The Chief Secretary: That regulation cannot be disallowed; it is already law.

Hon. J. CORNELL: The whole thing boils itself down to the question whether we are to disallow the regulations affecting the prescribed routes. I take it that Regulation 23 really does not matter because it is logical, if we disallow the regulation applying to a prescribed route, that we shall disallow the regulation that provides machinery for those who break the regulations regarding a prescribed route being brought within the law. The whole thing is now down to a question of prescribed routes. I have this suggestion to offer, and it is that the House should disallow the regulations because I am satisfied that the taxi service to-day is supplying a want that the public demand, and in addition, appreciate. The position now is that owing to the unlimited competition that is going to apply to these prescribed routes it will be impossible to render that service that is due to the public and that measure of consideration that is due to the people who operate the service, and if the regulations are not disallowed we can expect acts of lawlessness on the part of the men in their endeavour to earn a livelihood, a position of affairs that would not otherwise come about.

Hon. J. Ewing: Why should not they obey the law?

Hon. J. CORNELL: Do all people obey the law? Does the hon. member obey the law? I venture to say that if it suited him to break the law, that if it were to his advantage to do so without being found out, he would break it. There are such things as bad laws, framed with the best intention. I always find that when the law conflicts with common sense in its application to the general requirements of the people it is a good thing to break it, and everyone does break it. I shall vote for the disallowance of the regulations with one desire. I have no wish to embarrass the Government or the Traffic Department. On the contrary, I shall do all I can to help both, but I shall vote for the motion in the hope that if the regulations are disallowed a common sense arrangement will be arrived at, or an agreement that will be palatable to both the Traffic Department and the taxi drivers concerned. Unless something of the kind is done, I fail to see that any satisfactory solution of the present difficulty will be brought about. On the contrary, my opinion is that the position will be aggravated. The point that appeals to me is that there should be some method of limitation that will not give the taxi drivers anything in the form of a monopoly. The limitation of the number of taxis running in competition with the charabancs or in competition with our railway system will be in the nature of a monopoly. I will admit right away that if there is a limitation some one is going to suffer, someone must go off the run. That applied to the railways when they were first introduced. Teamsters had to go out of business. It is inevitable that someone must suffer whether we have prescribed routes or not. The law of competition and foolishness, and desire to make a fortune, will drive some of these people off. But that is a set of circumstances that we do not desire to bring about—that competition shall proceed to such a stage as to become repugnant to all. We live in an age not of competition. There are very few big business men in this Chamber or in this State whose desire it is to cut the other fellow out of business by reducing prices and resorting to other such means. The business section of the world has gone far beyond that. The question of service to the people is considered to-day, as well as fair and reasonable prices and business people ask for a quid pro quo for the service.

Throughout the world it is not now a question of running the other fellow out of business, but rather is it a period of combination so that better service can be given to the community. This can be logically applied to the taxi drivers, and I trust that the result will be the bringing about of that harmony that we desire to see prevail in connection with the transport services.

**HON. W. H. KITSON** (West—in reply) [5.13] In view of the statements of the Chief Secretary when opposing the motion for the disallowance of the regulations, it is necessary for me to reply fairly fully. I wish particularly to refer to the sweeping charges he made against the men concerned in this business, and I take it also against myself. He opened his speech by stating that my attitude in this matter was unique. The reason he described it as unique was because the regulations, according to the opinion of the Solicitor General, were in absolute conformity with the Traffic Act. As a matter of fact I would have been surprised to find that they were not in conformity with the Act. I expect all regulations framed under an Act of Parliament to be in conformity with that Act, but if they are unfair in their incidence, I claim that members have a right to come forward to ventilate the matter in the hope of getting the regulations disallowed. There is nothing unique in that attitude. Many hon. members have adopted a similar attitude in regard to other matters.

**Hon. H. J. Yelland:** If they are not in conformity with the Act, surely they are *ultra vires*.

**Hon. W. H. KITSON:** Notwithstanding anything contained in Section 42, which the Leader quoted in justification of his argument, if I can make out a case that these regulations are operating unfairly to a section of the public, the House will be quite justified in carrying my motion. I propose this afternoon to show on what flimsy foundations the Leader based his argument against the motion. He made many statements which are quite inaccurate. Some of them should be classed as half-truths, especially those reflecting on the men engaged in this traffic and on myself and others who have been assisting them to get what we consider a fair measure of justice. The Chief Secretary said the men had shown a spirit of lawlessness which could only be accounted for by the encouragement they had received. I would like

to know to whom the latter part of the remark refers. Who does the Chief Secretary suggest has been encouraging the men to break the law? Certainly I have moved this motion, and have acted for the men in various directions, for instance in introducing deputations to the Routes Advisory Committee and the Minister. Surely such action does not constitute encouragement to break the law.

**Hon. G. W. Miles:** I thought the Minister inferred it was you.

**Hon. W. H. KITSON:** The only possible inference was that those advising the men had been doing something in the nature of encouraging them to disobey a law which Parliament had passed. I give that suggestion a flat contradiction. It requires no further comment on my part except that at all times when advising any section of the public I have always urged them to observe the law as far as humanly possible, and suggested that if there was anything wrong with the law they should take the proper constitutional course to have it rectified. In order to prove that that has been my attitude in this case, and also that that has been the attitude of the men concerned, I propose to give a little history which will not take many minutes but will enlighten the House as to the conduct of the men right through the piece. Prior to the Traffic Act being framed, representations were made to the Minister for Works that the measure should include some power to govern tax omnibuses operating on the Perth-Fremantle and other metropolitan routes. The Minister agreed, and admitted that under the old Traffic Act he had no power whatever to promulgate regulations governing that traffic. He promised that the amending Bill to be introduced in another place would contain provisions dealing with that point. He said that he would take the necessary power, and that it would be the same power as he had with regard to charabanes. Further, he stated that the omnibuses would have to pay a seating fee of 30s. per seat. The taxi men agreed to that and told the Minister that for their part they would welcome any regulation putting them all on the same footing. When the Bill was framed, the Minister submitted a copy of it to representatives of the men for criticism and suggestion. They found no fault with the measure, but stressed the necessity for limitation. They informed the Minister accordingly. The Minister there-

agreed to the men's suggestions, and pointed out where he had taken power under the Bill to impose a limitation, if necessary, on taxis in the same way as a limitation then applied to charabanes. They discussed on many occasions the number of cars the Perth-Fremantle road would carry from the aspect of this traffic. The number first suggested was 60, and the Minister agreed that that number would suffice for the time. He went even further, saying, "I agree that there should be some limit to the number of cars, and if after I have introduced the measure more drivers come on this road to compete with those already there, they will come on with their eyes open and will have to take the risk of being forced off the road at some future date, or when the Bill becomes law." Those are not the Minister's exact words, but they represent the effect of what he said. It was finally agreed by the Minister that the limitation should take effect in this way: only those drivers who had been plying on the Perth-Fremantle road prior to the 1st September, 1926, should be allowed to continue in that service after the Bill had become law. In order to show the Minister's attitude at that time, I propose to quote his words from "Hansard" of last session. When introducing the Traffic Act Amendment Bill in another place on the 31st August of last year the Minister for Works said, *inter alia*—

Of course the next appeal was from charabane owners against the taxis. They urged that the taxis should be confined to given routes, restricted as to number, and made to pay the same fees and taxes as charabanes. But again we found no power in the existing laws to do that, and rather than take a test case into court we decided to ask Parliament to make the position clear. To-day there are over 70 taxis on the Perth-Fremantle road, and recently I had a deputation from the taxi owners asking that those vehicles be limited. The competition amongst them is altogether too keen and, moreover, the road is becoming dangerous. Consequently the taxi owners have asked for a limitation of their number, and that they be controlled as to routes. They all agree that the present situation is quite unsatisfactory and positively dangerous.

