

Mr. Underwood: Conditionally on the suspension of the regulations, yes.

Hon. J. Mitchell: But they cannot be suspended.

Mr. SPEAKER: It is not within my province to give a decision upon this point, nor have I been asked for it, but the hon. member for Northam has spoken to me respecting the matter, and I told him that I was not aware of any authority to permit of the suspension. However, under Section 11 of the Interpretation Act I believe the Minister has power to withdraw the regulations and to put them into operation again at any time.

Hon. J. Mitchell: The Minister would have power to withdraw the regulations, and, of course, make other regulations.

Hon. W. C. Angwin (Honorary Minister): That is what we will do.

Hon. J. Mitchell: Then I am perfectly satisfied with that.

Mr. Taylor: May I ask the Honorary Minister if that is without any regard to the passage of another Bill?

Hon. W. C. Angwin (Honorary Minister): Hon. members desire that no further action be taken under these regulations pending the passing of a Bill which is now before this House. The Minister for Works gave that distinct promise and I think that should satisfy hon. members. The regulations will be withdrawn and after that it will be necessary to make other regulations when the amending Bill is passed.

Mr. Underwood: I have every confidence in the honesty of the Government, and as I have the assurance of the Minister I ask leave to withdraw the motion.

Question, by leave, withdrawn.

PAPERS PRESENTED.

By Hon. W. C. Angwin (Honorary Minister): 1, By-law of the Geraldton Local Board of Health. 2, Regulations under the Jetties Regulation Act, 1878. 3, Additional Port Regulation 46A. 4, Amended Food Standards and Regulations under the Health Act, 1912.

House adjourned at 10.33 p.m.

Legislative Council,

Thursday, 25th September, 1913.

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

PAPERS PRESENTED.

By the Colonial Secretary: 1, Amendment to regulations under the Mining Act. 2, Amendment to general rule 12 under the Coal Mines Regulation Act.

PERTH TRAMWAYS PURCHASE MONEY.

The COLONIAL SECRETARY: In reply to the question asked without notice by the Hon. Mr. Colebatch yesterday with regard to the method of payment in connection with the purchase of the tramways, I have to state that the whole of the amount is paid in cash.

BILL—SUPPLY (TEMPORARY ADVANCES) £223,145.

Read a third time and *passed*.

BILL—TRAFFIC.

Second Reading.

Debate resumed from the 23rd September.

Hon. W. KINGSMILL (Metropolitan): When the villain in the melodrama makes his first nefarious attempt and is foiled and returns to the charge, he, on the second occasion, as a rule, comes back with a considerable amount of disguise. With regard to this Bill I can, at all events give the Government, who, having failed in the piece, and are behind the Bill, the credit for discarding any attempt at disguise. We have in this Bill the same measure absolutely letter

for letter which we had before the House last session.

Hon. J. F. Cullen: There is one addition.

Hon. W. KINGSMILL: Yes, with one unimportant addition, it is substantially the same Bill. Before I deal with it, perhaps I may be pardoned if I say a few words about the history of the intervening time between the withdrawal of this Bill last session and its introduction at the present time. I have only to say that I very deeply regret the misstatements which have been made in connection with this measure. Invariably, whenever it was spoken of, this House was accused of having rejected it. Nothing of the sort was the case; nothing could be further from the fact. An amendment was made which I contend now was not vital to the Bill, which did not affect the principle of the Bill. The amendment, on the other hand was made to a clause which was contrary to the principle enunciated by the Bill, and for this reason the Bill was withdrawn. Why was it withdrawn? I think, on speaking on the measure when it was last before the House, I described it as an attempt at the apotheosis of the Minister for Works. I have no hesitation in saying that is what it is to-day. We learn that man was made a little lower than the angels; that might be quite correct with regard to the bulk of humanity, but if the Bill passes, that saying, true as it may be with regard to the rest of mankind, will have no possible application to the Minister for Works. He will be on an altitude entirely his own. Is it because that altitude was not reached, because the hon. gentleman, on whose advice, I take it, the Government acted, did not attain that dizzy pinnacle of fame and power, that the Bill was withdrawn? I can imagine no other reason. The principles of the Bill were still intact, even with the amendment which this House made, an amendment which could have been made and could have been agreed to by the Government, and which I hope if made by the House on this occasion will be ~~not~~ adopted by the Government. I say that the amendment which

was made, and which I hope to see made on this occasion, was one which is not vital to the Bill. It is not vital to the Bill for this reason: this Bill, as a whole, aims at the control of the traffic throughout the State by local bodies under the direction of this measure by the Minister for Works, that is, the whole of the State with one exception—the metropolitan area. If the Government wish to strike a blow at local government, why do not they go about it in a direct manner? Why do not they make a frontal attack? Why do not they start by amending the Municipal Act instead of approaching the subject and undermining local and municipal government in the manner they are attempting to do in the Bill which is now before us? Alone throughout the State, the municipalities of Perth and Fremantle, which one would have supposed should have reached a degree of efficiency, being the largest in the State which would entitle them to some respect, alone throughout the State these two municipalities are deemed unworthy of managing their own financial affairs with regard to traffic. I say it is an insult to these municipalities; it is more than an insult, it is an injustice. I hope those portions of the Bill which propose to enact this injustice will disappear from it before the measure comes out of Committee. Is it possible that there is any animus against the municipality of Perth? I know there is not in the mind of the hon. gentleman who leads this House. I have every confidence in that hon. gentleman; I know he is too fair-minded to entertain any animus with regard to any public body, but let me say that somewhere at the back there must be animus. The hon. gentleman gave us some information on Tuesday evening which was so glaringly wrong that I cannot help thinking that in the minds of those who supplied the information, animus which I give him the credit of not possessing in his own mind, must be present. The hon. gentleman stated in regard to Perth—and he used a phrase which was not a pleasing one to use regarding any local authority—he accused the Perth authorities of evading their

responsibilities. That is a heavy indictment and not too agreeable a way of putting it. The hon. gentleman said—

The city of Perth once paid one-third of the cost of the maintenance of the Causeway, and rightly so as it was one of the main arteries of southern trade to the City, but ten or twelve years ago the council got rid of their liability and since then have paid absolutely nothing.

