

in this State but most of them will admit that from experience or training they are not so well qualified to try cases as are professional men. That, however, is not the point. The point is that the Minister is attempting to make a distinction between this little piece of legislation and all other penal legislation of the country. My chief complaint against the Government is their lack of proportion. So great does this Bill loom in their minds that it has to be marked out from all other penal legislation for special treatment. Any citizen of Western Australia might be charged with an offence, tried before two justices and condemned to go to gaol for three years with penal servitude but if a man commits an offence against an Act that requires certain accommodation for shearers, he must be tried before a police or resident magistrate!

Mr. PANTON: The two justices might disagree.

Mr. DAVY: Is not that as liable to happen in other cases?

Mr. PANTON: If they travelled 200 miles and did disagree, what would happen?

Mr. DAVY: I suppose there would be another trial.

Mr. PANTON: That is how you propose to save expense.

Mr. DAVY: If a man is indicted on a capital offence and the jury disagree he is detained until the next sessions and put on trial again. An accused person may have been brought to Perth from Derby, together with 20 witnesses on each side, and he is liable to be tried again and again until the jury agree or the Crown refrain from again arraigning him. What sort of argument is it, then, that the two justices might disagree? This little measure providing for accommodation for shearers involves the only cases upon which it is so important the two justices should not disagree that such cases must not be tried by them! If we could afford it, all offences should be tried by a professional magistrate. I suggest that when the Government pick out little offences under this measure for special treatment, they show a lack of proportion. If they are not prepared to accept the humble amendment of the member for Gascoyne they show a determination to persist in their lack of proportion.

Mr. ANGELO: The Minister said he did not want justices to try these cases, because very frequently they were station owners or managers themselves or the friends of sta-

tion owners or managers. This means that a station owner or manager cannot have a friend lest the latter should be biased in his direction. That is a reflection upon justices. If the cases were heard in Perth, as it is suggested they would be, there could be no difficulty on the score of justices being station owners.

Amendment put and negatived.

Clause put and passed.

Title—agreed to.

Bill reported with amendments.

House adjourned at 2.13 a.m. (Thursday).

Legislative Council,

Thursday, 21st October, 1926.

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

BILL—LAND TAX AND INCOME TAX.

Read a third time and passed.

BILLS (2)—REPORT.

- 1, Guardianship of Infants.
 - 2, Public Education Acts Amendment.
- Adopted.

BILL—TRAFFIC ACT AMENDMENT.

In Committee.

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

Clauses 1 to 6—agreed to.

Clause 7—Amendment of Section 10:

Hon. F. H. HARRIS: I move an amendment—

That the following words be added to the clause:—“And by adding to the section a further proviso, as follows:—‘Provided also that a local authority may, in exceptional circumstances and with the approval of the Minister, grant a license to the owner of a particular vehicle therein mentioned without payment of the prescribed fee, under and subject to such conditions, if any, as may be stated in the license.’”

I have on the Notice Paper a new clause proposing an amendment of this nature to Section 41 of the principal Act, but upon consultation with the traffic authorities I have framed this amendment, which will meet the case better. The object is to enable local authorities on the goldfields and elsewhere to meet special circumstances. The fee and the conditions would be prescribed upon approval being granted by the Minister.

Hon. V. HAMERSLEY: On the second reading I suggested that exemption should be granted to those who keep a vehicle exclusively for conveying their children to school. Section 10 of the Act provides that any minister of religion shall be entitled to obtain a license free of charge for one vehicle owned and kept by him for his own personal use. Clause 7 amends Section 10, and I think we should add to the exemption of clergymen's vehicles an exemption for settlers' vehicles owned and kept exclusively for conveying children to school. I want to move to add that to the proviso in Section 10 of the Act.

The CHAIRMAN: There is no proviso to the clause.

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

The CHIEF SECRETARY: Was that amendment put to the Committee, Sir?

The CHAIRMAN: Yes, Mr. Harris's amendment.

Clauses 8 to 11—agreed to.

Clause 12—Amendment of Section 20:

The CHIEF SECRETARY: I move an amendment—

That the following words be added:—“The proviso to Subsection (7) of Section 20 of the principal Act is amended by inserting after the word ‘shall’ the words ‘subject to the next following proviso’; and a further proviso is added to the said Subsection (7), as follows:—‘Provided also that the Minister may appoint officers of the Main Roads Board to regulate

and control traffic within the metropolitan area, on roads under construction or maintained by the said Board under the provisions of the Main Roads Act, 1925.’”

Hon. J. M. MACFARLANE: Will the Minister tell us why he wants the officers of the Main Roads Board to regulate traffic in the metropolitan area?

The CHIEF SECRETARY: It is necessary to have efficient control over roads in course of construction, especially roads under the Main Roads Act. Surely nobody is better qualified to exercise such control than the engineer in charge.

Hon. J. M. MACFARLANE: Seeing that the police have full control of the traffic in the metropolitan area, I will oppose the amendment.

Hon. J. E. DODD: Would it not be a matter for the engineers of the Main Roads Board rather than for the Minister?

The CHIEF SECRETARY: The Minister requires power to instruct officers of the Main Roads Board to exercise such control.

