

transfer their obligations to other centres where the trams are operating, but, if the same privilege were accorded to those other parts as well, the tramways would be thrown on the hands of the general community. I have no objection to the buses operating in a legitimate manner, but I do object to their being allowed seriously to affect the revenue of the tramways. Already the people cannot afford the facilities they have in the metropolitan area. They must have trams. Last year these shifted 35½ million people and to do this ran only 2,604,000 car miles. But the buses and taxis required 6,800,000 miles to carry 7,000,000 passengers, almost a mile per passenger, thus overcrowding our thoroughfares. We could not possibly get through without the trams.

Mr. H. W. Mann: It is strange that London gets through without them.

The MINISTER FOR RAILWAYS: We did not, as has been suggested by the Chief Secretary, invite the motor bus companies to invest their money. Once a bus or taxi line is allowed to operate, the Government are up against vested interests and public clamour often originating from those interests. Our duty at the moment is to protect the interests of the community, and while giving reasonable facilities of transport to see that there is no loss.

The MINISTER FOR LANDS: I move—
That progress be reported.

Motion put, and a division taken with the following result:—

Ayes	..	..	..	..	19
Noes	..	..	..	..	15
Majority for					4

AYES.	
Mr. Angelo	Mr. McLarty
Mr. Barnard	Mr. Parker
Mr. Brown	Mr. Patrick
Mr. Doney	Mr. Piesse
Mr. Griffiths	Mr. Sampson
Mr. Keenan	Mr. Scaddan
Mr. Latham	Mr. Thorn
Mr. Lindsay	Mr. Wells
Mr. H. W. Mann	Mr. North
Mr. J. I. Mann	

(Teller.)

NOES.	
Mr. Corboy	Mr. Raphael
Mr. Hegney	Mr. Sleeman
Mr. Kenneally	Mr. J. H. Smith
Mr. Leonard	Mr. Wansbrough
Mr. Marshall	Mr. Willcock
Mr. McCallum	Mr. Wilson
Mr. Millington	Mr. Withers
Mr. Panton	

(Teller.)

PAIRS.

AYES.		NOES.
Mr. Teesdale	|	Mr. Lutey
Mr. Ferguson	|	Mr. Munis
Mr. J. M. Smith	|	Mr. Cunningham
Sir James Mitchell	|	Mr. Collier
Mr. Davy	|	Mr. Johnson

Motion thus passed.

Progress reported.

House adjourned at 10.16 p.m.

Legislative Council,

Tuesday, 26th May, 1931.

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

MOTION—CONDOLENCE.

Letter in Reply.

The DEPUTY PRESIDENT: I have received the following acknowledgment from Mr. Russell Stephenson in respect of the motion of condolence forwarded by hon. members:—

Will you please convey to the members of your Council our sincere appreciation of their sympathy contained in their motion of condolence, and also accept our thanks for your personal message of sympathy on behalf of our family. Believe me, yours sincerely,
(Sgd.) Russell Stephenson.

QUESTION—RAILWAYS, OVERTIME.

Withdrawn.

The DEPUTY PRESIDENT: Notice of Question No. 1 has been given by the Hon. Sir Edward Wittenoom.

Hon. SIR EDWARD WITTENOOM: The question I desired to ask was: "What amount was expended by the Railway Department on overtime during the year ended 30th June, 1930?" With great reluctance I ask leave to withdraw the question. I have only to say that I cannot understand how it is that a large department like the Railways cannot tell us in a very short time how much they spent, and—

The DEPUTY PRESIDENT: Order!

Question by leave withdrawn.

QUESTION—PINE PLANTATION, LUDLOW.

Hon. W. J. MANN asked the Minister for Country Water Supplies: 1, What amount has been expended to date on the State pine plantation at Ludlow? 2, What revenue has been received to date from that source? 3, What area is at present planted with pines? 4, What area remains to be replanted?

The MINISTER FOR COUNTRY WATER SUPPLIES replied: 1, £27,298. Of this amount £19,724 was expended prior to 1917, when the Department was without skilled advice. The area chosen was one of the worst possible, and the wrong species were planted by very expensive methods. Since 1917 it has been a matter of converting land already cleared at heavy cost to the best possible use. 2, £895. 3, 1,226 acres. 4, 40 acres.

LEAVE OF ABSENCE.

On motion by Hon. G. A. Kempton, leave of absence for six consecutive sittings granted to Hon. W. T. Glasheen (South-East) on the ground of ill-health.

PAPERS—FORESTRY, GOLDFIELDS TIMBER AND FIREWOOD SUP- PLIES.