I do not know, and it would be interesting to learn, where the hon. gentleman got his information. This morning, in order to verify or disprove the statement, I made inquiries at the Perth City Council offices and had the council's books examined for any trace of such a transaction, with this result: I have before me authoritative information that the Hon. the Colonial Secretary's statement in regard to the maintenance of the Causeway is incorrect. The city council have never paid anything towards the maintenance of the Causeway, and have therefore never avoided any responsibility which they undertook. Then again, the hon. gentleman went on to say—

As regards the Perth-Fremantle road, they have exhibited similar close-fistedness and I think the present condition of Mounts Bay-road is an unenviable tribute to their policy.

Instead of being close-fisted with regard to the Mounts Bay-road the Perth City Council have for years and years past paid a very considerable sum more towards the upkeep of that road than they have ever received in rates from it. That road runs through the Perth City Council area for approximately three miles. Hon. members will know that for a great portion of that three miles the road is bounded on one side by the river and on the other side by King's Park. Therefore, they will not be surprised to learn that the amount received in rates per annum from properties fronting on that road is only £190. Now let us see what they have spent per annum on that road. In 1907, they spent £344 1s. 6d.; in 1908, £256 4s. 8d.; in 1909, £150 5s. 7d.; in 1910, £84 6s. 2d.; in 1911, £246 18s. 4d.; and in 1912, £302 11s. 10d. That is to

say, in 1912 they received £190 in rates from properties fronting this road and they spent on it £302 11s. 10d. That amount, too, represents maintenance alone. In addition to that, £250 a year is spent on watering that road. Further, the council placed on last year's loan estimates for tar metalling the surface of Mounts Bay-road a sum of £1,639. It is again most unfortunate that the hon. gentleman who leads this House should have picked out the Mounts Bay-road as an example of the ineptitude and close-fistedness of the Perth City Council. He has admitted that one portion of the Mounts Bay-road is in a very, very bad state indeed. The hon. gentleman will be the first to admit when his attention is directed to the fact, that the bad state of this road is due almost entirely to the fact that the Sewerage Department which have been carrying out their works on the road have not yet carried out their promise to repair the road and leave it in the state in which it was originally. That is to say, the Minister who aspires to be the ruler of the destinies of Perth has not thought fit to move his department to make the necessary and due repairs to this road which should have been made.

Hon. B. C. O'Brien: That refers to private property as well.

Hon. W. KINGSMILL: Quite so. I am simply pointing out that the Colonial Secretary was unfortunate in selecting this particular road, in quoting this instance of the laxity of the city council, when as a matter of fact its condition is due to the attitude adopted by the Government he represents.

Hon. B. C. O'Brien interjected.

Hon. W. KINGSMILL: I am very sorry that I cannot hear what the hon. gentleman is saying.

The PRESIDENT: The hon. member will have an opportunity of speaking later on.

Hon. W. KINGSMILL: I do not object to the hon. member interjecting, but I regret that I was not able to catch what he said. I gather that the interjection was to the effect that we could not expect the city council to spend only revenue on

this road. I have shown that the city council have spent two or three times as much on that road as they have received from it, and, furthermore, I have shown that the fact that they have received so little is because the property abutting on that road is the property of the Government which appears to be treating the council so spitefully. With regard to the question of licenses, the Colonial Secretary has stated that the allocation of fees received from licenses is unfair. I do not propose to admit that for a moment, but suppose it were unfair, may I ask has this Government ever requested the city council, with which they find so much fault, to devise some scheme or fall in with some scheme of a fair allocation of these fees? They have not done so. The first indication of their displeasure is the bringing down of a Bill like the present one, which is practically holding a pistol to the head of the Perth Municipal Council. At all events, it is not a courteous way of treating the principal municipal body in the State.

Hon. R. G. Ardagh: Perth gets all the "bunce."

Hon. W. KINGSMILL: I have not noticed that, but I will take the hon. member's word for it, and I hope that when he speaks on the Bill he will enlarge on it and quote some instances. Great fault has been found with the fact that the Perth authorities collect £600 a year from motors, nearly all of which are used on roads outside Perth. This is a very specious way of putting the argument. Let me call the attention of hon. members to the fact that a large proportion of these motors ply for hire in and around the city, and that they habitually use the streets of Perth as an abiding place when they are not in active use. Surely they might be expected to pay something for that. Again, there are a great many motors in the suburbs which habitually use the roads of Perth, and while it would be extremely difficult to make an accurate allocation of the amount to be paid to each municipality, still I think it will be found on consideration that this subject is surrounded with so many difficulties taking one thing with another, that not