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

Clause 13—Amendment of Section 21:

Hon. Sir EDWARD WITTENOOM: On the second reading I intimated my intention to move that licenses for the metropolitan area should be issued only to persons 21 years of age or over. I have given further thought to the matter, and whilst I still think it highly desirable that only persons 21 years of age or over should be licensed for the metropolitan area, I find it would be almost unworkable; because people of Northam or Beverley, or other country towns, might have a smart driver of 17 or 18 years of age who, if my proposed amendment were put into effect, could not get beyond the boundaries of the local municipality. In those circumstances, I will not move the amendment.

Hon. H. J. YELLAND: Whilst Sir Edward Wittenoom desires to increase the age of licensed drivers in the metropolitan area, I contend it is quite possible for persons under the age of 18 to be fully competent to drive a motor vehicle on a country road. Many of our producers will be harassed if no person under the age of 18 is to be allowed to handle their motor vehicles. I see no reason why, for the driving of motor vehicles on a country road, the age of the drivers should not be reduced to 16.

Hon. E. H. GRAY: I intend to oppose the clause altogether. The original provision

is quite good enough. I do not know that any accident has arisen through licenses having been issued to young people; at any rate I have not heard of any. Australian boys have considerable presence of mind and initiative, and unless it can be shown that a serious accident has resulted from the issuing of licenses to young boys, I shall vote against the first part of the clause.

Hon. C. F. BAXTER: If the clause is allowed to stand as printed, a hardship will be inflicted on the country districts. Many farmers' sons handle very capably all kinds of motor vehicles; in fact, much more capably, very often, than men who are hired. If lads are prevented from driving tractors and lorries, their parents will be obliged to hire labour to do so.

The CHIEF SECRETARY: The present practice is for the Commissioner of Police to issue licenses to anyone under 18 years of age. He has full discretion in doing so. A big proportion of the accidents that have happened are the result of the reckless riding of motor cycles by young men. On that account the Government considered it advisable to increase the age of persons to whom licenses should be issued, to 19 years. Another place, however, reduced that to 18 years. Although boys may be able to drive horse-drawn vehicles with judgment, that does not mean that they may be able to drive vehicles of greater speed. That is quite a different thing. The position has been clearly explained by Sir Edward Wittenoom, and I trust no amendment will be made to amend the clause.

Hon. V. HAMERSLEY: Limiting the age to 18 will prove a distinct hardship in country districts. There are many lads of 15 and 16 years of age who are able to drive teams of four, six and eight horses and who do good work in the country. Side by side with them are boys who drive lorries and tractors quite satisfactorily. It may be that in large centres of population where the traffic is heavy the issuing of licenses to lads of under 18 would prove risky. That, however, is not the position in country districts where there is very little traffic for the drivers to meet. If country lads are to be debarred from securing licenses, settlers will experience a great hardship. The age of 18 is too high to fix as the limit.

Hon. E. H. HARRIS: There is nothing in the parent Act that fixes the age. Has any difficulty been experienced in the past? I do not think there has. I do not think

there will be any difficulty in the future if we allow the 18 years provision to remain in the clause.

Hon. C. F. BAXTER: The issue of licenses has been carried out in the past by regulation, and in the country districts a good deal of discretion in respect of age has been exercised. If, however, the age limit is included in the Act, the matter will be taken more seriously. In regard to motor cycles, there seems to be a form of madness amongst the youthful riders of these machines, but one finds that the same lads exercise a great deal more care when in charge of a car or lorry. In many country districts lads handle quite successfully tractors and lorries, and if an age limit is put into the Act, considerable hardship will be experienced.

Hon. H. J. YELLAND: The difficulty might be overcome by restricting the age of 18 to the metropolitan area and permitting the licensing officials in the country districts to exercise discretion in respect of the age. If a lad can drive a motor tractor, he can certainly drive any other motor vehicle, and should receive a license.

Hon. J. EWING: Would you not limit the age at all?

Hon. H. J. YELLAND: I would give discretionary power to the officer issuing the license.

Hon. J. EWING: That is the position now.

Hon. H. J. YELLAND: By regulation the age is restricted to 18 years over the whole State. If we allow 18 to be the limit in the metropolitan area, we could reduce the age to 16 in the country districts. I move an amendment—

That in line three, after the word "age," the following words be inserted:—"within the metropolitan area."

Hon. Sir WILLIAM LATHLAIN: A good deal has been said about drivers of motor vehicles, but not sufficient attention has been given to the people who suffer as a result of reckless driving. I do not mean pedestrians alone, but others on the road who drive their motors at a reasonable pace. My experience in the city is that country people are the most reckless drivers who come to Perth. It does not matter whether they pass my corner or other places where the traffic is heavy, one cannot but come to the conclusion that they are the most reckless drivers in the streets of Perth. The proposals in the clause are fair and reasonable. I would like to see more stringent regula-

tions framed to control the riding of motor bicycles. One has only to see the manner in which they career up Hay-street in the daytime to realise the danger they are to people who are getting in and out of trams. I support the clause as it is.

The CHIEF SECRETARY: I cannot accept the amendment because it would defeat its own object very quickly. Any young man under 18 years of age residing at Greenmount or Rockingham could secure a license and come into the metropolitan area. If one reads the police court prosecutions for traffic offences it will be seen that a big proportion of those offences are committed by persons who come from country districts. Under the amendment any youth could drive through Perth in a reckless way.