Although charges of lawlessness have been made against the men, and charges of encouragement to lawlessness against those assisting the men, yet it is a fact that the men have adopted every constitutional means to get what they consider, and what I consider with them, to be a fair deal. In point of

fact the Minister carried out his promise to this extent, that when the Bill had become law and regulations were being framed, he prescribed in the regulations for this particular route that the number of taxis should be limited. By the way, the regulations which our Leader now says will become law if we disallow the regulations as suggested by my motion, are the same regulations as those to which I have just referred. One regulation prescribes not only the route, but also the number of taxis to operate on it. That being so, then if it is a fact that one part of the regulation would become law, I claim that the whole of it would become law and that therefore the limitation would apply automatically. Consequently I contend that even from that point of view the disallowance of the regulations as suggested by my motion should be supported by hon. members.

Hon. J. Nicholson: Would not it be wise to appoint a select committee to go into the question?

Hon. W. H. KITSON: The men have no objection whatever to an inquiry by a select committee. They consider their case good enough to be placed before a select committee or any other impartial tribunal. They care not what means may be taken so long as they are permitted to ventilate their case and get what they consider a fair deal. As I said when moving the motion, the present position is simply that the men are desirous of co-operating with the authorities rather than acting antagonistically towards them. Their attitude in regard to various matters will prove that contention, as I shall show presently. Unfortunately, owing to the constitution of the Routes Advisory Committee the men have no representation whatever on it. I have explained to the House previously how the committee is constituted, various interests, including charabane owners, being represented on it. But these men, a considerably larger number than those interested in charabane companies, have no representation whatever on the committee, and as a result have no say with regard to regulations until the regulations are promulgated; and then their only means of taking objection to a particular regulation is to make representations to the Minister asking him to suspend or postpone the operation of a regulation or withdraw it entirely, or else to appeal to Parliament. That is the course the men have adopted, and in the circumstances, I submit, it is the only fair course. At the time the regulation dealing

with the route and limitation of cars was gazetted, there was no idea of challenging any regulation in this House. The only objection to that particular route at that particular time lay in the fact that one regulation prescribed that cars should not be allowed to pick up passengers within 300 yards of any railway station or any train line. That was an iniquitous regulation. I introduced a deputation from the men to the Minister on that point, and he agreed to suspend the regulation pending a conference with the Routes Advisory Committee. The conference took place subsequently. After a discussion the Routes Advisory Committee agreed that the regulation was hardly a fair proposition. I am given to understand that thereupon they put forward suggestions which made the position much better from the standpoint of the taxi drivers, but did not entirely clear the matter up. Nothing definite was done in the matter, and as a result we had the motion to disallow regulations a month or two ago. Indeed, nothing further was heard from the department for months afterwards. In point of fact nothing was heard until the regulations of the 22nd July, regulations subsequently disallowed by this House, were gazetted. In the meantime, however, representations had been made both to the Routes Advisory Committee and to the Minister. The Routes Advisory Committee thereupon gave the men to understand that the committee were in favour of limiting the number of taxi cars operating on the road, but that they could not do anything in the matter until they had learnt from the Minister what was his attitude on that point. In June of this year, when licenses were being renewed, there was no request to the men that they should pay the fee of 30s. for each seat. Nothing was said by the licensing authorities; they carried on just as usual. Yet we have the Leader of the House saying that the men have deliberately, over a period of 12 months or longer, robbed the local authorities of moneys totalling some thousands of pounds. I do not know on what basis the Minister's advisers arrive at that figure. These men have never desired to rob either the State, or the local authorities, or anyone else. If the department or other authority concerned had made a claim for 30s. a seat, which I admit they had a right to do, the 30s. per seat would have been paid. If they had not the power or right to make that charge, then how can it be said that the men have been robbing either the

State or anybody else? There is absolutely nothing in that contention. Each time a regulation has made any change, the men have been advised to carry out that change, and they have done so. When the change was made from the William-street terminus in Perth to White City, what happened? Upon its being notified that that regulation was to be put into effect, the men were advised to go to White City, and every one of them went; and they remained there until advised by the Perth City Council that William-street was their station, which had been gazetted for them and to which they had every right to go. They came back then, with the full knowledge of the authorities, who did not take any action whatever on account of the position which had thus arisen. When the change was made in Fremantle from William-street to Queen-street and the men were advised of it, what happened? They went to Queen-street, every man Jack of them. That is a new street built by the Fremantle Municipal Council in order to alleviate the congestion at the centre of the town; but upon 40 or 50 cars being ordered to go there at the same hour in the morning they had hardly room to pass as instructed. The Chief Secretary used that as an argument against these men, their cars being head-on to the kerb. But is not that the method adopted in Perth? Do they not run their cars head-on to the kerb in order that they may get out the more easily? The Chief Secretary went further and said they did this on both sides of the road, while they themselves clustered in the middle of the footpath, and that in the opinion of the police authorities it was done deliberately.

Hon. G. W. Miles: They were on only one side of the road this morning. I was there.

Hon. W. H. KITSON: Of course. But on the morning when this came into effect, there were more cars there than this very short street could accommodate. When all these men arrived at the same time there was, temporarily, a little confusion. The Minister said these men congregated on the footpath to such an extent that pedestrians as they came along had to get off the footpath and on to the road. But how could this be possible if both sides of the road were obstructed by the cars being head-on to the kerb? The Minister went further and said that this state of affairs lasted only one day, for the police told those men it would not be tolerated, whereupon it ceased. That was not the position. As soon as these



men found out what it was necessary to do, they themselves created order out of chaos, and to-day there is no place in the metropolitan area where the traffic and parking is more orderly than in Queen-street, Fremantle. I stress that point, because it was one upon which the Chief Secretary based his argument that these men are a lawless set of men, not prepared to abide by the laws of their country, but at all times prepared to be a law unto themselves. I give that a strict and flat denial. My experience of these people has led me to believe that they are equally reputable with any other body of people in the State, even including members of this House. They were never asked to pay a license fee of 30s. until five or six weeks ago. Immediately Inspector Hunter notified them that this had to be done, they took out their licenses. Many of the statements made by the Chief Secretary—made, I take it, on the advice of various departments or authorities—are open to challenge. Knowing the Chief Secretary as I do, I feel sure that had he had personal knowledge of the facts he certainly would not have stressed these points as he did, and certainly would not have made the charges he did. He said and repeated that there was an overwhelming weight of public opinion in Fremantle in favour of the Queen-street terminus. I, together with my conferees, the representatives of the West Province, challenged that.

Hon. G. Potter: The reverse is true.

Hon. W. H. KITSON: Absolutely. When the Chief Secretary quoted the deputation that had waited on the Minister a few days previously, he gave only half the truth. He said the Fremantle Municipal Council was represented by only the mayor. As a matter of fact, the deputation was introduced by Mr. Sleeman, the member for Fremantle in the Assembly, and comprised the Mayor of Fremantle and Councillor Sumpton who, by the way, happens to be the representative of the local authorities on the Routes Advisory Committee. What happened there has been outlined by Mr. Gray. The mayor said that if the authorities had decided to insist upon Queen-street as the terminal point, which the Fremantle Municipal Council did not agree with, it would be necessary to limit the number allowed to park in that street to two cars, and to find some other place where the rest of the cars could be parked awaiting their turn to go on the stand in accordance with the timetable. I am sure that if the opinion of the Fremantle

Municipal Council were sought in this matter, their decision would be, not for Queen-street nor for William-street, but for Cantonment-street which, from their point of view, is the best. I do not think there would be much objection to it from the traffic proprietors. Those, and not the statements of the Chief Secretary, are the actual facts of the case. On more than one occasion have the Fremantle Municipal Council dealt with this matter. By resolution carried two or three times they have agreed that William-street is a better parking area than Queen-street, and on 19th September last they passed a by-law that William-street should be the terminal point for these cars. They have sent that resolution to the Public Works Department and to the authorities, but no notice has been taken of it. That is a fact not mentioned by the Leader of the House. It shows conclusively that the advice he had as to the deputation, to put it mildly, was not absolutely correct. I will go further and say that another statement made by the Minister was not correct. He mentioned that a meeting had been held at Fremantle in about May last, when there were present representatives of the Routes Advisory Committee, of the Railways, of the Tramways, of the Fremantle Tramway Board, of the Fremantle Municipal Council and of the bus and taxi men. He was careful to say that the consensus of opinion at that meeting was in favour of Queen-street as against William-street. I propose to show how far from the truth that statement was. As a matter of fact, no resolution was submitted, and no decision arrived at. If a vote had been taken, I think it would have been found that there was a majority in favour of William-street as against Queen-street. Probably that is the reason why no resolution was submitted. This is being regarded very seriously by quite a number of people in Fremantle, and I have here a sworn declaration as follows:—