much fault can be found with the present method of allocation. From other vehicles the Colonial Secretary has stated they collect over £700, or a total of about £1,400, whereas the outside authorities who have to maintain the roads, which are used by these vehicles, collect practically no fees. That is not correct. The Colonial Secretary must know that. The carts, vehicles, and traps which are licensed in Perth certainly use the outside roads, and on the other hand all the vehicles which are licensed by the suburbs use the Perth roads. It is impossible to differentiate; the place of abode must be the place which shall receive the revenue. The Minister's statements would seem to indicate that the vehicles licensed in Perth do not use the Perth roads, that they have themselves conveyed in some mysterious way through the air and then come down with no end of a bump on the suburban roads, with the full intent of doing damage. That is absurd. When we consider that the city has to maintain a very much larger extent of roads in comparison with the suburbs, I think it will be admitted that the Minister's contention must go by the board. As a matter of fact I do not admit the necessity for this re-allocation of the license fees, and if I did I should say that the local authorities were the proper persons to carry it out and not the Minister for Works. The Bill, so far as I can see, is a fair one for the State as a whole, with the exception to which I have alluded, and I may say if this metropolitan area were to be treated, and there is no reason why it should not be treated, in exactly the same way as it is proposed to treat the rest of the State, there would be no objection whatever. There might be an objection to minor details, but to the principle there could not be any objection raised. But the metropolitan district, or at all events Perth, for which I have the honour to be one of the members, most certainly does object, especially under the circumstances which I have detailed, the circumstances of the injuries and loss which it has suffered through this and other Governments, and now it objects to have this farther loss placed upon it, and not only

a loss but the slur of inferentially being incapable of managing its own revenue which is derived from traffic. I alluded last year at considerable length to what has happened to the city financially for a great many years past. I pointed out then, and I do not propose now to go into details, how the municipal subsidy has gone down year by year until it has reached what I hope must be an irreducible minimum. But in addition to its loss of revenue and rates, and the loss of subsidy, Perth has lost a considerable area of taxation owing to the huge resumptions which have taken place in the city on behalf of the State and Commonwealth Governments. When those resumptions have been completed—they are only partially completed now—the figures will be as follows:—Perth will lose through the resumptions made by the State Government no less a sum than £2,748 a year, and it will lose through the resumptions made by the Commonwealth Government no less a sum than £1,777 a year, a total of £4,525. In addition to this, the present Government propose to take away from the city council the £1,400 which at the present time is derived from license fees, so that the total amount the council will be deprived of will be in the neighbourhood of £6,000 per annum. I wish here to enter a most vigorous protest against this, and to ask the House to back me up in protesting against such an injustice being done to the capital city of the State. Let me point out another aspect of the case. Ever since this Bill was withdrawn by the Government, or as the Minister for Works puts it, rejected by the Legislative Council, or even as the Colonial Secretary put it more fairly, failed to become law, ever since then, deputations from the suburbs or the municipality of Perth, which have appealed to the Minister for Works for help, have been given the same answer. Every time they approached him to seek for assistance to maintain or build their roads, the Minister replied, "I am very sorry indeed. If it had not been for the fact that the Legislative Council rejected the Traffic Bill, undoubtedly I should have agreed to your wishes. As it is I am quite unable to help you

financially. There is no hope of my doing so." Let me say that the withdrawal of this Bill by the Government has been the excuse for the non-expenditure, I should say, of £20,000, and by the failure on the part of the Government to take away from the city the sum of £1,400, the Government have achieved a saving to the extent to which I have referred. The demands will be made again this year, and I warn the Government that the clause dealing with this particular question is a dangerous one to leave in the Bill. It had better be taken out again, so that they may be in the position to repeat what they have already stated and effect another saving of £20,000. The attitude that I am adopting is the attitude which I have taken up ever since I have taken an interest in public affairs, and it is that the main roads of the State should be the care of the State itself. Hon. members will agree with me when I say it is impossible for the local authorities to control the main roads. Take the Perth-Fremantle road as an instance. It is impossible to definitely or even fairly allocate the amount which should be contributed by each of the local authorities.

Hon. F. Connor: Do you call it a road?

Hon. W. KINGSMILL: Well, along the place where the road should be, a clear space where there used to be a road. When the leader of the House was speaking yesterday, I reminded him that this road was taken over by the Government in 1901. I happen to know that that is so, because I was the Minister for Works at the time. Owing to the endless squabbles between the department and the various local authorities it was absolutely impossible to arrive at a satisfactory basis of control, and meanwhile the road was drifting into a state of disrepair nearly as bad as it is at the present time. I thought it as well to take the bull by the horns so I, as Minister for Works, took over this road and we spent a fair amount of money on it, and it remained a charge against the Public Works Department for some years until the Dalgligh Government came into office. The present Minister for Works was in the Dalgligh Government. It is a peculiar thing how history repeats itself.

Hon. B. C. O'Brien: Only for a little while.

Hon. W. KINGSMILL: Yes; he was only there for a little while, and that is a thing to be somewhat thankful for. He has been Minister for Works this time for quite a long time, and if he gets his way in this Bill, and in one or two other Bills, it will be impossible to do without him, as his position will be such that no two other men will attempt to take on the work which he has undertaken to carry out. But as I was saying, this road was taken over and kept in good repair until the advent of the Daglish Government, when it was handed back to the local authorities, and the result is the wretched state in which we find it to-day. It is in an absolutely awful state, and the only solution of the difficulty is again to take the course which I took some years ago, and allow the State to take it over as well as all other main roads. If it is necessary to decrease the subsidies to local bodies, do so, but by all means see that the roads which are used by all—the main roads of the State—shall be the care of the State. Let us follow the example of South Australia, where the roads are treated in that manner, and where they are better than in any other part of Australia. There are no roads boards in South Australia, and there never have been, and yet the South Australian roads are in a far better condition to-day than the roads in any other part of Australia where road boards exist.