Hon. G. W. Miles: But he would be breaking the law if he came into the metropolitan area.

Hon. E. H. Gray: He should be fined severely.

The CHIEF SECRETARY: Under the provisions of the amendment proposed, youths could come into the metropolitan area from the outside country districts, although they could not get a license within the boundaries of the metropolitan area.

Hon. J. E. DODD: The better way to deal with the position is to strike out the clause altogether. It is ridiculous to endeavour to apply a hard and fast provision, such as that under discussion, to every class of drivers' license. What Mr. Baxter and Mr. Yelland have said regarding the position of farmers is quite true. Under the Inspection of Machinery Act provision is made to overcome the difficulty in that respect, but no such provision appears in the Bill. There should not be any hard and fast rule. The effect of the amendment would be to still further restrict avenues of employment for lads. If an amendment were made to the Public Education Act, making the school age compulsory up to 18 years, I would support it, and I could then support the clause.

Hon. J. M. MACFARLANE: I cannot support the amendment. It would be difficult to deal with the position, particularly as youths licensed in the country might enter the metropolitan area. In fact I hardly know how the difficulty at the border separating the town from the country could be overcome. What Sir William Lathlain has said regarding motor cyclists is quite true and there was ample evidence during Show

Week of the incapability of many motor cyclists. If a lad has not the ability to drive a motor car in the city, he should not be allowed on the country roads. I recognise that these lads are very useful on the farms and I would support a proposal to fix the age at 17, instead of 18, for the convenience of the country people. I agree with Mr. Dodd that it is not advisable to curtail too much the avenues of employment for lads, more especially when we remember that lads securing licenses have to pass the tests imposed by the traffic inspectors.

Hon. J. EWING: Bearing in mind the diversity of opinion that has been expressed, I think Mr. Dodd has struck the right note. It would be better to strike out the clause because of the difficulty regarding fixing an age at which a person may receive a license to drive motor vehicles. I think the matter should be left to the discretion of the Commissioner of Police. I realise the position in the country where lads are able to drive traction and other engines on farms.

The Chief Secretary: Such lads would be entirely exempt.

Hon. J. EWING: I am inclined to follow Mr. Dodd's advice and leave the matter in the hands of the Commissioner of Police. The traffic officials will then have the right to determine whether a lad shall receive his license. It is all a matter of temperament, and the lad of 18 years of age may not be as capable as a boy of 15 or 16 years of age in the handling of motor cars.

The CHIEF SECRETARY: Boys who are working on a farm are absolutely exempt and do not require a license. Section 10 of the original Act sets out the position and indicates that they can also drive motor vehicles over the roads when proceeding from one part of the farm to another and so on.

Hon. W. T. GLASHEEN: If the position is as indicated by the Chief Secretary, it is of no practical use to the farmers. We have heard a lot about boys causing accidents, but I do not believe that they are the chief contributors; in my opinion the principal cause of motor accidents is the man who is chock full of whisky or beer. In the mining industry it is the old miner in whom familiarity breeds contempt, and that leads him to be less careful underground than younger men. While there is so much talk about boys in relation to accidents, hon. members seem to overlook the possibility altogether of an old woman or an old man driving

motor cars in the city to the danger of the public. Sir William Lathlain spoke about country drivers whirling round street corners in a dangerous manner.

Hon. C. A. Baxter: He does not look for city drivers!

Hon. W. T. GLASHEEN: If what the hon. member says is true, what are the police doing? If these motorists exceed the speed limit and are not prosecuted, the police are not doing their duty.

Hon. J. Ewing: Yet that sort of thing is being done every day in the week!

Hon. W. T. GLASHEEN: What is the use of having regulations?

Hon. J. NICHOLSON: It is important that the Bill should prescribe an age under which no licenses should be granted. The authorities cannot prescribe, by means of regulations, any age not specified in the Act.

Hon. J. Ewing: It has been done already.

Hon. J. NICHOLSON: I understand it has been the practice in the traffic branch of the Police Department to issue licenses only to persons above 13 years of age. No doubt the authorities have done that for a very good reason.

Hon. W. T. Glasheen: Boys of 14 drive traction engines in the country and do it better than men can.

Hon. A. J. H. Saw: They ought to be put under the Guardianship of Infants Bill.

Hon. J. NICHOLSON: The Commissioner of Police has to administer the law, and to enable him to do so, a definite age should be stated in the Act. The question to consider is whether 18 is a fair and reasonable age. The Commissioner of Police is not bound to issue a license to a person of 18 unless he can show that he is qualified to drive a car. However, there should be some limit to permit of a valid regulation being passed. Though I realise the position in the country, the clause appeals to me as being fair.

Hon. G. W. Miles: Cannot we do something for the country?

Hon. J. NICHOLSON: If one age was prescribed for the country and another for the metropolitan area, a country lad of 15 or 17 would be entitled to drive in the metropolitan area because of his holding a license to drive. As the measure will apply to the whole of the State, a uniform age must be adopted: otherwise the police would have a most difficult task to administer the law.

Hon. V. HAMERSLEY: In the past no age limit has been laid down in the Act and the question has resolved itself into one of administration. Many families in the country do their own work, and if we deprived the boys of the right to drive motors, outside labour would have to be employed. I would rather see the clause struck out than the age limit of 18 retained.