I, Ernest Henry Oliver, taxi driver, of 196 Mandurah-road, South Fremantle, in the State of Western Australia, do hereby solemnly declare: That I was a member of a deputation on behalf of the Alpine Taxi Service, to meet and discuss the terminal points at Fremantle for the Perth-Fremantle taxi service and the Perth-Fremantle charabanc service and the members of the Advisory Routes Committee, together with representatives of the Fremantle Municipal Council, omnibus proprietors, and the Fremantle Tramway Board. This meeting was held at the Fremantle council chambers on 12th May, 1927, whereupon a general discussion took place. I pointed out that Queen-street was not a suitable place for a terminal

point, as in my opinion it was far more dangerous than the one then in use, namely, William-street. I was supported by my fellow delegate, Mr. Wauhop, together with the representatives of the Fremantle Municipal Council and omnibus proprietors. The whole deputation visited the William-street site, where they could see for themselves that the whole of the cars were parked in a special parking area provided by the association, and only two cars remaining on the street at any one time. They next visited Queen-street, then the charabanc terminal point in Short-street. There was no decision arrived at. Therefore the hon. Mr. Drew's remarks on this question in his speech at Parliament House on 20th October, 1927, namely, "The consensus of opinion at that meeting was that Queen-street was much to be preferred to William-street as a terminus," is not correct, as is the case with many of his other statements made in the same speech.

Signed by the said Ernest Henry Oliver, in the presence of C. H. Rudwick, J.P., this 25th day of October, 1927.—Ernest Henry Oliver.

I have gone to the trouble of interviewing a number of people concerned in this matter, and am satisfied from the information conveyed to me that the Leader of the House was badly advised on that particular point, just as he was badly advised in regard to one or two other points I propose to mention. In dealing with the history of this matter I have reached the stage where the regulations of 22nd July were disallowed, and also where the Minister agreed to suspend certain regulations. When last we met the Minister, the Minister discussed the matter very freely with us. There did not appear to be any friction between us, and the Minister said he would submit our representations to Cabinet. The notes of that meeting, I understand, have been laid on the Table, but I have not seen them. We all thought that we would hear something from the Minister, but we found next morning a notification in the Press that the regulations were going to be enforced. Again I want to make it clear that these people have no desire to be antagonistic to the authorities or to the Minister. They are keenly desirous of co-operating with anybody who may find it necessary to have dealings with this matter. The Leader of the House, when speaking, suggested that the crux of the whole matter was the question of limitation of vehicles. That is correct. I frankly admit it. I pointed out only a few short months ago that the Minister controlling the department also agreed to it. I will now go further and say that every authority having to deal with this matter, if asked for their candid private opinion, would agree that some limita-

tion is necessary. Yet we find the Government saying there shall be no limitation whatever. The Leader of the House says it would mean putting off 80 taxi drivers from the road. During the week-end I made inquiries from the Traffic Department and others, and I find that up till Friday last 92 taxi proprietors had taken out licenses for cars on the Perth-Fremantle route. They are quite in order and everything is in conformity with the Act, but there are many more to come. The chief of the Traffic Department estimates there are 18 or 20 that he knows of who will yet apply for licenses to run on that route. But if we take the existing number—92—and work out the number of trips it would be possible for those men to get in in one day when running to a 5-minute time-table, we find it means not more than two round trips, which is not a payable proposition. And when further licenses are issued the position will be much worse. Naturally the taxi men, wishing to give the people a satisfactory and safe service, are desirous that something should be done in order that everybody may be satisfied. They are not arbitrary in their demands: they do not say that the taxis should be limited to a particular number; they are prepared to leave that to the authorities to decide. The taxi owners say they do not want a limitation that will apply for all time. If anything happens in future that shows a need for more cars, they will not object to the issuing of further licenses, but they maintain that they are entitled to treatment similar to that meted out to the charabanc proprietors. Only 22 charabancs have been licensed for that route and the limitation applied right up to the time the latest regulations were formulated. Although the regulations prescribed that all limitations and restrictions are lifted, it is impossible to secure a license for a charabanc on that route. Why this discrimination? I leave it to members to supply the answer. On the one hand the authorities are prepared to issue unlimited licenses to taxi drivers, and on the other hand they will not issue one additional license for a charabanc.

The Chief Secretary interjected.

Hon. W. H. KITSON: That is not proposed at all; that is a proposal agreed to by the Minister some 12 months ago. The Chief Secretary made a statement that there would be an outcry from the taxi owners if a limitation was imposed. To show that there is very little truth in the statement, I submit a document signed by 29 of the

men who will be prohibited from plying on that route if the limitation is enforced. The document reads—

We, the undersigned taxi proprietors operating on the Perth-Fremantle-road, who are likely to be prohibited from running on that route if a limitation of cars be introduced, do hereby agree that some limitation is necessary. There are other routes which could be opened up, and this we would be prepared to do if given similar protection to that desired for the Perth-Fremantle route.

Then follow the names, addresses, and car numbers. I quote that document for what it is worth. I have not yet met one man who would argue against the limitation. All agree that at present the position is so unsatisfactory that some limitation is necessary. The document is proof positive that there would not be an outcry as was suggested by the Minister. Dealing further with this question, the suggestion that the number of cars should be limited is not an unusual one. Limitations are imposed in many directions. There is a big difference between imposing a limitation on the 60, 70 or 80 cars owned by individual proprietors and prescribing a limitation for one company that in fact might be comprised of three or four original proprietors, plus a number of shareholders who have joined the company since. If it was fair to limit the number of charabancs on that route and not issue any further licenses for them, there is no argument against the proposal to limit the number of taxis. The Chief Secretary pointed out several things that he said proved conclusively the danger of the old terminal at Fremantle as compared with the new. Let me mention one to show the flimsy foundation on which his argument was based. He said that if the cars ran from William-street they must cross four lines of tramway track. I defy the Minister or anyone else to find four lines at that particular point. They can cross one line or three lines, and in the busiest parts of the day they would cross only one. The Leader of the House is evidently not well acquainted with the locality, but he sought to substantiate his statement by saying that the Beaconsfield, Marmion-street, East Fremantle, and North Fremantle trams converged at that point. As a matter of fact, the cars serving two of those routes run down the one set of rails, and there is a compulsory stopping place on both sides of the intersection, just as there is in Queen-street. In addition, the

car drivers in William-street would have a clear view for a considerable distance, whereas by using Queen-street they would have to turn at right angles into a very busy thoroughfare. The Minister said he was given to understand that Mr. Wauhop, the secretary to the taxi owners, had substantial interests in a garage and petrol supply station in William-street. Whoever was responsible for advising the Minister took a point that did him no credit. Mr. Wauhop has been acting as secretary to the taxi-owners for a considerable time, but only within the last fortnight or three weeks has he had any personal interest, not in a garage as stated by the Minister, but in a petrol supply and parking ground. Previous to that his sole interest was as secretary to the taxi owners. Whoever advised the Leader of the House must have known what was taking place, but he was apparently prepared to use any argument in order to defeat the efforts of the taxi owners to obtain a fair deal. I do not think it matters one iota to the secretary whether William-street, Queen-street, or Cantonment-street is made the terminal point: he will still be able to carry on his business. I have been given to understand that certain statements made by the Minister regarding the Cottesloe route were not quite correct. As a matter of fact, I have been informed that they were very much incorrect. The Minister spoke of the mayor of Cottesloe and the attitude he had adopted to the Perth terminal for the North Cottesloe route. The mayor of Cottesloe has informed me that on the occasion referred to by the Minister he was not present in an official capacity and he did not wish to remain while the discussion was being carried on. However, he was requested to remain and in his presence several suggestions were offered, he was asked several questions, and he replied in a strain similar to that adopted by the mayor of Fremantle, "If you insist on this terminal or the other, then I prefer Wellington-street to White City." He was not representing the local authority or the men operating the service. During the week end some negotiations have taken place that may lead to a mutually satisfactory agreement, but I cannot allow the Minister's statement to pass without pointing out that fact. It is another of those statements used to bolster up the Minister's argument. Let me deal with the Cottesloe route because