HON. E. H. HARRIS (North-East) [4.35]: I move—

That all papers relating to any arrangements made between the Forests Department and the Westralian Goldfields Firewood Supply Co., Kurrawang, for (1) the cutting and carriage of mining timber on the said company's reservation, or along the route of its

railway to the Boulder mines; (2) the cutting and carriage of domestic firewood; also papers, if any, relating to the cessation of the cutting and carriage of mining timber, and domestic firewood upon Crown lands, adjacent to the existing Goldfields State railway lines, be laid upon the Table of the House.

As I understand the Minister offers no objection to the tabling of the papers, I shall content myself with formally moving the motion.

Question put and passed.

The MINISTER FOR COUNTRY WATER SUPPLIES laid the papers on the Table of the House.

MOTION—MOTOR ACCIDENTS.

To Amend Traffic Act.

Debate resumed from the 19th May on the following motion by Hon. G. Fraser:—

That in view of the dire financial straits to which many victims, and relatives of victims, of motor accidents are reduced, this House requests the Government to amend the Traffic Act in a manner that will protect the financial interests of these unfortunate people.

THE MINISTER FOR COUNTRY WATER SUPPLIES (Hon. C. F. Baxter—East [4.37]: In this matter my views are in agreement with those expressed by Mr. Fraser in submitting his motion, and, personally, I think he is to be commended for the opportunity afforded hon. members to discuss the grave question which he has so thoughtfully put forward for consideration. I believe every hon. member will agree it is desirable that some action should be taken whereby the victims of accidents caused by motor vehicles should, in all circumstances and from some source, be compensated for the expenditure they are put to and for disabilities or permanent injuries resulting from such accidents. Mr. Fraser in his speech recognised that the problem as to how the result he has in view can be achieved, is not an easy one to solve, and in that view I agree with him. Obviously, it would be a simple matter for the Government to introduce legislation either by an amendment to the Traffic Act or by way of a separate measure compelling the owner of any motor vehicle, whether it be a car, a truck or a cycle, to take out a policy of the form of insurance

known as a third party risk, but hon. members will realise that such action might throw a heavy additional burden upon the owners of motor vehicles. The question is not easy of solution because with increased costs generally, including petrol and license fees, many owners of motor vehicles are to-day finding it difficult to run them, and indeed many people who are running them would cease to do so if they could dispose of them. Nevertheless I admit that something should be done, and indeed something is already being done by the Minister controlling the Traffic Act in the direction of obtaining information from other countries so that before deciding how best to approach the subject he may see what legislation is in existence elsewhere.

Hon. G. W. Miles: Is not something already done in this direction in New Zealand?

The MINISTER FOR COUNTRY WATER SUPPLIES: I shall deal with that point. For instance, only a few days ago the responsible Minister, knowing that legislation had recently been passed in New Zealand, cabled to the Transport Department in the Dominion asking for details, and particularly for the regulations that had been made under the New Zealand Act. That Act compels the owner of any motor vehicle to take out a third party risk policy, but it also provides that the owner of a vehicle can be protected by regulation against paying exorbitant premiums.

In order that hon. members may have some knowledge regarding the charge made by insurance companies in this State for policies covering third party risks, the Minister in charge of the Traffic Act caused inquiries to be made, and found that practically every policy that has been taken out covering motor vehicles is known as a comprehensive policy. That class of policy covers third party risks, damage to property, damage to the car insured and damage done by that car to another car. With a limit to the third party risk from a maximum of £1,000, the minimum charge for a motor car, which is not used for business purposes, is £8.

The Minister understands that extra fees are charged for motor cars used for business purposes, and still higher fees are demanded in respect to motor lorries. It could not be ascertained what premium might be charged for a straight-out third party cover, inasmuch as the companies here were not pre-

pared to give a quotation until they knew exactly what risks a policy would be required to cover. Hon. members are no doubt aware that the Traffic Act already provides that the owner of any motor vehicle used for the carriage of passengers for hire or reward, must insure himself against liability for damages in respect of such vehicle in case of injuries to persons. Thus no owner of a motor vehicle, including an omnibus, desiring to carry passengers, can secure a license unless he can produce to the traffic authority, a policy which conforms to the requirements of the Act. About 2,500 motor cars and omnibuses are to-day insured in accordance with those provisions, but the Minister in charge of the Traffic Act is faced with the fact that the total number of motor vehicles, including motor cycles, apart from those carrying passengers, is more than 40,000, and if owners of motor vehicles were compelled to insure, the aggregate cost to them would amount to a considerable sum. The problem to solve is: What are the best means whereby the victims of accidents can secure compensation at a minimum of cost to owners of vehicles? In that connection one must consider that by far the majority of drivers are so careful that they drive for years without hurting any person. Despite the care exercised by the Commissioner of Police in the licensing of drivers, there are some who for different reasons are more liable than the majority to cause injury. One, too, must consider that the drivers of vehicles would be paying part of the premium to cover the risk of injury to persons caused by their own carelessness or stupidity. That is an important aspect in the problem of compulsory insurance, and it is questionable whether a guiltless driver should be saddled with the cost of compensating individuals who can be termed the idiocy of the community. My experience is that there are many persons in that category. Another matter for consideration is whether the so-called third party risk should cover the friends and relatives of a driver. I believe it has been held that if the owner of a car takes friends out for a drive and meets with an accident occasioning injury to his friends, they can legally claim compensation from him.