Hon. H. J. YELLAND: The discussion has shown the attitude of members to this question and I now ask leave to withdraw the amendment.

Amendment by leave withdrawn.

Hon. E. H. GRAY: I move an amendment—

That in line three "eighteen" be struck out and the word "seventeen" inserted in lieu.

Consideration should be shown for the boys working on farms. If we stipulate a fairly low age the farmers' boys will be able to drive the motor vehicles. Otherwise men would have to be employed for that work while the boys would probably be put to harder work on the farms. Most of the motor cyclists guilty of furious driving are young fellows whose thoughts are centred on the girls they are going to meet. The deciding factor should be ability to drive, and the age of 17 is a fair limit. It is more dangerous to put a boy in charge of a team of spirited horses than of a motor car.

Hon. C. F. BAXTER: I support the amendment. Much has been said about reckless driving by country people, but there has been a good deal of exaggeration owing to the ease with which the country cars can be distinguished. If reckless driving is indulged in, what are the traffic officials doing? In my opinion the traffic staff do their work well. Very few country motorists have been prosecuted for reckless driving.

Hon. A. J. H. Saw: Because they drive so fast that they cannot be caught.

Hon. C. F. BAXTER: The country driver cannot be expected to know all the traffic regulations applying to the city.

Hon. J. M. Macfarlane: The country driver is a bad driver because he does not know the city rules.

Hon. C. F. BAXTER: No complaint has been made that country drivers are lads of tender years. I hope the amendment will be passed.

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

Ayes	13
Noes	9

Majority for	4
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AYES.

Hon. C. F. Baxter	Hon. J. M. Macfarlane
Hon. J. R. Brown	Hon. W. J. Mann
Hon. J. E. Dodd	Hon. G. W. Miles
Hon. J. Ewing	Hon. G. Potter
Hon. W. T. Glasheen	Hon. H. J. Yelland
Hon. E. H. Gray	Hon. V. Hamersley
Hon. G. A. Kempton	(Teller.)

NOES.

Hon. J. M. Drew	Hon. H. Seddon
Hon. J. W. Hickey	Hon. H. A. Stephenson
Hon. Sir W. Latblain	Hon. Sir E. H. Witteboom
Hon. J. Nicholson	Hon. E. H. Harris
Hon. A. J. H. Saw	(Teller.)

Amendment thus passed.

Hon. V. HAMERSLEY: I asked the Chief Secretary to look into the question of the licenses granted to drivers. I wanted to know whether a man was allowed to drive more than one class of vehicle with the one license. It seems to me that each license will be restricted to the type of vehicle for which it is issued. Is it necessary for a driver to take out a different license for each vehicle? If so, it will confer great hardship upon people in the country.

The CHIEF SECRETARY: The Bill does not amend the Act in this respect. The applicant is required to prove that he is qualified to drive a motor car of the kind for which the license is sought. If a driver applies for a license to drive a Ford and a Ford truck, he would only have to prove his ability to drive one of these vehicles, because both are similar in their mechanism. In that case one license only would be necessary. If he applied for a license to drive a Buick car and an International wagon he might be required by the local authority to prove his ability to drive each class of vehicle. That provision is made for the safety of the public.

Hon. J. M. MACFARLANE: I hardly think that statement is correct. Amongst my employees are men who drive Ford trucks, but when they have to drive Ford cars they are expected to take out a separate license. The police see to that.

The CHIEF SECRETARY: A Mr. Jones may own a motor car, and is required to take out a license. If he is employed by

a Mr. Smith, who owns motor vehicles, another license must be taken out for Smith's vehicles. The fact that Jones' vehicle may already be licensed would not cover Smith's.

Hon. C. F. BAXTER: Is the Chief Secretary referring to the licensing of the car? It is not expected that a man should take out a license for each motor car that he drives.

The CHAIRMAN: The subject under discussion does not come within the scope of the clause.

Hon. J. EWING: I still think Mr. Dodd's advice is good. I should not like to see lads of 17 allowed to drive motor cars. We might all have left the age as it stands in the Act. When a boy of this age has been licensed, the authorities will not know how he is able subsequently to handle a car. I would rather vote out the whole clause than leave it as it has been amended.

Hon. V. Hamersley: The direction we had from the Minister is that a person must take out a license for each different make of vehicle.

The CHAIRMAN: The clause deals with the age of the license holder, and not with the subject now under discussion.

Hon. V. Hamersley: Must a person owning four different vehicles take out so many different licenses?

The CHIEF SECRETARY: It all depends on the class of vehicle that is being used. If a man owned a Ford truck and a Ford car he would take out only one license. If the mechanism of the cars is different, calling for different qualifications, a man would take out another license. If there are different types of vehicles requiring different qualifications, more than one license will be necessary.

Hon. J. EWING: The position is extraordinary, and will prove expensive to a man with half a dozen motors. I should think our only course is to vote the clause out. To ask a man to pay a separate fee for each vehicle is outrageous. One fee should cover all the vehicles he drives.

Hon. J. M. MACFARLANE: Suppose I have a motor car and a motor truck, and to drive the truck I employ a man who has no motor car of his own. Then suppose I want that man to drive my motor car. Will one license cover the two vehicles?

The Chief Secretary: Two licenses would be required in that case.