there has been some misunderstanding about it. I have taken the trouble to go over all the routes in question and to acquaint myself with all the details of them, and I have come to the conclusion that quite a number of the people charged with the framing or recommending of these regulations do not even know the districts for which they are prescribing routes. I am satisfied that some of them could not tell where certain streets are. At different times they have asked, "Why do not the taxi men go down this street or that street?" One of the streets in question was a street that had been surveyed and not made, and another was a street that, if made, would have run through the new courts of the Cottesloe tennis club in Napier-street. Still another was Broome-street, in which there is a stretch of 20 chains yet to be made, which portion a taxi could not possibly negotiate. All that those men know of the districts for which they are prescribing regulations is what they see on the map. When people are charged with the responsibility of recommending routes for motor services, it is their duty to know what they are doing. They should at least be able to say that they have been over the routes and understand the peculiarities of the districts to be served. Otherwise they should not accept the responsibility of prescribing routes such as they have prescribed. The cars on the North Cottesloe route have been moved from the old terminus, where they had all facilities such as telephone and a waiting room for the use of passengers in bad weather, down to Deane-street, some three-tenths of a mile distant. There is no reason why they should not have the terminal on the other side of the level crossing which, by the way, the Chief Secretary described as a subway, but instead of that it has been fixed three-tenths of a mile away. That terminal is, so to speak, in mid-air; it has neither telephone facilities nor shelter, and at night time it is rather a lonely spot, illuminated as it is by only one light. To a portion of the route there is no complaint. The Chief Secretary said that the people of Cottesloe and North Cottesloe had been given all they asked for. I am prepared to admit that the greater proportion of the people in the district are satisfied, but the men who are running the taxi service are not. While the North Cottesloe and Cottesloe people have all they want in their district, the taxi owners are

confronted with the problem that the rest of the route is of no use, and if they are compelled to adhere to it, it will be impossible for them to make a living. From the time they leave Claremont until they reach Perth there is, in my opinion, no chance of their earning a sixpence on any one trip over the route recently gazetted. Consequently, it will be necessary for them to have full loading from Cottesloe or North Cottesloe to Perth, or vice versa of passengers who do not wish to break their journey. From the lower end of Nicholson-road to Wellington-street the taxis would be running in such close proximity to the tramway line that they would be proscribed from lifting any passengers at all. I have examined the Wellington-street terminus on three occasions since the House last met and I say with the greatest emphasis possible that I know of no more unsuitable place in the metropolitan area than that spot. I saw it under the best conditions on Sunday and I saw it under the worst conditions on Friday and Saturday. If any member of the House inspected the place, I am satisfied he would agree that it is necessary to adopt some other terminal point for traffic of this kind. The Chief Secretary said it was unfortunate for me that I had objected to the terminus, because the Perth Municipal Council, the Cottesloe Municipal Council and the police had agreed to it. I challenge that statement, and say it is incorrect. Another point raised by the Leader of the House was in regard to my action in asking for the disallowance of the regulation which prohibits these men from doing private work. I have no desire to set myself up against any other section of the community, particularly other taxi owners who ply for hire in the metropolitan area from recognised stands, but I wish to put forward the point of view which I think will appeal to members. If unlimited licenses are to be issued for this route, and the men have to run to a time table, and have to wait three or four hours at the end of each trip before they can start upon another trip, and because they get no more than two or three trips a day, what chance will they have of making a living? In the past the men have been able to get private work that has come to them unsought over the telephone, or from people who have gone to that particular terminal point. If, on the other hand, there is going to be a limit to the number of taxis allowed to run on this route, these people are prepared to

agree to remain on the prescribed route and to undertake no private work. The Government and the traffic authorities cannot have it both ways. They must give these people a chance. This system of transport has come to stay. It will develop here as it has in other parts of the world. We should not put obstacles in its way, as these regulations are endeavouring to do. I should like to ask the Chief Secretary whether it is the intention of the authorities to carry these regulations into effect in their entirety. I prefer particularly to other taxi proprietors who are supposed to be plying for hire from recognised stands, but who also ply for hire in the form of separate fares. I have seen quite a number of taxi cars plying for hire at 6d. per passenger, and doing this on portion of the route which is supposed to be limited to vehicles which have taken out a license as taxi buses. The owner of a taxi bus pays a higher license fee than the ordinary taxi proprietor, but he enjoys fewer privileges. It is rather interesting to note what is paid by these men in the way of license fees, and what it costs a man to put his car on the road. I was surprised to find that it cost one man £64 10s., another £75 5s., and another £96 17s. 6d. These costs are for license fees and insurances. Owing to the compulsion they are entitled to either one or the other of the privileges I have enumerated. They must either be given the protection afforded by limiting the number so that they can remain on the prescribed route and earn a livelihood, or they must be permitted to do whatever private work comes their way during the interval when they are not able to run on the route. The Minister also challenged me in connection with the Dalkeith route. He said, "The protest to which Mr. Kitson referred was signed with the object of being presented to the Minister, but the word of the Minister was taken and the protest was withdrawn." I am advised that the protest, which bears the signatures of 111 residents of the Bruce-street area, was not signed with the object of being presented to the Minister. It was obtained by a private individual, who was going to submit it to the originator or pioneer of the route. This pioneer was told that the protest had been signed, but he (the other man) did not know what to do with it. The pioneer of the route was asked what he would advise, and he said he would pass the protest on to the gentleman who was representing them. That is how it came into my possession.

The Leader of the House said I was well aware that negotiations had taken place, and that an alteration had been made in the route, that the original route had been reverted to, and that the service was being carried on. I was not aware of that. I have found out since that two bus licenses have been issued by the Traffic Department for that particular route, but in neither case has the license been issued to the person who pioneered it. My statement therefore stands, that at that time the man who had pioneered the route could not make it pay on account of the altered regulations. This man was not prepared to run against the regulations, and therefore withdrew from the route. Someone else then made representations, and apparently the new people are running on the route that the other man pioneered. The men are asking for a limitation in the number of taxi cars. They are prepared to take the risk of earning a livelihood on new routes, but they first want protection. It is not fair, when people have pioneered a certain route, that others should be allowed to come in and make it impossible for them to earn a decent living. The Chief Secretary described this limitation as my scheme. I do not claim it to be mine, but I do say that it is a fair scheme. Unless these men get something of the kind, they will remain in the position of being unfairly treated. They should at least be given a chance to make a decent living. If this limitation is accorded to them—what it shall be they have no desire to declare themselves, but would prefer it to be done by the authorities—they will have an opportunity to give a service that is second to none in the Commonwealth. The Chief Secretary said that an exhaustive investigation had been made. I have tried to show that I, too, have made an exhaustive investigation. I think I have shown that my word is to be believed, and that the Minister's advice was, to say the least of it, incorrect. I have also shown that these men were not desirous of being a lawless body, but had every wish to carry out the law so far as it was humanly possible for them to do. Their officials have at all times advised them to obey the law. The authorities themselves will admit that at no time has there been any friction between them and those who have been acting on behalf of the men. This is a refutation of the charges laid by the Chief Secretary. There was no ground whatever for them. I should regret very much to think that any of this argument could be used in a personal way

for cheap abuse and the like. That would not get us anywhere. We desire to co-operate with those who have the right to say what we shall do and shall not do. With regard to Route 7 (a), the Leader of the House, when speaking upon the disallowance of the previous set of regulations stated that in the event of the regulations being disallowed, the previous regulations would automatically become law. He has made the same statement again, but with a difference. On the first occasion he said that the regulation provided for a limitation. He also said that would come into effect. On the present occasion he has said the opposite. He stated that if these regulations were disallowed the regulation of the 14th January would come into effect with respect to the route, but that it would not do so in the matter of the limitation and that, so far as the Government were concerned, there was going to be no limitation. That is what the Chief Secretary said. If there is not going to be any limitation, how can the regulations of the 14th January be put into effect? Those regulations provide for a limitation to the extent that only those who were regularly plying their calling on the route prior to the 1st September, 1926, shall be allowed to continue upon that route. I appeal to members to give this matter the fullest consideration, such as I know they always do on questions of this kind. If the regulations are disallowed, the authorities will be able to take the necessary steps to see that those people who are chiefly concerned are got together round the table. If that be done, there will be very little difficulty in arriving at a mutual agreement. I hope the motion will be carried.