Hon. J. Nicholson: That is, if negligence is proved.

The **MINISTER FOR COUNTRY WATER SUPPLIES**: Personally, I do not consider that the owner should be held liable in such circumstances, nor should it be necessary for him to be covered by insurance against claims so arising. When all these things have been taken into consideration, hon. members will realise how difficult it would be so to word an insurance policy as to assure that certain victims should be covered and others perhaps not covered. Obviously the more comprehensive the policy, the greater would be the premium. I again say that the Government must necessarily sympathise with the motion, and that when the information necessary for the guidance of the Government has been assembled, further serious consideration will be given to the subject.

HON. J. NICHOLSON (Metropolitan) [4.47]: The statement made by the Minister is the only one that could be made in the circumstances. That he has sympathy with the motion goes without saying, because no one would desire that people who were injured through the negligence of a careless motorist should not have some redress. The difficulties mentioned by the Minister, however, are real, and how to surmount them is a problem. I put this proposition: Suppose the party injured were at fault—the Minister touched on that aspect—even a comprehensive policy such as is issued at present would not entitle to compensation a party who had been negligent and had suffered loss by reason of his own negligence. If a wider policy were possible—and I do not think it is—the rate would be so high that no one could bear the burden. The result would be that people who might be injured through their own rashness, neglect or fault, would still suffer, notwithstanding that the motorist was insured under a comprehensive policy. I gathered from Mr. Fraser's remarks, when he was introducing the motion, that he had in view the idea of extending some measure of relief in every case. I think he will realise from what the Minister has said the impossibility of meeting so intricate a situation.

Hon. G. Fraser: I did not introduce that phase of it at all.

Hon. J. NICHOLSON: That being so, the hon. member's notice should be directed

to it so that he will realise the difficulties that exist.

Hon. G. Fraser: I want relief for people who are not in that position.

Hon. J. NICHOLSON: The hon. member wants relief for people who have been injured through no fault of their own. I suggest there is only one way to overcome that difficulty and that is for every motorist to take out a comprehensive insurance policy.

Hon. Sir Edward Wittenoom: The best way would be to have no motor cars.

Hon. J. NICHOLSON: If we had no motor cars, there would still be risks of accidents from horse-drawn vehicles. Accidents happened when horse vehicles were more prominent than they are to-day. On a very dark night in Queensland some years ago, a man was approaching a vehicle which had only one light burning. He mistook the side upon which the light was exhibited and walked right into the vehicle, the shaft of which penetrated his body and killed him. While sympathising with Mr. Fraser's object, I think the only solution is for every motorist to take out a comprehensive policy covering himself against all risks. If the individual happened to be at fault, he would not be protected, because the policy that is issued at present would not protect a man who was injured through his own fault. Mr. Fraser might also consider the lads who own motor cycles on which they ride to work. They would be compelled to take out a policy at a rate which would necessarily be high. The Minister suggested that a comprehensive policy for such a vehicle would be £8 a year. Many of the lads who ride motor cycles have all they can manage to meet the instalments for the purchase of the machine, without being called upon to bear an added burden.

Hon. G. Fraser: It might be a good thing if a lot of them were prevented from buying motor cycles.

Hon. J. NICHOLSON: There might be another way of approaching the matter, namely, by providing that no one should be granted a license for any vehicle until he had passed a more stringent examination than is required at present. I admit that much carelessness is shown by motor cyclists and other people at times. They tear along the streets at a break-neck pace, taking considerable risk.

Hon. E. H. Gray: They do not pass any examination.

Hon. J. NICHOLSON: If the Traffic Act were amended to provide for a stricter examination, particularly in the direction of exercising care when approaching other vehicles or when entering a main road from a side street, many accidents might be averted. Some motorists take risks unnecessarily and some measure of protection against them might be provided in this way.

The Minister for Country Water Supplies: A lot of pedestrians take many risks.

Hon. J. NICHOLSON: Yes. Considering all the difficulties, Mr. Fraser might well allow the matter to stand over for the present, as the Minister has suggested.