Hon. J. M. MACFARLANE: I was told by the police that a license was required for each class of vehicle, and the traffic authorities have asked the man who drives my motor truck to obtain another license if he drives my motor car.

Hon. C. F. BAXTER: There is some mistake about the information which has been given, because—

The CHAIRMAN: The discourse which has been going on may be very nice from the aspect of obtaining information. Information should, however, be obtained by means of questions. The question before the Committee is whether or not Clause 13 shall stand as amended.

Hon. H. J. YELLAND: If we vote out Clause 13, as suggested by Mr. Ewing, we shall also vote out the sight and hearing tests.

Hon. J. Ewing: What is the use of duplicating that point. The principal Act provides for it.

Hon. Sir EDWARD WITTENOOM: As regards throwing out the clause, it seems to be overlooked that the age limit is fixed not so much for the sake of saying that a youth may not drive a car before attaining a particular age. It is not disputed that boys of 14 and 15 are capable of driving cars and machinery. The object of the age limit is to ensure that a driver can look after other people as well as look after himself.

Hon. V. HAMERSLEY: I move an amendment—

That the following be added to proposed Subsection (5):—"The license so granted shall not be confined to the driving of only one vehicle."

The CHAIRMAN: I rule the amendment out of order at this stage, because the clause as it stands does not deal with the granting of licenses. The clause prescribes conditions of sight and hearing under which a license may be obtained.

Hon. J. NICHOLSON: Clause 13 proposes to amend Section 21 of the principal Act. Subsection 1 of Section 21 reads—

The Commissioner of Police, and any member of the police force acting with his authority, may, subject to this Act, on the application of any person grant and issue an annual license to such person to drive a motor vehicle of the kind to be therein specified.

Difficulty will arise if the Commissioner of Police, when issuing the license, specifies therein that he has issued it for the driving of a certain class of vehicle—a Ford car or perhaps a Rolls-Royce. Would the effect of

so specifying confine the holder of the license to the driving either of a Ford car or of a Rolls-Royce? Suppose the Ford or the Rolls-Royce were laid up and the man found it necessary to drive another car; would he then require to obtain another license?

The CHAIRMAN: The hon. member is not discussing my ruling. I ruled the amendment out of order in its present form. I suggest to Mr. Hamersley that he may be able to move it at a later stage, if the Bill is recommitted.

Clause, as previously amended, put and passed.

Clause 14—Amendment of Section 22:

Hon. E. H. GRAY: It will be necessary to alter the age limit here. I therefore move an amendment—

That "seventeen" be struck out and "sixteen" inserted in lieu.

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

Clause 15—agreed to.

Clause 16—Driver to stop when requested:

Hon. J. R. BROWN: Under this clause a lad driving a goat along the street might stop a whole string of motor cars, which would have to remain pulled up until he signalled to them that they might proceed. The clause should be struck out.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. G. W. MILES: The clause places a motor driver at the mercy of any Tom, Dick or Harry driving a horse or a cow. The penalty of £20 for not stopping at the request of some crank seems to me altogether too great. I will vote against the clause.

Hon. E. H. GRAY: I support the clause. We have to consider people with livestock or teams of young horses. The clause is necessary for the protection of persons handling stock on the road. I have seen instances of motor drivers interfering with other traffic on country roads.

Hon. H. A. STEPHENSON: It is a most obnoxious clause, altogether unfair and unjust. During the whole of my experience in travelling about the country, I have never seen an accident caused through a motor driver neglecting to pull up when passing sheep or restive teams. It is absurd to say the driver of a motor car would run into a

team of wagon horses; for if he did, probably more damage would be done to himself and his own property than to the team or the wagon. Very seldom is it that a motor driver will not pull up when circumstances warrant it. On the other hand, along Belmont-road any early morning, particularly in summer time, one meets dozens of vehicles without lights, principally market garden carts and milk carts. Frequently the drivers of those vehicles have pulled up to have a chat to one another and do not care whether the motor car can get past or not. Under the clause they would need only to put up their hands to keep the motor waiting until they finished discussing the Melbourne Cup.

The CHIEF SECRETARY: The clause may seem autocratic, but it was recommended by the Road Boards Conference. I think it is a good one. Suppose a team of horses took fright at a motor car. It may be that the driver of the car would drive straight ahead, taking no notice of the position, and this might easily lead to a serious accident. It is only right that the driver of the motor car should stop when signalled by the driver of a horse-drawn vehicle.

Hon. J. M. MACFARLANE: I am in sympathy with men who, on country roads, have restive horses or troublesome flocks to handle. However, I have never known the driver of a motor car neglect to give full consideration to the necessities of the man in charge of a team or of stock. Recently I was coming down from Meekering on a narrow country road. At the foot of a hill, where the road was boggy, we came upon a chaff cutter's team. The driver of that team would not give way one inch to us, and to get past him we had to take the chance of a capsized. I could cite other similar instances. So it cuts both ways. I will vote against the clause.

Hon. G. W. MILES: I have had experience on the Mounts Bay-road of a man driving a horse-drawn lorry. He was taking up the whole of the road and he refused to move out of his course to let a motor car pass. The clause gives too much power to drivers of horse-drawn vehicles. I will vote against the clause and, if it be negatived, I will then move a modified provision on these lines, "No driver of any motor vehicle shall pass any horse being driven or led, or any drove of animals in such manner or at such a rate as is likely to endanger the safety of

such horse or animals." If that were agreed to, it would then have to be proved that the motor car was driven in a manner likely to cause an accident.