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

Ayes	..	..	..	..	11
Noes	..	..	..	..	9

Majority for .. 2

#### AYES.

Hon. J. Cornell	Hon. J. Nicholson
Hon. V. Hamersley	Hon. G. Potter
Hon. E. H. Harris	Hon. A. J. H. Saw
Hon. W. H. Kitson	Hon. H. J. Yelland
Hon. A. Lovekin	Hon. E. H. Gray
Hon. W. J. Mann	(Teller.)

#### NOES.

Hon. J. M. Drew	Hon. H. Seddon
Hon. J. Ewing	Hon. H. A. Stephenson
Hon. J. W. Hickey	Hon. Sir E. Wittenoom
Hon. Sir W. Lathlain	Hon. E. Rose
Hon. G. W. Miles	(Teller.)

Question thus passed.

## BILL—TRAFFIC ACT AMENDMENT.

Returned from the Assembly with an amendment.

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

## MOTION—COASTAL LIGHTING AND BUOYING.

Debate resumed from the 20th October on the following motion by Hon. G. W. Miles:—

That the buoying and lighting of the coast from Owen's Anchorage to Wyndham is unsatisfactory, a source of danger to navigation, and requires immediate attention.

**HON. G. W. MILES** (North—in reply) [7.30]: I wish to reply briefly to the statement made by the Honorary Minister when he was discussing my motion. I am glad that the Fremantle Harbour Trust authorities have decided to practically re-survey the channel through the Success Bank before the next cattle season. I ask the Minister again to take note of my remarks regarding the entrance to the channel, with a view to seeing whether it will not be possible to have it widened, even if the whole of the channel is not dealt with in that way. I am told by shipping masters that if there is a heavy sea on, it is not as wide as it might be in the interests of shipping. Regarding Geraldton, the Honorary Minister said that a set of springs had been ordered, and I hope that he will make the same provision at Carnarvon and at Beadon Point. I hope the work will be carried out soon; the sooner the better for shipping along the coast. I am glad that lights have been ordered for Port Hedland. We have been asking for the provision of those facilities for a number of years. The lights will be of assistance to pearlers and others who have to make that port in rough weather. As to the position at Point Torment, I still think it is the duty of the Government to strengthen the light on the jetty at Derby. Its range is only four miles and the light on the jetty has to serve as a lighthouse for that port. If the Honorary Minister will peruse the report of the Harbour and Lights Department he will see that the range of other lights varies up to 12 miles and he will agree that ships making use of Derby require a stronger light than the one existing at present. As to the condition of affairs at Wyndham, the Minister justified my remarks in that regard.

and informed the House that the launch was to be re-conditioned and the buoys put in order. I hope the Government will continue to make representations to the Commonwealth with a view to having lights erected on the Lacepede and Adele Islands. As to Shark Bay, the Minister stated that the Chief Harbour Master and the master of the "Kybra" had located the position of the buoys. I accepted his statement that they had located the positions by means of the sextant. In that regard I would like to refer to the report of the inquiry into the stranding of the "Koolinda" which appeared in the "West Australian" this morning. The portion I refer to is the evidence tendered by Capt. Harris. Anyone who knows the position will realise at once that the report as published is erroneous. If it were correct, the statement by the Minister has been contradicted. Capt. Harris was referring to No. 1 buoy and according to the report he said—

The description of the position of the outer buoy on the port side going out of Denham Channel, as contained in the "Gazette," was incorrect. The buoy was 10 miles away from the position defined in the "Gazette."

That is not what Capt. Harris said at all. He said that it was 10 miles away from No. 3 buoy. It is the first buoy going into the sound and it is 10 miles away from the third buoy, not ten miles from the position as set out in the "Government Gazette." The report continues—

Prior to the alteration of the buoying of the channel, about 1st September, there were four buoys instead of three marking the bank.

The Government should impress upon the Commonwealth authorities the necessity for surveying the channel. The fact that two more buoys have been placed along the channel, shows that it is liable to silt up. I believe the channel has silted up to a certain extent and I hope the Government will do what they can to have it re-surveyed. I do not wish to say any more, except that I hope my action in bringing the matter before the House and ventilating it, will assist the Honorary Minister and the department in securing more money for handling propositions in the North-West. Up to the last year or two the Harbour and Lights Department has been starved. With the permission of the House I ask leave to withdraw my motion.

Motion, by leave, withdrawn.

## BILL—RACING RESTRICTION.

### *Second Reading.*

**HON. SIR WILLIAM LATHLAIN** (Metropolitan-Suburban) [7.3] in moving the second reading said: May I first express regret that a position has arisen that compels me to bring forward the Bill. I feel it is one of great moment to the whole of the community and probably no question of such a moral nature has been before the citizens of Western Australia for a long time. Certainly no question is receiving greater attention at the present time. Speaking as an Australian, I must reluctantly admit there is one great weakness in our national life and that is the desire of a great majority of the people to indulge in gambling. Whilst it is the duty not only of those in the legislature but of every right-thinking citizen to retard the progress of gambling, that can best be done by taking away facilities that present themselves. One would imagine that the facilities for gambling that exist in Western Australia and throughout Australia generally at present were sufficient to satisfy the craving of the most insatiable gambler. Be that as it may, we are threatened at present with another form of gambling that is creating tremendous excitement, not only in the Motherland, but throughout Europe. Now we are to have this scourge thrust upon us in Western Australia. Members will have noticed in the Press reports the rapid strides this so-called sport is making and the increasing desire of the people to gamble on it. According to the Press the British Government during the past week received an income of over £10,000 as a result of tin hare racing. As an Australian citizen I desire to enter my emphatic protest against the introduction into the Commonwealth of this scourge. It is true that tin hare racing has been introduced in Sydney owing to the fact that the Minister in charge decided that tin hare racing was coursing. That is the only reason for its operation there, because the law cannot exercise control over it.

Hon. J. Cornell: That was decided by a judge; not by a Minister of the Crown.

Hon. Sir WILLIAM LATHLAIN: That is so. We desire to take such steps in Western Australia as will prohibit the introduction of this further gambling facility in our midst. I have stated that the citizens are very much alarmed regarding this evil. A public meeting was held the other night at Claremont and I have been told that it was

the largest gathering held in that suburb since the war. I should say that between 700 and 800 people were present. I have no doubt what the verdict of the people there will be when the referendum is held to-morrow. They will turn the proposition down with a tremendous thud, because the people here realise what a terrible effect gambling has on the national life and how it is undermining and eating like a cancer into the fibrous tissue of our national life.

Hon. W. H. Kitson: Is the referendum on the question of the sport or the utilisation of a ground at Claremont?

Hon. Sir WILLIAM LATHLAIN: On the utilisation of the ground. We have tremendous facilities in Western Australia for gambling and we have had the experience of White City. It has been seriously condemned by the great mass of the citizens.

Hon. E. H. Gray: And it is well supported by the people.

