

that of South Australia, which has been referred to by Mr. Sommers. The Parliament in that State is likely to continue for some time, and, therefore, can from day to day, if necessary, bring in legislation.

Hon. A. G. Jenkins: They have postponed payment there for six months.

Hon. J. CORNELL: Only relative to certain matters, but if unforeseen circumstances cropped up the Government there would be free to bring in an amending measure. Our Parliament must soon go out of existence, and I expect there will be an interval of eight or nine weeks before it meets again, and while the cases cited in the amendment may be safeguarded, dozens of others more worthy of consideration might crop up, and we will not have the machinery to deal with them. This is a time when we must trust the Government, and if they are not worthy of being trusted, legislation is not worthy of being passed.

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

Ayes	9
Noes	8

Majority for 1

AYES.

Hon. J. Duffell	Hon. A. Sanderson
Hon. V. Hamersley	Hon. C. Sommers
Hon. J. J. Holmes	Hon. Sir E. H. Wittenoom
Hon. A. G. Jenkins	Hon. C. McKenzie
Hon. E. McLarty	(Teller).

NOES.

Hon. C. F. Baxter	Hon. J. W. Kirwan
Hon. J. Cornell	Hon. H. Millington
Hon. J. F. Cullen	Hon. R. G. Ardagh
Hon. J. M. Drew	(Teller).
Hon. D. G. Gawler	

Amendment thus passed.

Hon. A. G. JENKINS: I move a further amendment—

That the following be added to stand as Subclause 2:—"Land" includes messuages, tenements, and hereditaments, and houses and buildings, and also includes any estate or interest (legal or equitable) in land, and any easement, right, or privilege in, under, over, affecting, or in connection with land.

Amendment passed.

Title—agreed to.

Bill reported with amendments.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Received from the Legislative Assembly and read a first time.

BILL—BILLS OF SALE ACT AMENDMENT.

Message received from the Assembly notifying that it had agreed to amendments Nos. 1, 2, 3, and 8 made by the Council, but had not agreed to amendments Nos. 4, 5, 6, and 7.

House adjourned at 11 p.m.

Legislative Assembly,

Tuesday, 8th September, 1914.

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The DEPUTY SPEAKER took the Chair at 4-30 p.m., and read prayers.

QUESTION—PUBLIC WORKS DEPARTMENT ADMINISTRATION

Mr. LANDER (without notice) asked the Minister for Works: 1. Is it a fact that the Under Secretary for Works, Mr. Munt, has appointed his daughter

to a position in the public service contrary to the provisions of the Public Service Act? 2, Is it a fact that Mr. Munt has received an increase of £100 per annum in salary?

The MINISTER FOR WORKS replied: 1 and 2, Both statements are incorrect.

QUESTIONS (2)—ELECTORAL ROLLS.

Compilation.

Hon. FRANK WILSON (without notice) asked the Attorney General: Will the Attorney General kindly explain the instructions which have been given to the Electoral Department in respect to the compilation of rolls for the forthcoming State general elections? I see in the Press a suggestion that the names on the Federal rolls are to be transferred *holus bolus* to the State rolls. How is it proposed to safeguard the transfer of names to wrong electorates, seeing that the boundaries of Federal electorates and those of State electorates are not coterminous and do not agree?

The ATTORNEY GENERAL replied: I cannot give now the full instructions which were issued to each district electoral registrar. Those instructions were forwarded by the Chief Electoral Registrar. The statement, however, that names are to be taken over *holus bolus* from the Federal rolls is absolutely incorrect. What is being done in each part of the State is that our State rolls are being compared with the Commonwealth rolls. There will be a preliminary sifting in the electoral office to compare the claims with those rolls and with all other sources of information, and to delete from those rolls, either the Commonwealth or the State, names of persons known as not qualified, as having lost, for any reason whatsoever, their claim to be on our roll. In addition to the preliminary sifting down locally in each particular district, there is a still further sifting process undertaken in the electoral office, with a clear view of getting on the roll each voter for any district within the boundaries of that district, but having in clear view

the difference between the boundary lines of the Commonwealth electorates and those of the State electorates.