Hon. J. NICHOLSON: One point apparently overlooked by the Minister is that under the clause any driver of a team proceeding in the same direction as the motor vehicle could hold up the motor vehicle for an indefinite period. The clause does not say that the signal is to come from a man proceeding in the opposite direction to the motor vehicle. It may be that both vehicles are going in the same direction. I have no doubt that the clause was intended to meet the case of a team and motor vehicles going in opposite directions but not going in the same direction.

The CHIEF SECRETARY: The clause does not express the intentions of the Government. Therefore I move—

That the further consideration of the clause be postponed.

Motion passed; the clause postponed.

Clauses 17 to 20—agreed to.

Clause 21—Amendment of Section 41:

Hon. H. A. STEPHENSON: I move a amendment—

That paragraph (u) be amended by striking out all the words after "vehicle," in line two and inserting "exceeding 7 feet 6 inches in width or containing a load exceeding such width."

The clause as it stands means that no vehicle can carry a load projecting over the side no matter what the width of the vehicle may be. I cannot see what it aims at. I understand it is necessary to regulate the width of a vehicle, loaded or unloaded. The idea possibly was to bring the various conveyances into line. On making inquiries I learnt that the traffic regulations provided for the widest vehicle to be 7ft. 6in. overall. There are two or three buses that are wider than that, but they were on the road before the regulations came into operation and they have been given special permits to continue on the road. An injustice will be done to hundreds of carriers in the metropolitan area if the paragraph be passed as it appears in the Bill. The majority of waggons, lorries and utility trucks, as well as horse lorries, are not more than 6ft. 6in. wide. Those vehicles could not possibly carry a full load under the paragraph. It is well known that it is necessary to have a little overhang so as to be able to load with

safety. Nearly all waggons are built with a combing of about $1\frac{1}{2}$ inches. That enables the load to be carried over the edge of the vehicle and to throw the weight inwards. As the loader continues to load, the weight goes towards the centre of the truck or wagon, and in that way safety is ensured. The object of my amendment is to bring all vehicles into line with the traffic regulations, and that would mean that any vehicle, whether it has an overhang or not, would not be allowed to have a load more than 7ft. 6in. wide. I have been in touch with a number of carriers in the metropolitan area and they are satisfied that my amendment will meet the position. Sir Edward Wittenoom and Mr. Tanersley were concerned as to how the amendment would affect wool carting. I have been in touch with a man who has recently been doing wool carting and he thought that the amendment would be suitable. Wool is loaded two bales on end and then across the lorry, and the load is built up in that way. That method of loading will permit of the load being kept within the 7ft. 6in. mark.

Hon. J. M. MACFARLANE: I gather that the traffic regulations already provide for a width of 7ft. 6in.

Hon. H. A. STEPHENSON: Regulation 117.

Hon. J. M. MACFARLANE: If that would get over the difficulty I would much prefer to vote for the paragraph as it stands. I would, however, prefer the amendment suggested by the Carriers' Association, that a 12in. overhang be permitted.

The CHIEF SECRETARY: The amendment will provide for an overhang of 15in. on each side, and according to the experience of the Public Works Department, that would be a menace to life and limb. There are many complaints now about overhanging goods generally, and only recently a bicycle rider was seriously injured and narrowly escaped with his life through some timber overhanging from a motor vehicle. I would accept Mr. Stephenson's amendment if he would restrict it to the hours between sunlight and sunset. I would not take the responsibility of accepting it if his desire was that it should remain in force at night time as well.

Hon. H. A. STEPHENSON: Even with the proposal for an overhang of 1 foot the provisions of the Act may be brought into conflict with the traffic regulations, which provide that the load must not be more than 7ft. 6in. wide. If a lorry table is 6ft. 6in.

in width, the overhang of a foot on either side will make the width 8ft. 6in. over-all. With some lorry tables it would mean a width over-all of 10ft., and what chance would a vehicle have of passing such a lorry on a 15ft. road?

Hon. Sir WILLIAM LATHLAIN: Mr. Stephenson's amendment meets the position. The usual width of a lorry table is about 5ft. 3in. and with an overlap of a foot on either side, the width overall would be 7ft. 3in. Under such a provision the loading would be much more safe than at present. I agree with the contention of the Minister that wide loading should be prohibited altogether at night. If such a load has to be carted it should be done in the daytime.

Hon. J. M. MACFARLANE: It is not likely to be done during the daytime in a 44-hour week.

Hon. Sir WILLIAM LATHLAIN: There is not much time to do anything under those conditions. I support the amendment.

Hon. H. SEDDON: In the mining areas the practice is to shift cyanide vats and houses on jinkers. Will the amendment prohibit that practice? As evidencing the necessity for loads drawn up alongside roads being adequately lighted at night, I would remind hon. members of the accident that occurred outside Kalgoorlie, when a man, who was driving a motor car, ran into some timber projecting from an unlighted vehicle standing alongside the road, and was killed.

Hon. H. J. YELLAND: Apart from the question of the overhang at the sides, considerable danger attaches to the overhang of long lengths of timber at the rear of vehicles.