Hon. Sir WILLIAM LATHLAIN: Most of the people know that these facilities are provided for them and so they take advantage of them in order to satisfy their craving for gambling. We have had further evidence of the demoralising effect of the pernicious evil in our midst. We can cast our minds back a comparatively few years to remember that upon every bar counter, in every tobacconist's shop and in every club there were poker machines. They became such a curse and a menace that the law intervened and promptly suppressed them. Every member of this Chamber has seen poker machines at work, and realises the enormous amount of money that was spent on the machines in order to win a few cigars, and bad ones at that, or to secure a few more drinks that men did not require. In another State I saw a man put £3 through a machine in an afternoon and I knew that that man's children did not have the proper necessities of life. We must realise that it is our duty to keep from those who desire to gamble to such an extent the facilities that merely increase the desire. Then again you, Mr. President, and members representing goldfields areas will remember the demoralising effect of whippet racing in Kalgoorlie. The position was so acute in 1912 or 1913, when I was president of the Chamber of Commerce, that a deputation from Kalgoorlie asked the Chamber to take decisive action that would curtail that form of gambling or put a stop to it altogether.

Hon. J. Cornell: And it still goes on.

Hon. Sir WILLIAM LATHLAIN: But not to the same extent.

Hon. J. Cornell: Pretty well.

Hon. Sir WILLIAM LATHLAIN: We should see to it that tin hare racing is not established here to be a further incentive to gamble.

Hon. E. H. Gray: It is better than true coursing.

Hon. Sir WILLIAM LATHLAIN: Evidence was brought forward in connection with whippet racing to show that while a number of the wives of miners received their husbands' wages fortnightly in order that they might pay the tradesmen, in quite a number of instances the money was not paid to the storekeepers and others, but was squandered in betting on the whippets. In addition to that the fact was established that the whippets received greater care and attention than any member of the owner's household. In the issue of the "Sunday Times" last week a statement appeared that exactly the same conditions prevail in South Africa. We also remember the many tricks that were resorted to in order to prevent dogs from winning. I quote these two instances as specific cases to demonstrate that the law stepped in and curtailed the opportunities for gambling, and I desire, in this instance, to prevent the mischief those people are endeavouring to create and to save the community from themselves. The title of the Bill is "Racing Restriction." Clause 2 sets out

From and after the passing of this Act it shall be unlawful for any person to bet in any place on the result of any race in which a mechanical device, contrivance or object is used for the purpose of racing of any kind.

Then there is a provision for a penalty of £500 or imprisonment for 12 calendar months. With regard to Clause 3, I propose to ask the House to permit me to withdraw it, because I find that a great deal more can be read into it than was intended when I framed it. It is as well to have some evidence other than the evidence that I can place before hon. members so that they may realise the demoralising effect this so-called sport has on the community. I intend to quote a short article written by "Touchstone" in the "Australasian" of the 15th October, on the effect tin hare racing is having in Sydney. "Touchstone" is acknowledged to be a very fair and also the most impartial writer in Australia. He



also has a world-wide reputation. This is what he had to say—

"The term is a misnomer," wrote "Touchstone" in the "Australasian" recently, describing a visit to Epping, the Sydney "tin" hare course. "There is no tin about the contraption, and there is no coursing. The greyhounds simply race straight ahead against each other, incited thereto by the sight of a stuffed hare skin in front of them. The dogs are not called upon to display any skill in turning, wrenching, etc., as in real coursing; it is merely a test of speed. There is no doubt the "sport" has caught on in Sydney—as in other countries—yet I fancy it would die a speedy death if betting were stopped, as I sincerely hope it will be. It is very interesting—until the novelty wears off—as a well-known Melbourne sportsman and I found when we paid a visit to Epping one night last week. Although the weather was cold and showery, about 20,000 men, women, boys, and girls plodded about in the rain and mud all the evening, the majority of them apparently being intent mainly on 'spotting a winner.' It requires little knowledge or intelligence to follow the proceedings. Usually eight dogs compete in a heat. Each dog wears a light cover of a distinctive colour—blue, red, green, black, etc.—on which its number in the race-book also is plainly shown.

The track is between two and three furlongs around, and most of the races are of a trifle more than a round, with an occasional one of half a mile. The hare is attached to a short arm projecting from a mono-rail, which runs around the outside of the track, and is protected by a covering of galvanised iron. The movement of the hare (which in the electric light is quite lifelike) is controlled by a man in a tower, who is able to regulate the speed at will. Before each heat the dogs are led around the track, their attendants wearing long coats which match the colours borne by the dogs. The latter are then placed in their respective stalls, and the hare is run around in order to "ginger" up the dogs. When the hare is passing the dog stalls a second time the barrier is released by the starter, and the dogs stream out in a line. It is easy to follow each and every dog through the race, and backers yell and "ride them home" from start to finish—about 48 seconds of intense excitement.

The crowd is so dense in some parts—particularly on a fine night, when the attendance reaches 35,000—that many of the spectators obtain only glimpses of the race.

A member of another place informed me the other day that he was present at one of these meetings about a fortnight ago and that there was an attendance of 46,000. At Glasgow a little while back there were over 100,000 people at a tin hare meeting.

On one occasion a small boy of about 15 years of age, who stood near me, could see absolutely nothing of the dogs, yet, with a bookmaker's ticket clutched in his hand, he danced and shrieked, "Come on, No. 6, come

on No. 6!" until the race was over and then, when some other number went up, he turned sadly away. I could not help being struck with the large number of young people of the office-boy and shop-girl type who were betting and frantically cheering on the dogs they had backed. These youngsters having to work in the daytime cannot attend race meetings, but these "tin hare" affairs at night afford them a tempting opportunity to develop latent gambling instincts, with, perhaps, terrible results. I have never been accused of being a "wowsler," but I do think that it will be the greatest curse with which the country can be afflicted if this pernicious form of gambling takes root in Australia. Not only boys and girls fall victims to the vice; working men and women are to be seen in large numbers betting—and in most cases losing—money they can ill afford to lose. The baker, the butcher, the grocer, are in for a bad time in Sydney, I'm afraid, but the pawnbrokers and the bookmaker will grow rich.

I have also a statement that in Sydney recently the names of bookmakers attending tin hare racing were printed on the card, and the number of those operating in the enclosure was no less than 187. There is more evidence that can be obtained regarding the pernicious influence of the evil, but I have quoted enough, I think, to convince members that it is the solemn duty of this House to see that this new form of gambling is not permitted to introduce itself in Western Australia. Negotiations are being eagerly entered into by a number of people to secure grounds, and although no public announcement has been made with reference to the applications that have been submitted to the Perth City Council, I have it on the authority of the Mayor that attempts were made to negotiate with that body, and that both the Mayor and the Town Clerk threw cold water on the suggestions to such an extent as to convince the people interested that from the municipal authorities they would not have much chance of securing grounds. I am sure that the action of the Mayor will be supported by the members of the Municipal Council, and by the citizens of Perth. To show how seriously the matter of the introduction of this form of racing was considered, a statement appeared in a newspaper the week before last that 50 dogs had already been shipped to Perth from one of the other States. A recent overseas edition of the "Daily Mail" stated that between 700 and 1,000 bookmakers were operating on tin hare racing and that it was impossible to get enough dogs to contest all the events. The influences brought to bear are many and varied. It may surprise hon. members to know that

one prominent bookmaker approached me the other day and said emphatically that the bookmakers of Perth did not desire tin hare racing to be introduced into Western Australia.

Hon. J. R. Brown: He is only one of many.

Hon. Sir WILLIAM LATHLAIN: This bookmaker gave as his reason the fact—and he said it was an indisputable fact—that the people of Western Australia were already betting far beyond their means and it was not desirable that other opportunities for betting should be provided. This is probably one of the biggest social questions that has been placed before this House for a long time. We realise the influence it is likely to have upon our younger generation and therefore it is our bounden duty to endeavour to protect them against such influences. I have no desire to weary the House by quoting many more instances of the evil effects that are likely to follow this form of racing, but I think it will be sufficient to say that if we adopt the course proposed by the Bill, we shall be doing something that will be in the best interests of Western Australia, and we shall also build up a sound national life which is the ideal and ambition of every true member of our community. Women's organisations and many others have approached me on the subject of the Bill, and I have received numerous letters showing that the people have been roused to a considerable extent by the proposal to start tin hare racing. I feel sure that members will give the Bill serious consideration and will pass it so that we might keep Western Australia free from what will otherwise become the greatest scourge we have ever known. I move—

That the Bill be now read a second time.