Hon. C. A. Piesse: They borrowed heavily to make them so.

Hon. W. KINGSMILL: And it was well worth while.

Hon. M. L. Moss: They have better material than we have.

Hon. W. KINGSMILL: The hon. member is only alluding to the country in the immediate vicinity of Perth; elsewhere the circumstances are very similar. I do not think I need say very much more with regard to this Bill. There is one complaint which I have received from some people in Perth and which I will read to the House. This is a letter which I received subsequent to an interview I had yesterday with a representative of the Swan Brewery Company. They are the

only owners of a steam lorry in Perth, and a steam lorry is proposed to be exorbitantly taxed in the schedule. These gentlemen have written to me as follows:—

Further to our conversation of yesterday, respecting the above, we beg to place before you particulars of this company's steam trolley, and the fees which under the proposed amending Bill we will be called upon to pay. Our steam trolley weighs unladen 5 tons 15 cwt. 3 qrs. and when used in and about the brewery premises (at such times, crossing not more than 200 yards of Mounts Bay-road), it carries a load of eight tons, making the whole tonnage approximately 14 tons. On its delivery trips to Perth, it carries a load of 4 tons, or a total tonnage of approximately 10 tons and travels at a maximum speed of five miles an hour. Under the circumstances mentioned, we will be charged per annum a license fee of £5, and an additional fee of 6s. per wheel per ton or part of a ton in excess of 5 tons, or equivalent to a total annual charge of £15 16s., an increase of £10 16s. on the present charge. The width of tyres, namely, back tyres 10in., front tyres 5in., and the maximum speed attained are matters in a specific case such as ours deserving of protection from the imposition of a fee which we contend is unreasonable, and one that, should we be called upon to pay, we cannot continue to use the trolley other than at a loss.

Hon. M. L. Moss: There are others besides the Swan Brewery Company.

Hon. F. Connor: I think they can "beer" it.

The PRESIDENT: Order!

Hon. W. KINGSMILL: I hope that hon. members will be called to order who make such awful jokes as that. I have nothing more to say about the Bill except that I hope this objectionable Clause 23 will disappear. It is a clause which I submit is not only an insult to the metropolitan area, but also a serious injury to the city of Perth, and as such I hope it will not be found in the Bill when it comes out of Committee. If it is so found, it

will be my duty as a metropolitan member—indeed it would be my duty as a member for any place—to oppose a measure which proposes to enact such an injustice. Let me say, too, that the method—I do not allude to the Colonial Secretary's method—but the method in which this Bill is introduced, the fact that though the Government know distinctly and explicitly what the wishes of this Chamber are, they have not taken the slightest trouble, they have not moved one-hundredth part of an inch to meet our wishes, is not a thing to recommend this Bill to the Chamber. I understand it is possible, although personally I do not think it probable, that at some future time in this State we may have a unicameral system of Government. But this Government should take heed, they should remember that they have to take things as they find them. This unicameral system of Government does not yet exist, and personally I think it will be long before it does exist, but as a member of this Chamber I do object to be treated as if another place were the only fount and origin of legislation, and its dictum was absolutely and entirely final. The reintroduction of this Bill unaltered in that particular in which we disagreed with it last year, is, I think, evidence that the Government wish to bludgeon the Bill through this Council by some means or other. Personally, if the Government wish to reject the Bill because Clause 23 disappears, I say they are absolutely acting, not improperly, because they are the judges of their own conduct, but acting unnecessarily, and the fact that the Colonial Secretary has indicated that such may be the case will not deter me at all events from voting against the Bill if Clause 23 remains in it. I support the second reading, but I reserve the right to myself to oppose the third reading to the utmost of my power if the objectionable Clause 23 remains in the Bill after it comes out of Committee.

Hon. J. F. CULLEN (South-East): I want to say a few words from the country point of view. The Minister has represented all the local authorities as being on the opposite side to the House regarding this Bill. Now, I know the Colonial

Secretary has not correctly represented the attitude of the local bodies throughout the country, and in so far as he has correctly represented them, their attitude has been based on misrepresentation of the position. Why, Sir, this House supported the Bill in all respects but one, and that one comes under the term of an incidental in the title of the Bill. This House passed the Bill and the Government dropped it because of what may be regarded as a parasitical clause, or, to put it more gently, an incidental clause that has nothing to do with the main intentions of the Bill. Now, the attitude of the local bodies throughout the country is this: that, so far as the Bill refers to them, they are fairly well satisfied with it. It embodies a number of improvements. There is only one point on which in its bearing on country local authorities I shall ask the Minister to consent to an amendment, but I want at this stage to emphasise the fact that the local authorities have not had the Bill and its position in this House properly placed before them. A representative of a country roads board came to see me the other day and said, "Mr. Cullen, we hope you will support the Traffic Bill. It has been explained to us that it is a good Bill, and we will gain a good deal by it." I said, "Yes, how so?" Then he said, "Oh, we are told that our license fees are to be largely subsidised by the Government." I said, "Yes, and where will the money come from?" "Well," he said, "we understand that the license fees collected in Perth will come to the country on the ground that many city motor cars travel over our roads. We expect a good share of that money."

Hon. M. L. Moss: They would not get much out of £1,400.