The Chief Secretary: The clause refers to sides only, not the back.

Hon. H. J. YELLAND: I think something should be done regarding the rear overhang as well.

Hon. E. H. GRAY: This matter is of vital importance to the people at Fremantle, particularly to those engaged in the wool trade. I can understand the desire of the department to limit overhangs is because of the narrow Perth-Fremantle-road. There is also something to be said for trips being made during daylight, but in the wool season especially, that would inflict a hardship upon Fremantle people, because work has to be continued very often up to two and three o'clock in the morning. Mr. Stephenson's amendment will meet the position effectively.

Hon. H. SEDDON: Will the Chief Secretary answer the question I raised relative to jinkers and the shifting of houses and cyanide vats on the goldfields.

Hon. J. M. Macfarlane: Is that not an industry up your way?

Amendment put and passed.

The CHIEF SECRETARY: I move an amendment—

That a new subclause be added, as follows:—“(10) By inserting in paragraph (xiv.) of Subsection (1), after the word ‘regulate,’ the words ‘the driving or leading of cattle (within the meaning of that word in the Municipal Corporations Act, 1906) on roads, and.’”

Already provision is made for camels, and we desire to include cattle as well.

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

Clauses 22 to 25—agreed to.

Clause 26—Amendment of Section 48:

Hon. H. A. STEPHENSON: I move an amendment—

That the following words be added to the clause:—“And is further amended by striking out in Subsection (2) the words ‘place a conspicuous warning mark or sign, in accordance with the regulations, on or near such bridge or culvert, and shall forthwith’”; and by adding the following proviso, namely:—“Provided that where a bridge or culvert is unfit to sustain the weight of any vehicle likely to cross the same, the local authority shall place and maintain on each side thereof a conspicuous warning to this effect.”

Section 48 refers to exceptional damages which, I take it, means that if a bridge or culvert gives way under the load of a motor vehicle or traction engine, the driver must put up a notice at the spot and then hasten to the local authority and report the matter. That is an almost impossible proposition.

The CHIEF SECRETARY: The amendment would mean that if a motor vehicle caused damage to a bridge, all the driver would be required to do would be to notify the local authority as quickly as possible. In 99 cases out of a hundred a driver would not be able to put up a written notice as he would not have writing materials in his possession, but if the bridge or culvert were damaged in such a way as to make it a menace to the public, the least the driver could do would be to put a few pieces of bush timber at each end to notify the public that something was wrong.

Hon. H. A. Stephenson: It is only the written notice to which I object.

The CHIEF SECRETARY: It is no hardship to require the driver to provide a conspicuous mark or sign of some description to warn the public of the danger. Dealing with the proviso, how could a local authority know what weight a culvert was likely to carry? The town clerk or secretary would not be an engineer, and the views of such officers would vary greatly. In fact the local authorities would have very conservative views of the carrying capacity of their bridges. I cannot understand the object of the amendment.

Hon. H. A. STEPHENSON: Vehicles will be licensed to carry a certain weight, and difficulty would arise if a 5-ton truck were passing over a road having a culvert that would carry only three tons. I understand that motor vehicles to carry up to ten tons are being introduced. Is it not fair, therefore, that the local authority should exhibit a notice on a bridge or culvert to give the driver some indication of the weight it will bear? A lot of bridges are in a bad state and will not bear the heavy weights required of them.

Hon. J. M. MACFARLANE: Roads are being built to meet modern conditions, and many of the bridges and culverts will also have to be put in order. A motor driver might be taking a load along an unfamiliar road and he would not know what weight the bridges would carry. The road board should supply the information to obviate accidents and guard against the inconvenience that would result from the blocking of roads.

The CHIEF SECRETARY: Who would ascertain whether a bridge was unfit to sustain the weight of any vehicle?

Hon. H. A. Stephenson: The road board engineers.

The CHIEF SECRETARY: The local authority would have to arrive at some conclusion as to whether a bridge was capable of carrying a certain load.

Hon. G. W. Miles: Should not they do that?

The CHIEF SECRETARY: I am informed that scores of culverts have been destroyed by the heavy weights carried over them, and the local authorities cannot indicate what weight they will carry.

Hon. H. A. STEPHENSON: To meet the wishes of the Minister I am prepared to withdraw the first portion of the amendment, but the Minister's statement proves conclusively that the proviso is necessary.

Hon. E. H. HARRIS: The amendment will mean that engineers will have to inspect every bridge in the State—few road boards have a qualified engineer—to estimate the strength of bridges that have been standing for perhaps 20 or 30 years. "Any vehicle likely to cross a bridge" is any vehicle registered in the State. It might load at Fremantle and proceed to the North-West, which would mean that every bridge would have to bear a notice indicating the weight it would carry. The proviso appears to be impracticable.

Hon. H. A. STEPHENSON: I ask leave to withdraw the amendment.

Amendment by leave withdrawn.

Hon. H. A. STEPHENSON: I now move an amendment—

That the following proviso be added:—"Provided that where a bridge or culvert is unfit to sustain the weight of any vehicle likely to cross the same, the local authority shall place and maintain on each side thereof a conspicuous warning to this effect."