HON. J. CORNELL (South) [7.56]: I join with Sir William Lathlain in his desire to limit gambling, but I submit that he has gone the wrong way about it. The Bill will not suppress tin hare racing. If he had framed it so as to make tin hare racing unlawful, he would probably have had my support, but there is not a line in the Bill that makes a tin hare or any other mechanical contrivance unlawful if used as a sport. We can view tin hare racing, or any other sport, for that matter, from two angles, one being the angle which does not permit of betting and the other the angle with which betting is associated. All that the Bill does is to practically re-enact Section 211 of the

Criminal Code. If members turn to that section they will find that it is unlawful to bet on the W.A.T.C. racecourse—

Member: Or to bet anywhere.

Hon. J. CORNELL: Or any other racecourse. In fact, a place where betting is carried out is regarded as a common gaming house, and a misdemeanant is liable to punishment. All that Sir William Lathlain seeks to incorporate in the Bill is to be found in the Criminal Code, and what he suggests can be carried out by administrative act.

Hon. J. R. Brown: You could move an amendment.

Hon. J. CORNELL: Yes, if it will keep you quiet. The position in regard to tin hare racing is that if the people are permitted to invest their money for the promotion of this sport, and Sir William Lathlain's Bill is passed, we shall be no further forward; in fact, we shall be repeating merely what the Criminal Code says, and whether or not betting will be permitted at tin hare racing will depend upon the Administration of the day, whether they will enforce the law in the Criminal Code against tin hare racing as they have not enforced it against other forms of racing and betting. The non-enforcement of the Criminal Code in respect of betting on any form of sport has not been the fault of any particular Government, but the fault of all Governments. This glaring anomaly exists in respect of our laws, as I and other members pointed out here when Mr. Colebatch introduced a Bill to tax betting—betting in the eyes of the law being an offence. And the same position will arise if the present Bill passes. I have my own opinion as to tin hare racing, having done a little coursing in my young days. By no stretch of imagination can an analogy be drawn between coursing proper and tin hare racing.

Hon. J. R. Brown: No; proper coursing is barbarous.

Hon. J. CORNELL: Anyone who follows coursing proper, as for instance Mr. Stephenson, knows that the dog leading up to the hare is not always the dog that wins. In tin hare racing, on the other hand, it is merely a question of the straight-ahead speed of a dog, without any of the fine points of coursing.

Hon. J. R. Brown: That has nothing to do with the Bill.

Hon. J. CORNELL: I agree with Sir William Lathlain that probably the introduction of tin hare racing will mean another

element of gambling, which is not desirable in this community. With all due respect to Sir William's judgment, however, I submit that he withdraw the Bill and tackle his subject by proposing the suppression of tin hare racing at its base. Then he will not have to run the gauntlet of the Administration as to whether betting on tin hare racing shall or shall not take place. What could be more ridiculous or inconsistent than to allow members of the community to subscribe to a company to inaugurate the tin hare sport, and after allowing the company to spend a good deal of their money to say to them, "At your sport no betting shall take place"? And meantime people having subscribed money to trotting, or to proprietary racing, or for that matter to the W.A.T.C., will be allowed to continue betting. I repeat, what could be more ridiculous or more inconsistent? The promoters and patrons of tin hare racing have an equal right, under the administration of the law of the land, to be allowed to bet on events taking place upon their course. I am in agreement with Sir William that we ought to stop the vehicle by which more gambling will be introduced; but that end, I consider, can only be achieved by suppressing the sport at its initiation, by not allowing it to become established in Western Australia. I suggest Sir William withdraw his Bill and bring down a measure to suppress tin hare racing.

On motion by Hon. E. Rose, debate adjourned.

## **BILL—ELECTORAL ACT AMENDMENT.**

### *In Committee.*

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1, 2, 3—agreed to.

Clause 4—Coming into operation of provisions relating to arrangement for joint rolls:

Hon. E. H. HARRIS: The first line of the clause refers to an "arrangement." Is it not an agreement we are asked to enter into with the Commonwealth? If so, why is the "agreement" described as an arrangement?"

The CHIEF SECRETARY: It is called an arrangement, though it is an agreement in writing which is being entered into by States desirous of having joint rolls with the Commonwealth.

Hon. Sir EDWARD WITTENOOM: I have an amendment to move with the object of making the clause more comprehensive. It is greatly to be regretted that we are not dealing with an amendment of the entire Act, the measure being of such a nature that it is evaded wholesale. The object of the present clause is that the Governor and the Governor General may make an "arrangement" for joint rolls: I attach importance to the question whether it is an "arrangement" or, as stated by the Chief Secretary, an "agreement." I move my amendment—

That in Subclause 2, after the word "effect" in line four, the following be inserted:—"and after an Act of Parliament has been duly passed, and assented to providing for the redistribution of seats in each House of Parliament in Western Australia."

The amendment is harmless, and will not make much difference. It would be superfluous, and waste of time, to make joint rolls at the present juncture, particularly as our State rolls are in such a defective condition. Within the next four or five years there will probably be several elections. Assembly elections will be held in 1930 and 1933. A census will be taken in 1931, and that ought to simplify the compilation of rolls. There will be elections for the Council in 1928, 1930 and 1932. All those elections are to be held on the present rolls. I am moving my amendment because the Government, through the Premier, have expressed a disinclination to bring down a Redistribution of Seats Bill—this although they say they have been sent back to power by a majority of the electors. If that is so, surely the present is the time for them to effect a redistribution. There are some glaring examples to show that the rolls should be put in order. I shall not deal particularly with the Assembly rolls, because their condition is familiar to everyone. I think I can prove enough to justify my amendment by quoting anomalies relating to this Chamber. The total enrolment for the whole of the ten provinces of the State on the 30th June, 1927, was 68,774 electors. The three metropolitan rolls contain the names of 35,593 electors, thus — Metropolitan-Suburban 20,930, Metropolitan 6,894, West Province 7,769, making a total of 35,593. Those three provinces represent 51.75 per cent. of the total enrolment for the State. Therefore nine members in a House of 30, equal to 30 per cent. of the strength of the Chamber, represent over 50 per cent. of all the elec-

tors of the State. Does not such a position call for readjustment?

Hon. J. R. Brown: They do not represent 50 per cent. of the electors, nothing like it.

Hon. Sir EDWARD WITTENOOM: The remarkable disparity between the enrolments in these three provinces is evidenced by a comparison of their relative percentages of the aggregate enrolment for the area, thus: Metropolitan-Suburban 58.80, Metropolitan 19.37, West 21.83.

The CHAIRMAN: I presume the hon. member intends to connect his remarks with the amendment.

Hon. Sir EDWARD WITTENOOM: My object is to justify my amendment, which is that before anything be done about joint rolls, a redistribution of seats be effected. I am trying to justify my amendment by showing how the percentages of voters concerns each electorate, so that it may be apparent to members that these discrepancies should be straightened out. The three smallest provinces have only 6,693 electors. They are North-East 3,003, South 3,076, North 614. These represent only 9.73 per cent. of the total enrolments of the State. The remaining four provinces have 26,488 electors, as follows: Central 4,887, East 8,127, South-West 7,274 South-East 6,200. These represent 38.52 per cent. of the total enrolments. So nine members for the metropolitan area equalling 30 per cent. of the House represent 51.75 per cent. of the total enrolments, while nine members from the goldfields and the North represent 9.73 per cent. of the enrolments, and 12 members from country districts represent 40 per cent. of the House, and 38.52 per cent. of the total enrolments. The highest enrolment is that of the Metropolitan-Suburban Province, namely 20,930, while the lowest is that of the North, namely 614. If members agree that the rolls of this House are so unequal, they have only to think what it is like in another place to agree with me that before an attempt is made to construct joint rolls a redistribution of seats should be introduced, so as to provide a more equitable basis. It is only wasting time for the Government to undertake joint rolls unless prepared to bring about a redistribution of seats first.