Printing.

Hon. J. MITCHELL (without notice) asked the Attorney General: When will the printed rolls for the State general election be available for inspection; and will there be opportunity, after the printing of the rolls which are now being compiled, to get on the roll before closing time?

The ATTORNEY GENERAL replied: There will be time for those who are not on the roll to get on. Anyone not on the roll can ascertain that fact by going to the nearest electoral officer. There will be time to get on up to a fortnight of the issue of writs; that is, up till Tuesday next.

Hon. J. Mitchell: When are you going to print the rolls?

The ATTORNEY GENERAL: The hon. member knows that we are expediting the elections, and that it is no light task to make the careful comparison which has to be made in compiling new rolls. There will be very little time for the printer. The rolls will be available for comparison, but they will not be out any length of time before the closing of the roll.

Hon. J. Mitchell: But they will be out before then?

The ATTORNEY GENERAL: We are doing our best, and it is a matter for the printer. It really amounts to the printing of a new roll. I assure the hon. member that all possible expedition is being made to get the rolls printed in time.

Hon. J. Mitchell: You might drop any number of names.

Mr. CARPENTER: I have seen the Fremantle electoral officer and he assures me that all names now on the Federal roll but which are not on the State roll will be transferred to the State roll for the various districts.

The ATTORNEY GENERAL: That is not the instruction which has been given. The instruction which the district electoral registrars have received is to take over those names as to which

they have some *prima facie* evidence of right to be on the roll. But where there is *prima facie* evidence, or clear evidence, that the person has no right to be on the roll, then of course the name would not be transferred from the Federal roll.

Mr. Carpenter: The officer assured me that he would take none off.

The PREMIER: May I explain in connection with the matter that it has been decided to adopt the Federal roll as far as may be practicable, in order to meet the difficulty which has arisen, due to our desire to avoid the huge expence of making a canvass, which would have cost anything from £600 to £700.

Hon. J. Mitchell: You had the canvass half finished.

The PREMIER: The canvass had not been begun except in one or two small districts. It had not cost anything to speak of up to the time when it was stopped. The difficulty on this occasion is that, whereas in previous years we had been able to make use of the police force for the purpose of the canvass, in the existing circumstances it is not possible to do so. We have had to swear in a number of special constables for the purpose of doing other work, and no member of the police force is available for the purpose of making a canvass. We have accepted the Commonwealth roll under the powers contained in the Electoral Act. We are making use of the compulsory enrolment provision under which the Commonwealth roll is compiled. That was the best method we could find of overcoming the difficulty which arises consequent on dispensing with the canvass. I am glad the leader of the Opposition has given me an opportunity of drawing public attention to the matter. While we are taking the names off the Commonwealth roll, I would nevertheless suggest that those who recorded their votes, or attempted to record their votes, on Saturday last, should now take the opportunity of referring to the last State roll. If they are not on the last State roll, then they can immediately put in a claim.

Hon. J. Mitchell: Quite a number have done that.

The PREMIER: They have till next Tuesday to put in a claim. If they want to make doubly sure, they can put in a claim card. There need be no duplication so far as the State roll is concerned, because the claim card is immediately placed in its proper drawer, and if the claim is already in, no further action is taken. However, so far as the transfer from the Commonwealth roll is concerned, the State roll closes on Tuesday next, and that does not prevent an adjustment if it should be found, after the closing of the roll, that a transfer merely represents an error made by the department. So that any person who finds that he has been put on the Wagin roll, for example, whereas he should have been put on the Narrogin roll, has merely to draw attention to the matter, when the proper transfer will be made. We are doing everything possible to have the State rolls as complete as possible, with the means at our command. All I want the public to understand is that the roll, so far as the claim cards are concerned, closes on Tuesday night, and that those who are not on the Federal roll should put in a claim card. I may say, in addition, that the rolls are being made up by the district registrars and sent to the central office, but are available at any time for inspection. We are not doing anything of a secret nature. The rolls are open to inspection, and anybody can see what names are put on and what names are struck off up to the 15th September.

QUESTION—RAILWAY FARES.

Concession for Women Workers.