Hon. J. F. CULLEN: I said, "Have you any idea how much these fees are?" He said, "No, but from the talk by the Government and their representatives about the Bill the fees must be very considerable." I said, "Suppose they were, have you come down to poaching on the city council? The fees are a bagatelle, not worth talking about, apart from the principle of trying to get a little for your-

self at the expense of the city council." But the funny part is this, that until the other day there was not an atom in the Bill about any monetary advantage to the country local authorities. The clause authorising the Government to make a certain grant, that is to say, to spend moneys that Parliament will vote, has only just been inserted.

Hon. W. Kingsmill: A new sort of bait.

Hon. J. F. CULLEN: Yes, the Government awoke to the fact that the country Press was making fun of them. I, for one, drew attention to the fact that there was not an item in the Bill about monetary assistance to the country local authorities. The only point in which monetary gain came in was in regard to the local authorities in the metropolitan districts other than the city council. They were to get the city council's fees on a mileage scale, but as regards the country there was no provision whatever. At the last moment a clause has been put in saying that such money as Parliament may vote for the purpose will be given to the country local authorities by the Government as a subsidy on their license fees.

Hon. M. L. Moss: What clause is that?

Hon. J. F. CULLEN: It is a new clause, but I want the Minister to take this seriously to heart. It is not good enough for him to repeat in this House statements that do not correctly convey the actual position of affairs. It is incorrect to say that the local authorities are in favour of this Bill. They are in favour of the portion that applies to them, and of course that is their immediate concern, but to quote any local authority in support of this attempt to interfere with the affairs of the city council, I say is to misrepresent the attitude of the country bodies.

Hon. F. Davis: I could quote you several.

Hon. J. F. CULLEN: And if any local authority has been led into such an attitude it has been through misrepresentation. Now, I want to impress the fact on the House and the country that the Legislative Council has supported this Bill with the exception of this excrescence

allowing the Minister to intervene in important municipal affairs.

The Colonial Secretary: How many clauses did they support?

Hon. J. F. CULLEN: All except Clause 23 and such consequential amendments as would be required by the striking out of Clause 23. That was the attitude of this House last session and I have no doubt it will be the attitude of the House to-day. I want to add a few words to Mr. Kingsmill's very well put protest against any intervention on the part of the Minister in affairs which rightly belong to municipal bodies. Why, the whole trend to-day is towards the enlargement of municipal functions. I cannot understand the attitude of this Government towards the city council. I am sure that, as regards Ministers in this House, there can be no feeling against the city council, and I am loth to think that on the part of the Cabinet as a whole there can be any want of respect for the functions of the city council. But the fact remains that right through the career of the present Ministry there has been created a feeling on the part of the city council that they are being hampered in their work and that the Government have not displayed towards the city council that large minded attitude which a Government should display. I would like the House to weigh for a moment the practicability of a Minister coming in and taking up one item of municipal functions, a Minister coming in as a licensing authority. He will leave all the rest to the city council. He will leave the control of the licensees and all license holders, but he will come and issue licenses. Is it not a striking anomaly that an authority outside of civic affairs should issue the licenses and say he will run the traffic of the City, but leave to the City authority the control of the traffic and to deal with the people who have received these licenses, and who, to that extent, are not responsible to the City authorities. Is it not an anomaly for which it will be hard to find any excuse? How is the Minister going to carry on this licensing business? He will have to create certain officers as licensing authorities,

provide for accountancy and so on. How much of this £1,300 will be left when the work is through? The bulk of it will go in expenses and when he comes to get hold of the little balance, how on earth can he divide that balance among the metropolitan local authorities with the hope of approaching to justice. As the hon. Mr. Kingsmill has submitted, there is an approximation to justice to-day; each local authority licenses the people living in its area and, of course, in every case the licensed vehicles travel beyond the area in which they are licensed, but taking it at large there is an approximation to justice even in the metropolitan district; but if there was not, how on earth can the Minister hope to get nearer to justice? Where is his idea of poetic justice? How is it to be done? I predict that, if by any chance it came about, the Minister's life would be plagued out with appeals from disappointed local authorities. He could not do justice to them. The Bill does not say so, but it has been stated by spokesmen for the Bill, that the Minister will have certain roads proclaimed trunk roads and then divide the money in proportion to the mileage in each local governing area. How is he to arrive at a distinction between trunk streets in Perth and other streets? Why, half the streets of Perth are trunk streets, and, whatever may be his decision he will have his life plagued out in appeals if he succeeds in getting his own way. I say the principle at stake is a clear one. There must be no intervention of the State Government in small municipal affairs. It is absurd to contemplate such a thing. Although this is incidental to the Bill the fact remains that, in the Minister's mind, this is really the Bill, and this talk about subsidising is purely illusive. I maintain that these promises of Government grants based on this Bill are illusive, entirely illusive. There might be something in it as regards municipal local governing bodies, but as regards roads boards, in what shape do they get their Government help now? Purely in the form of political patronage. I am not blaming the present Ministry; I am sure the Ministers will give me credit for this.

None of my criticism affects only the present Ministry when I am talking of principles of this sort. I admit there would be a great difficulty in getting at this stage of municipal development any absolutely sound and unchallengeable basis on which Government subsidies and grants could be bestowed. Of course the only unchallengeable basis would be that of pure subsidy, proportioning the Government money to the rates collected, but most people hold that that would not enable absolute justice to be done, because many of the local authorities that needed help most would be raising least money of their own. The money that is voted year by year, Ministers tell us, is the utmost that can be voted. Why was a certain amount fixed last year? The Minister said "That is the utmost we can afford." I submit that if they are going on the basis of this Bill to give grants to these local governing authorities, it will only come out of the moneys that would otherwise have been given in the ordinary way and the attaching of any money consideration to this Bill is illusive. I am afraid it was put in as a bait.