Hon. J. M. MACFARLANE: There is a menace to life and limb in every faulty bridge. If a notice is posted on the structure, that it is dangerous to cross, the driver of a vehicle will cross it with a full knowledge of what he is doing. A bridge may be safe to-day, but as the result of a bush fire may be rendered unsafe to-morrow. It is right that these notices should be posted.

Hon. J. NICHOLSON: I am in accord with the principle embodied in the amendment, but I hardly think the wording of the amendment will prove satisfactory. Engineers have calculated the carrying power of the Fremantle bridge, but, in the case of an ordinary culvert, no one would necessarily have made such a calculation. This amendment will place a grave responsibility upon the road board. I suggest that the hon. member might allow the amendment to stand over to see whether it can be differently worded.

Hon. H. A. Stephenson: I do not like the wording of the amendment, but would like to see the principle embodied in the Bill.

The CHIEF SECRETARY: I am prepared to postpone further discussion on this clause. I move—

That the further consideration of the clause be postponed.

Motion passed; the clause postponed.

Clause 27—agreed to.

Clause 28—Insurance by owners of motor omnibuses:

Hon. H. A. STEPHENSON: I move an amendment—

That in Subclause (1) the words "approved by the Minister" be struck out, and "which comply with the provisions of the Insurance Companies Act, 1918," be inserted in lieu.

It should not be necessary to obtain the approval of the Minister in a matter of this sort. Many insurance companies are operating in the State, and have complied with the conditions of the Act.

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

Clauses 29 to 34—agreed to.

Clause 35—Amendment of Part I. of Third Schedule:

Hon. E. H. GRAY: I suggest an amendment as follows:—

That the Third Schedule of the Act be further amended by omitting "fee of 1s.," and substituting therefor the words "fee of sixpence."

The CHAIRMAN: I suggest to Mr. Gray that he achieve his object by moving for the recommittal of the clause later. There is on the Notice Paper another amendment which, if challenged, will decide the principle Mr. Gray wishes to affirm.

Hon. E. H. Gray: Very well, Sir.

Hon. V. HAMERSLEY: Mr. Stewart has on the Notice Paper a new clause which seems to me to have a bearing on Clause 35.

The CHAIRMAN: I suggest that the hon. member move Mr. Stewart's amendment as a new clause. Any correction which may be necessary can be made on recommittal.

Clause put and passed.

Clause 36—Amendment of Part II. of Third Schedule:

The CHIEF SECRETARY: I move an amendment—

That after "principal Act," line two, there be inserted "as amended by the Traffic Act Amendment Act, 1924."

The amendment is not absolutely necessary, but it will make the clause clearer.

Amendment put and passed.

Hon. J. M. MACFARLANE: On the second reading I cited a case where the proprietor of a motor bus travelling a certain route found himself compelled to put on a substitute bus on account of a breakdown of his vehicle. He has been informed that the substitute bus must be licensed for 12 months. I do not desire to push the matter

further at the moment, the Chief Secretary having informed me that a special bus license can be granted and that the substitute bus can be used on other routes. Since the tea adjournment the proprietor has informed me that he does not desire to use a second bus, but merely wants the privilege of using a substitute bus to maintain the service while his own vehicle is laid up for repairs. I shall deal further with the matter on recommittal.

Clause, as amended, put and passed.

Clauses 37, 38, 39—agreed to.

Progress reported.

BILL—INSPECTION OF SCAFFOLDING ACT AMENDMENT.

Message from the Assembly received and read notifying that it had agreed to the Council's amendment.

House adjourned at 8.54 p.m.

Legislative Assembly,

Thursday, 21st October, 1926.

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

QUESTION—INDUSTRIES ASSISTANCE.

Mr. TEESDALE asked the Premier: Is it his intention to lay on the Table of the House a list of the firms and industries re-

presented that have received financial and other assistance through the medium of the Council of Industrial Development during the past two years?

The MINISTER FOR LANDS (for the Premier) replied: It is considered not advisable to publish names of firms as requested, but if urgently needed the information should be moved for in the usual way.

QUESTION—WORKERS' HOMES, NARROGIN.

Mr. E. B. JOHNSTON asked the Premier: 1, Are the Government aware that the whole of the owners of leasehold workers' homes at Narrogin signed a petition asking that they should be given the same right to convert their leases to freehold, which has already been given to holders of leasehold town lots under the Land Act? 2, Is it the intention of the Government to give effect to the prayer of this petition during the current session? 3, If not, why not?

The MINISTER FOR LANDS (for the Premier) replied: 1, Yes, in March, 1922, the petitioners being informed the Act did not permit compliance with the request, since when the question has not been under the consideration of the Government. 2 and 3, Answered by No. 1.

QUESTION—MAIN ROADS CONTRACTS.

Insurance of Employees.

Mr. E. B. JOHNSTON asked the Minister for Works: Is it a fact that in all contracts between the Main Roads Board and District Road Boards in connection with grants under the Federal and State Aids Scheme, a condition is inserted that all men employed must be insured by the local governing body with the State Insurance Office?

The MINISTER FOR WORKS replied: Yes.

QUESTION—SOUTHERN CROSS LANDS, SURVEYOR'S REPORT.

Mr. CHESSON (for Mr. Corboy) asked the Minister for Lands: Is it his intention to lay on the Table the report of Surveyor Lefroy on land south of Southern Cross?