Mr. ALLEN asked the Minister for Railways: Will the Government grant to women travelling to work by train up to 9 a.m. the same concession as at present enjoyed by workmen travelling on workmen's tickets?

The MINISTER FOR RAILWAYS replied: The regulations already provide that female workers will be allowed to travel on workers' tickets by trains

arriving in Perth, Fremantle, or Midland Junction up to 8.52 a.m., as per folio 101 of Penny Time Table.

QUESTION—RAILWAY, WONGAN HILLS—MULLEWA.

Mr. MOORE asked the Minister for Works: 1, When will the ballasting of the Wongan-Mullewa Railway be completed? 2, Will he favourably consider the reducing of all rates for carriage of all goods directly the ballasting is completed?

The MINISTER FOR WORKS replied: 1 and 2, An effort is being made to complete the ballasting early in the new year. This accomplished, the line can be operated under Working Railways conditions.

QUESTION—SLEEPER HEWERS' LICENSES.

Mr. LAYMAN asked the Minister for Mines: 1, Is he aware that many hundreds of men in the South-West previously working as sleeper hewers are now out of employment owing to their not being granted hewers' licenses; also, that some of the said men, together with those dependent on them, are in a state bordering on destitution? 2, If so, will the Government reconsider its determination to refuse to grant licenses to these men?

The MINISTER FOR MINES replied: 1, I am not aware that licenses to men who have been regularly employed as sleeper hewers have been refused, as licenses have been renewed to all hewers engaged in July last who have made application. The men now seeking licenses have been thrown out of work consequent upon the European War. 2, This matter is now receiving consideration at the hands of the Government.

ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the following Bills:—

1, Cottesloe Municipal Rates Validation.

- 2, Melville Tramways.
- 3, Control of Trade in War Time.
- 4, Bunbury Motor Bus Service.
- 5, Osborne Park Tramways Purchase.
- 6, Agricultural Bank Act Amendment.
- 7, Friendly Societies Act Amendment.
- 8, Kingia Grass Tree Concession Confirmation.
- 9, Supply (No. 2), £1,450,000.
- 10, Workers' Homes Act Amendment.
- 11, Special Lease Enabling.

GOVERNMENT BUSINESS, PRECEDENCE.

The PREMIER (Hon. J. Scaddan) (without notice) moved—

That for the remainder of the session Government business shall take precedence of all motions and Orders of the Day.

Hon. J. Mitchell: When are you going to close the session?

The PREMIER: When you have finished the business.

Question passed.

BILL—POSTPONEMENT OF DEBTS.

Read a third time and transmitted to the Legislative Council.

BILL—INDUSTRIAL ARBITRATION AMENDMENT.

Recommittal.

On motion by the PREMIER Bill recommitted for further consideration of Clause 30.

In Committee.

Mr. Male in the Chair, the Premier in charge of the Bill.

Clause 3—Power to make agreements on matters to which industrial agreements and awards do not relate:

The PREMIER: I move an amendment—

That after "motion" in line 2 of Subclause 1 the words "inquire into any industrial matters and may" be inserted.

This will not alter the principle of the clause. It is merely to make the meaning

more explicit, and avoid the possibility of a technical point being raised to set aside any agreement made under the clause. It will permit the commission to exercise all the powers necessary to inquire into industrial matters without the issue of a new agreement. Under the original clause the point might have been taken that a new commission would be required because this new object was outside the scope of the original commission. In connection with this there is evidently some misunderstanding in regard to the purpose of the clause. I tried to explain it on a previous occasion.

Hon. J. MITCHELL: Mr. Somerville does not like it.

The PREMIER: That does not concern me very much. Mr. Somerville may be regarded as an authority on arbitration matters under normal conditions, but the existing conditions are very far from being normal. I do not think Mr. Somerville has a proper conception of the circumstances. The matter is one which the Arbitration Court has no power to deal with. The object of the clause is the protection of unorganised workers. The Arbitration Act recognises only organised bodies of workers. It is not proposed to allow the commission to set aside any award or agreement of the Arbitration Court without the concurrence of both parties. If a new agreement is to be entered into it must have the sanction of both parties; otherwise the existing award or agreement will remain in force. The clause provides for unorganised workers going before the commission—in fact, any person may approach the commission. It is proposed to move the commission by one of our departmental inspectors in regard to the case which I mentioned the other day, and which everybody agrees should be dealt with. Under the clause, a union may move the commission, with a view to making a new agreement. The object of the amendment is merely to render still clearer the meaning of the clause, and to obviate any technical points being subsequently taken.