Hon. W. Kingsmill: They will be able to afford less next year.

Hon. J. F. CULLEN: Simple people will say "Here is some more money for us, we will go for that Bill," but when they understand it they will see that any money attaching to this Bill can only come out of what they would otherwise get if the Bill never passed. The Minister will say, "As a matter of fact we had some money on the Estimates last year and because the Bill was not passed we did not pay it over." What a confession! They always tell us they give the utmost they can afford. Now they say "We could have afforded a little more, but because you were bad boys and did not let our pet Minister get all his own way we have held back these little plums for which you were holding your mouths open." I am ashamed to think that any Government could stoop to such reprisals. I want the Government to understand that any money connected with this Bill is illusive, because they can only attach to the Bill what would have been given

if the Bill never passed, because they vote each year the utmost they can spare to the local governing authorities. I will support the Bill, but I will do all I can to help Mr. Kingsmill to throw out Clause 23. I want the Minister to reconsider Clauses 43 to 62, bearing on tractors. The framers of the Bill are only thinking of such tractors as Mr. Kingsmill spoke of just now, running in the streets and doing trolley business, but tractors in the country now are practically farming machinery. A tractor is taken on to a farm. It only goes on the road to get to the farm, and perhaps may cross the road from one part of the farm to another, or may go a few yards along the road where one neighbour gives help to another. I want farm tractors to be exempt from these provisions of the Bill, and it is a simple and just thing to do, and a thing that ought to be done in the interests of our settlers. Tractors that are practically farming implements need not be brought under these provisions. I hope the Minister will weigh that very carefully and let us insert a new clause showing that the provisions contained in Clauses 43 to 62 do not apply to tractors engaged in farming, and I think then, with Clause 23 out and this new clause in, we shall have a very good Bill.

Hon. J. CORNELL (South): After the thorough and statesmanlike manner in which the hon. member who has just sat down dealt with the Bill I hardly know how to approach it, but at the outset I extend my sympathy to the Minister in charge of the measure, for there are some provisions in it which I am going to oppose, and I think he will find some provisions of the Bill which almost every member of the House will oppose. As I understand the Bill, it has for its object the consolidation of other statutes, and uniformity of traffic regulations throughout the State, with a special provision and special consideration for the metropolitan area.

Hon. W. Kingsmill: Not special consideration, that is a wrong term to use.

Hon. J. CORNELL: So far as Clause 23 is concerned I am open to conviction as to how I should record my vote. I

hold my own views whether it is within the bounds of any one man or any one board to handle the whole of the provisions of this Bill and control the whole of the traffic regulations of this State. What set of traffic regulations applicable to the metropolitan area would be in any way applicable to the North-West, or some other parts of the State? Personally, I am a believer in the extension of the functions of local governing bodies, and my own personal view of this Bill is that it can be better administered and more thoroughly dealt with by the local governing bodies. Seeing that the Bill as it has come to us is practically without alteration from what it was last session, it contains some provisions against which I recorded my vote last session, and I intend to do so again. I desire to refer briefly to one or two of those provisions, such as the appointment of inspectors. I take it that the local governing bodies are to stand in relation to the inspectors merely as I would stand as a godfather to a child, they cannot appoint one without the approval of the Minister or discharge one without the approval of the Minister. If the local governing bodies in the constituency which I represent can assure me that they are favourable to this clause, which they were not last session, I will withdraw my opposition to it, but I agree with Mr. Cullen in that I do not think the local governing bodies of this State have had the Bill distributed to them as was the case on the last occasion. There is another provision in the Bill which I think can very well go out of it. In respect to the licensing of vehicles every person is liable to prosecution for using an unlicensed vehicle. I take it that does not apply to the person who travels in the vehicle. But it applies to the driver of the vehicle. There is a qualifying clause which provides that if the driver is ignorant of the fact that the owner did not possess a license for the vehicle, that shall be a defence to the charge. But the fact remains that the driver of a vehicle is liable to prosecution if the owner has not taken out a license. I think that is carrying it a little too far. I place myself in the

position of a driver applying for work. The driver secures the work. It should be none of the driver's business to ascertain whether the proprietor has a license. The driver is looking for work, and if he is capable of driving a vehicle and earning his money, that should be all that is required of him. Notwithstanding this, the Bill says he is liable to be brought into the police court and prosecuted because he is the driver of an unlicensed vehicle. I know the argument has been advanced that it is the safeguard of using Peter to catch Paul; but I am not going to use Peter to catch Paul, and my vote will be given against the clause. There are many far-reaching provisions in the Bill, many that are good, and many that are absolutely vexatious. In regard to one, I intend to move to delete it. That is the registration and taxation of bicycles. It would be just as logical and reasonable to place in the Bill a provision for the taxation of go-carts. Who uses bicycles? The poorer people of the community. The man who can afford a motor car will pay his tax willingly. But very few persons buy a bicycle for pleasure. In the metropolitan area, where rents are so high, the poorer class of working people are forced away to the outskirts in order that they may live within their means. In many of the poorer parts of the metropolitan area the train and tram services are only intermittent, and in consequence these people have to invest their few pounds in bicycles.

Hon. C. A. Piesse: But bicycles are not taxed under the Bill.