The CHIEF SECRETARY: The hon. member's remarks have no bearing on the Bill or on the amendment. It is not a question whether the number of electors in the Legislative Council Provinces are evenly divided, nor is it a question as to the proper

distribution of seats. I am surprised that the hon. member should desire to see the people better represented, for I have a lively recollection that whenever a Bill has been introduced here for the purpose of giving the people an extension of the franchise for this House, the hon. member has strongly opposed it, with the result that 75 per cent. of the people of the State and 50 per cent. of the taxpayers have no voice in the election of members of this House. The hon. member's amendment would suit the Government, and so I will offer no opposition to it. Because if the Government were to bring down a redistribution of seats Bill, say, next session, it would be possible under the amendment to have joint rolls within 12 months if we wished to approach the people for a decision. A considerable amount of spade work would be necessary to bring joint rolls into operation, but once the system had been put in operation it would be very easy to make amendments and to fit in with any redistribution of seats. So nothing could be done, although a redistribution of seats Bill were passed, and the Government would have at least 12 months in order to bring the system into operation. That would be the effect of the amendment.

The CHAIRMAN: Having allowed Sir Edward Wittenoom certain latitude in the moving of his amendment, I extended the same courtesy to the Chief Secretary in his reply. In the meantime I have considered whether or not the amendment is in order. The Bill unconditionally provides for the preparation and use of joint rolls for the State and Commonwealth elections. Clause 4 provides certain procedure to be followed whereby a specific understanding must be arrived at between the Government and the Governor General of the Commonwealth on the subject matter of the Bill before it can be brought into operation by proclamation. Other than those preliminaries, there is no special power in Clause 4 against the Bill being brought in by proclamation. The amendment, if passed, would create a condition precedent to the proclamation of the Act, inasmuch as unless an Act of Parliament be passed providing for a redistribution of seats, this Bill if passed, could not be proclaimed. Since the subject matter of the Bill makes no reference to a redistribution of seats, I rule that the amendment is not relevant, and therefore is not in order.

Clause put and passed.

Clauses 5 to 9—agreed to.

Clause 10: Rolls for district and subdivisions.

Hon. W. J. MANN: I should like to learn from the Chief Secretary how many rolls there will be under the proposed alteration. At present there are 50. If that number is to be increased to any extent, there will be considerable confusion amongst the electors. Any alteration in our electoral laws, I submit, should make for simplicity, not for confusion.

The CHIEF SECRETARY: Some months previous to an election there will be 67 rolls, but for the purposes of the election a number of them will be amalgamated to bring the total down to 50, thus coinciding with the number of Assembly seats.

Hon. E. H. HARRIS: I thought it was to be 65.

Hon. V. HAMERSLEY: In any redistribution of seats, community of interest should be considered. We are prone to be influenced by a large number of people engaged in manufacturing industries as against a small community engaged in agriculture. We cannot follow the present Federal subdivisions because, as regards community of interest, they are absolutely appalling.

The CHIEF SECRETARY: In the course of my reply to the second reading debate, I casually referred to that phase of the question. It is recognised that community of interest must be considered. But that has nothing to do with this Bill.

Hon. V. Hamersley: It would as regards the boundaries overlapping and the number of rolls.

The CHIEF SECRETARY: But it could not be imported into this Bill.

Hon. E. H. HARRIS: The State Electoral Act provides that community of interest shall be considered when boundaries are re-adjusted. The Commonwealth Government, however, are chiefly interested in numbers. That is where a difficulty will arise when we seek to make a redistribution of seats. Subclause 5 is new. It provides that a separate roll for any district as a whole may be prepared if the Minister so directs. It is usual to leave the printing of rolls to the Chief Electoral Officer. Why put it in the hands of the Minister?

The CHIEF SECRETARY: In Leederville, for instance, it would be necessary some months before the election to have three rolls owing to the overlapping of Federal boundaries. For the purposes of the election they would be amalgamated into one roll to obviate the necessity for having more than one roll at a polling booth.

Hon. E. H. HARRIS: The Chief Secretary has not answered my question why the Minister instead of the Chief Electoral Officer should direct the preparation of a separate roll. Clause 14 provides that the roll for any district shall be printed whenever the Minister so directs. A candidate naturally applies to the Chief Electoral Officer about a roll, not to the Minister. A candidate opposing the Minister for Justice might want to know about the printing of the roll. He would go to the head of the department who would not be able to inform him until he had consulted the Minister. Section 24 of the Electoral Act provides that the rolls shall be prepared by the Chief Electoral Officer whenever he thinks fit. The Council rolls will be in the hands of the Chief Electoral Officer, and I fail to see any reason for giving the power to the Minister.

The CHIEF SECRETARY: I regret that I missed the point. Even if "Chief Electoral Officer" were substituted for "Minister," he could not incur expenditure except with the approval of the Minister.

Hon. E. H. HARRIS: That may be so, but what about the provision in the Act?

The CHIEF SECRETARY: Expenditure by any Government officer must first receive Ministerial approval.

Hon. E. H. HARRIS: Very well; I shall deal with the question when we reach Clause 14.

Hon. V. Hamersley: Are not you going to move an amendment?

Hon. E. H. HARRIS: No; I merely asked for an explanation.

Clause put and passed.

Clauses 11, 12, 13—agreed to.

Clause 14—Printing of rolls:

Hon. E. H. HARRIS: Why depart from the practice laid down in Section 24 of the Act? If we agree to the Assembly

rolls being printed whenever the Minister directs, we may later on be asked to leave the matter of printing the Council rolls in the hands of the Minister.

The CHIEF SECRETARY: I have informed the hon. member that even the Chief Electoral Officer must get the approval of his Minister before he incurs expenditure.

Hon. E. H. HARRIS: Then how has he managed all these years?

The CHIEF SECRETARY: He has gone to the Minister and obtained approval.

Hon. E. H. HARRIS: Let him continue to follow the same procedure.

The CHIEF SECRETARY: Under Subclause 5 of Clause 10 the Minister is given power to direct that rolls be printed regardless of whether the Chief Electoral Officer desires it.

Hon. E. H. HARRIS: The practice since 1907 has been for the Chief Electoral Officer to get the rolls printed. Now we are asked to differentiate between the practice for the Council and that for the Assembly. I move an amendment—

That the word "Minister" be struck out, and the words "Chief Electoral Officer" inserted in lieu.

Under the amendment the Chief Electoral Officer will go to the Minister and obtain the necessary approval.

The CHIEF SECRETARY: It seems to me immaterial whether the word "Minister" is left in the subclause or whether "Chief Electoral Officer" is substituted.

Hon. J. J. HOLMES: If we pass the amendment we shall have it on record that the Chief Electoral Officer wanted the rolls printed and that the Minister refused the request. The parent Act says that the rolls are to be printed whenever the Chief Electoral Officer thinks it advisable to have the printing done.

Hon. H. SEDDON: There is a vast difference between this subclause and the correlative section in the parent Act. Mr. Harris only wishes to have the printing of the rolls left in the hands of the responsible electoral officer.

The CHAIRMAN: Perhaps the amendment will hardly meet the case. Whom will the Chief Electoral Officer direct to have the rolls printed?

The Chief Secretary: The Chief Electoral Officer could hardly direct anyone to have the rolls printed.

Hon. E. H. HARRIS: I should like to withdraw my amendment, and subsequently to move that the subclause be struck out and Section 24 of the principal Act inserted in lieu of it.

Amendment, by leave, withdrawn.

The CHIEF SECRETARY: If it is desired that the section of the original Act be restored, this object can be achieved by adding at the end of Subsection 1 the words "at such other times as the Chief Electoral Officer may think fit."

Hon. H. SEDDON: I move an amendment—

That Subclause 1 be struck out, and the words "that the rolls shall be printed and issued under the hand of the Chief Electoral Officer whenever he thinks fit" inserted in lieu.

The CHAIRMAN: I suggest that after the word "printed" in Subclause 1 the words "and issued under the hand of the Chief Electoral Officer whenever he thinks fit" be added.

The CHIEF SECRETARY: It is perhaps as well to give a little time to look further into this matter. I move—

That further consideration of this clause be postponed.

Motion put and passed.

Progress reported.

*House adjourned at 8.57 p.m.*