HON. W. H. KITSON (West) [4.57]: I support Mr. Fraser in his efforts to do something on behalf of people who are injured in motor accidents. Last session I suggested that the insurance premium be made part of the license fee, and if that were done, it could be left to the State Insurance Office to deal with. If every motorist were compelled to contribute whatever amount was necessary in that way, it would be small in comparison with the benefits that would be realised by the people whom we are trying to assist. A large number of motorists are in a position to bear any expense that might be incurred as a result of injuring other people, but other motorists, as Mr. Nicholson has indicated, are not in a position to do more than pay instalments on their machines and the license fee that gives them permission to drive on the roads. If insurance were combined with the license fee, or if motorists were compelled to take out a comprehensive policy, having regard to the large number of motorists in this State, the amount involved to the individual would not be great. In any event, the Government should endeavour to devise ways and means to give effect to the motion. Some very hard cases have come under my notice. I know several people who, had provision such as is suggested existed, would not have been placed in the very serious position in which they find themselves today. It is safe to say that no motorist wilfully injures another person. Every mishap of the kind is an accident, although it may be accompanied by a certain amount of recklessness. Doubtless a motorist who injures another person is desirous of doing

all he can for the victim, but if the idea contained in the motion could be given effect to on the lines suggested by Mr. Fraser or by me, we would be doing only a fair thing to people who are injured through no fault of their own, and who at present cannot recover from the motorist the expense entailed by the accident or compensation for the injury suffered.

HON. SIR EDWARD WITTENOOM (North) [5.0]: Rather reluctantly do I make a few remarks on the motion. I am not opposed to it in any way, but what I am opposed to is the ease with which licenses are issued to all and sundry to drive motor vehicles. I have owned motor cars for the past eight or ten years and not only have I not had an accident, but I have never actually seen one happen. I am wondering where the hon. member who moved the motion got all his information about accidents and the financial straits of the victims. We have heard a great deal about the necessity for insurance, but I consider that if the method of granting licenses were tightened up, there would be fewer accidents. Can any member tell me that an applicant for a license has ever been asked to prove that he is a person of sober habits and consequently fit to drive a motor car? Have the police ever asked an applicant for a license for a certificate of sobriety? Here lies the secret of accidents—insobriety. It is not a question of insurance.

Hon. G. Fraser: Not everybody who meets with an accident is necessarily under the influence of liquor.

Hon. Sir EDWARD WITTENOOM: I remember a case that came before the court not long ago. A young man was charged with driving a car whilst under the influence of liquor. The police declared in the court that he was not in a fit state to drive. In reply to the magistrate's question the young man said he pleaded guilty, and he added, "I confess that I was under the influence of liquor; I had had six or eight drinks before I started, and there is not the smallest doubt that I was not fit to be in charge of a car, although I was not exactly what you would call drunk." The magistrate replied, "Young man, I have been on the Bench a good many years and there have come before me no greater liars than drivers of motor cars. I never believe a word they say, and I do not mind telling you that you do not seem

to be any different from the others and therefore you are discharged for having been sober on this occasion." Speaking seriously, I do not believe that the police inspection is sufficient. No one can tell me that all the 25,000 drivers of motor vehicles in the metropolitan area are capable and sober people.

Hon. C. B. Williams: They manage to get licenses at very short notice.

Hon. Sir EDWARD WITTENOOM: I raise no objection to the motion, but I consider that the method of granting licenses should be tightened up.

On motion by Hon. E. H. Gray, debate adjourned.

BILL—ROAD DISTRICTS ACT AMENDMENT (No. 1).

Order Discharged.

Order of the Day read for the second reading.

THE MINISTER FOR COUNTRY WATER SUPPLIES (Hon. C. F. Baxter—East) [5.7]: It is not intended to proceed with the second reading of this Bill because the Government propose to submit a more comprehensive measure during the next session which will begin in the near future. The present session, it is expected, will not last much longer, and no advantage will be gained by going on with this Bill. I move—

That the Order of the Day be discharged.

Question put and passed.

BILL—COLLIE RECREATION AND PARK LANDS.

Received from the Assembly and read a first time.

House adjourned at 5.8 p.m.

Legislative Assembly,

Tuesday, 26th May, 1931.

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

PERSONAL EXPLANATION.

Hon. A. McCallum and the Workers' Compensation Bill.

HON. A. MCCALLUM (South Fremantle) [4.35]: I desire to make a personal explanation. The other night, when speaking on the Workers' Compensation Bill, I said the only difference between the Queensland, New South Wales, Commonwealth, and our own Second Schedules was that New South Wales provided £1,000 as against our £750. Since then I have taken an opportunity to refresh my memory, and I find there are three or four items in the Queensland Second Schedule which make that schedule different from our own.

QUESTIONS (2)—BUNBURY HARBOUR.

Condition of Jetty.

Mr. WITHERS asked the Chief Secretary: 1, Which engineer, if any, is responsible for seeing that the Bunbury jetty is maintained in safe condition to carry railway rolling stock? 2, Has any inspection by an engineer been made during the last twelve months? If so, what was the reported condition? 3, If there has been no inspection, will he direct that an inspection be made at an early date and a full report on the general condition of the jetty made available?