Hon. J. CORNELL: Yes. The Bill provides that a regulation can be made for the purpose, and if I know the authorities, if they have a provision empowering them to make regulations to tax bicycles, I think they will put the provision into effect. I hope to see the provision for the registration and taxation of bicycles deleted; because, while it may be desirable to raise revenue—and I see no other need for the taxation of bicycles—and while a considerable amount of revenue would be raised from the taxation of bicycles if the regulation was put into operation, still I am not going to be

one to vote for a provision which must of necessity place an injustice on a very large number of people. Again, it struck me as an old teamster, that the clauses dealing with the maximum weight of a vehicle and the width of tyre is open to some debate and consideration. The Bill provides a load of eight hundredweight for every inch of tyre, and I take it, if my mathematics are not wrong, that a wagon with a 5-inch tyre would be limited to eight tons, including the weight of the vehicle.

Hon. F. Connor: What about a dray?

Hon. J. CORNELL: It is a pretty big dray on which you can get four tons. But again, there are circumstances which present themselves, and which probably have been overlooked by those who prepared the Bill. For instance, a 6-inch tyre in some parts of the State will do as much damage as a 4-inch tyre in other parts of the State. There is the country to be taken into consideration. Anybody with any knowledge of waggons must know that a 5-inch tyre is a fairly wide one. To my mind eight tons, including the weight of the vehicle, on a 5-inch tyre, is altogether too low. However, I will leave that to the agricultural members of the Chamber, because I recognise that this provision is, to a great extent, going to interfere with their districts. If they are of opinion that the provision is satisfactory, then my vote will go for the provision; but if they are not satisfied with it, seeing that I am not satisfied with it myself I intend to vote for an amendment of the clause. There is just one other feature I would like to refer to. It is contained in the very last clause of the Bill, dealing with tram cars. There it is proposed that the motor men and conductors on tramcars other than the Government tramcars, shall pay a license fee of one shilling per year. If this is not a vexatious provision I do not know what is. It means that the Kalgoolie Tramway Company employees and the employees of the Fremantle tramways will have to line up and pay their shilling a year.

Member: They have to pay it now.

Hon. R. J. Lynn: Not in Fremantle.

Hon. J. CORNELL: I am not aware that they pay it in Kalgoorlie, and I have lived there for a long time. I am going to vote against that provision. If it is right that the employees of the Fremantle and Kalgoorlie trams should pay a registration fee, then it is right and just that the employees on the Government trams in Perth should do so also. If it can be shown to me that this license is for the purpose of tracing the employee or making him liable, then I will consent to the provision, provided the whole of the tramway motor men and conductors in the State come under it. But I claim that to tax one section of workers against another is invidious comparison, and ought not to be tolerated. I will support the second reading with certain reservations. If the Bill becomes law as it stands, I hold very grave doubts as to whether the administration will be any more satisfactory under control from Perth than it has been as controlled by the local government bodies.

Hon. M. L. MOSS (West): I must say that with no speech the hon. member has ever made in this House have I been in more cordial agreement than in that which he has just concluded. It was an admirable speech, full of shrewd commonsense which does him great credit.

Hon. Sir J. W. Hackett: What is your complaint now?

Hon. M. L. MOSS: None whatever. I simply want to emphasise my admiration for the speech which the hon. member has just made. I must take exception to the attempts made to belittle the actions of this Chamber on the Traffic Bill, and not only on the Traffic Bill but in regard to certain other Bills. It seems that as soon as the Government, or sections of the Government, find they cannot get exactly their own way in regard to these measures, the Legislative Council, on every platform and every conceivable occasion, throughout the country has to be condemned in season and out. I do not want to say it is deliberately done, but I am not satisfied that the greatest amount of care is taken to get the accurate facts on which the House has acted in regard to a number of these measures, for which actions the

House has been so seriously stigmatised by Ministers and journalists who accompany them. We had a forcible illustration the other day from Mr. Colebatch in connection with a gross misrepresentation of the facts in respect to irrigation. I think we have grounds of complaint about the attacks made in regard to this measure. It is not human nature to expect that hon. members here, when they have opportunities afforded to them in the country, are going to take these blows lying down. We must resent unfair criticism. The strongest criticism to which the House is subjected, and the strongest criticism to which I, as an individual member, can be subjected, will not be complained of so long as it is fair, and the facts given are accurate. But when it is merely an imagination of facts upon which the abuse of the House is based, it is time to complain. The Bill as a whole is a good Bill. There are some blots in it which require to be removed. I do not think at the present time I would have risen to speak, but for the fact that there is a similar feeling prevailing in regard to the local governing body at Fremantle as prevails in regard to the Perth city council. The Bill affects the Fremantle authorities in perhaps a lesser degree, but just the same it seriously affects them in regard to their finances. Therefore, so far as Clause 23 is concerned, even if I felt myself that I ought to vote for the clause, I have to look at it as a delegate from the whole of the people of Fremantle. Represented as they are by their municipal council, they have made a special request to me to vote against this clause, and I am going to record that vote as the mouthpiece, not merely of the Liberal or the Labour section of the community, but as the mouthpiece of the whole of the people of Fremantle. It would be quite useless for me to repeat all the arguments used by Mr. Kingsmill and Mr. Cullen. I endorse to the very utmost all that they have said in this connection, and I shall vote with them when the clause is under consideration. It is quite true in the case of the Health Act there was a provision made for the appointment of an inspector with the approval of the

central health authority, the Commissioner of Public Health. It is true under that Statute there is a provision that an inspector cannot be removed except with the approval of the commissioner, and I know of no more important provision than that, the object being to prevent the people in a locality pulling strings to try and stop the inspector from carrying out his duties in preserving the public health. It is to prevent people who are members of local bodies or who have friends members of local bodies, when the inspector carries out his duties, pulling the strings to make the life of the inspector a curse, and if he persists in carrying out his duties he may lose his billet. The experience was that the local authorities administering the Health Act were, through interference, unable to carry out the important functions vested in them. In the Health Act we corrected that abuse so that the inspectors of health can now carry out their duties without fear. When we have a functionary like Dr. Hope he should be protected right up to the hilt. That is a proper state of affairs. But it is a different thing to take away from the local authority the right to appoint and dismiss an inspector of licensed vehicles. If we admit a principle like that, why stop there? Why should not the provision apply to the town clerk, who is a more important officer than the licensing inspector, or the accountant, and even right down to the office boy, and everybody else? There was a special and necessary reason in the public interests that this should be done in the Health Act, but there is no logic or reason why the inspector appointed for a matter of this kind should be put beyond the people who appoint him. The ordinary relations between master and servant should be observed. The man who pays should have the appointment and the dismissal of the officer. It is an excellent provision put into the Health Act for obvious reasons, because when you interfere with the health of a community it is a serious thing. While I want to support the Bill and get a good measure on the statute-book it is inconsistent to affirm a principle like that by voting for it, and if I do so I must go the whole hog and put the

town clerk, the office boy and the caretaker into the same category. I am not disposed to do that. We shall go on belittling the local authority until they have no powers at all if we do so. We have had some peculiar illustrations as to what we get in Bills for consideration, but Clause 50 is the most remarkable thing I have ever met with. We can put on the Estimates money and give you a money grant; that is all it means. It says—

The Governor may from time to time place to the credit of a local authority for the maintenance of trunk roads within the district or of any particular trunk road, any sum of money out of moneys appropriated by Parliament for the maintenance of trunk roads.

Without that legislation that is exactly what the Ministry do at the present time. They put a sum of money on the ordinary Annual Estimates for municipalities in some cases, but always for roads boards. These local bodies get a special grant when the finances of the State permits it to be done. With a lot of useless words that is what the clause does. Grants have been made ever since we have had Responsible Government, and before that time, to the local authorities who have control over the roads. It has been said that if the Council rejects that provision it is preventing the people in country districts getting grants for their roads. It is doing nothing of the kind. It is necessary that a fraud of this kind should be exposed. The omission of the clause will not alter the state of affairs which has existed in the country since 1829. There is no sense in a clause like that. With regard to the last clause mentioned by Mr. Cornell, I cannot understand such a provision being placed in an Act of Parliament. Around Fremantle I suppose there are 100 men employed on the trams, and from these the Government will get the magnificent revenue of perhaps £5 a year, and they may get the same from the men in Kalgoorlie. As a business man Mr. Lynn asks what is it for, where is the sense? I did not have the pleasure of listening to the Colonial Secretary when moving the second reading of this Bill, therefore I do not know why the clause has been inserted.

The Colonial Secretary: It is in the present Act.

Hon. M. L. MOSS: If it is, and I take the hon. member's word for it, I am not going to repeat, by giving my vote again, a farce and a blunder by agreeing to a piece of unnecessary legislation which is unfair in its consequence. It penalises the municipal tramway men at Fremantle, but lets the Government tramway men in Perth go scot-free. It puts the local authorities to the expense of issuing licenses which in all probability will exceed what the Government derive from them. With these few observations I may say I think the Bill is an excellent one, and I shall have much pleasure in assisting the Government to get it on the statute-book.

On motion by Hon. C. A. Piesse debate adjourned.

House adjourned at 5.53 p.m.

Legislative Assembly,

Thursday, 25th September, 1913.

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

PAPERS PRESENTED.

By the Minister for Mines: 1, Regulations under The Coal Mines Regulation Act, 1902—Amendment to general rule 12. 2, Regulations under The Mining Act, 1904—Amendments to Nos. 73 and 160.

QUESTIONS (2)—WATER SUPPLIES.

Malyalling Siding.

Mr. E. B. JOHNSTON asked the Minister for Works: What steps are being taken by the Water Supply Department for the provision before the coming harvest of a water supply at Malyalling Siding, on the Wickepin-Merredin Railway?

The MINISTER FOR WORKS replied: This will receive consideration in conjunction with all other water supplies along the Wickepin-Merredin railway.

Yillimining-Kondinin District.

Mr. E. B. JOHNSTON asked the Minister for Works: 1, Is the Water Supply Department aware of the urgent necessity for the provision of permanent water supplies at each of the various approved sidings along the Yillimining-Kondinin railway, for the use of the settlers who will be carting their wheat to the said sidings in three months' time. 2, If so, what action is being taken in the matter?

The MINISTER FOR WORKS replied: 1 and 2, Yes, and it will be considered in accordance with its relative importance to the other numerous and urgent works throughout the State.

QUESTION—STATE HOTEL, WONGAN HILLS.

Mr. LAYMAN (for Hon. H. B. Le-froy) asked the Premier: 1, When do the Government intend to establish a State hotel at Wongan Hills in accordance with promises made to that effect? 2, If not, why not?

The MINISTER FOR MINES (for the Premier) replied: 1 and 2, Some necessary inquiries are now being made, and the Government will announce their decision as early as possible.

QUESTION—RAILWAY CONSTRUCTION, WAGIN WESTWARD.

Mr. S. STUBBS asked the Minister for Works: In view of the fact that a Bill for the construction of the Wagin westward