Hon. FRANK WILSON: On a previous occasion I fully stated my objections to the clause. It is not necessary for me to repeat them. As far as the amendment is concerned, and the further amendments which the Premier proposes to move, I see no objections to them. If we are to have such a clause at all, I think it will possibly be improved by the proposed amendments.

Hon. J. MITCHELL: I think the Premier is wrong when he says that the Bill is a Bill to increase wages.

The PREMIER: I did not say that.

Hon. J. MITCHELL: The Premier claims that the purpose of the Bill is to prevent sweating, which, in other words, means to increase wages. The first clause will have the opposite effect. The amendment will probably improve the clause, notwithstanding which we may get endless bother. I think the people ought to know that it is quite possible the commission may be moved to reduce wages.

The PREMIER: The Bill in itself does nothing beyond providing power for the employer and employee who may be parties to an award or agreement of the Arbitration Court to contract themselves out of that agreement or award. Against the wishes of the employers I have taken the precaution to provide that no award shall be set aside until a new agreement takes its place. Nobody can force such an agreement on an employee if he does not accept it. If either party decline to accept the new agreement, the existing agreement or award will stand. The Bill gives power to unorganised workers, and even to the commission itself, to take action. As I have already said, it is intended that an inspector of the department shall take a certain case before the commission. Until the Bill is passed nothing can be done, and those poor girls must continue to suffer. On Friday a deputation complained that for months past the quarrymen have had a case set down for hearing before the Arbitration Court, which should have been heard three weeks ago; they had their witnesses down here, but nothing further was

heard about it. Are those poor girls to whom I have previously referred, to wait and suffer, because they are not organised? We make provision for them to approach the commission and so avoid victimisation. If we had not an agreement of this kind a restaurant keeper could tell his employees that he had arranged to reduce their wages, and insist upon their signing an agreement to that effect. The girls would have to sign or go out. We give fair protection by providing a body that can be approached without any difficulties or technical formalities. We are doing this to meet an emergency. It is not our idea of arbitration or conciliation under ordinary conditions.

Hon. J. Mitchell: We ought to deal with the sweater all the time?

The PREMIER: At the present time we do not deal with him. The fact that the Bill does not give perfect satisfaction to either side may be taken as an evidence that it meets the position fairly between the two contending parties. An emergency measure of this kind we have to consider from the point of view of meeting the conditions of the moment and those that are likely to arise, and which will go out of existence in normal times.

Hon. J. Mitchell: Under this clause the commission can order a man to work at any wage they think fit.

Mr. B. J. STUBBS: The Bill, if it becomes law, will not prevent or abolish sweating. If any of the workers are being sweated to-day this commission, I feel sure, will not attempt to raise their wages above what they were prior to war breaking out. The object is to prevent an extension of the sweating system, to prevent employers from reducing the wages of those who are already perhaps being employed under sweating conditions. The view the commission will take will be that they have not been brought into existence for the purpose of raising wages. They will, as far as possible, try to prevent unscrupulous employers taking advantage of their employees because of the exigencies of the moment.

Amendment put and passed.

The PREMIER moved a further amendment—

That in line 4 the words "on an inquiry by them into any industrial matters, not being the subject of any existing industrial agreement or award and for such purpose" be struck out, and "and for the purposes of any such inquiry" be inserted in lieu.

Amendment passed.

The PREMIER moved a further amendment—

That the words "and its amendments" be added to the clause.

Amendment passed.

The PREMIER moved a further amendment—

That in line 3 the first word "matters" be struck out and after the second word "matters" the words "not being a subject of any existing industrial agreement or award" be inserted.

Amendment passed.

Bill reported with amendments and the report adopted.

Read a third time and transmitted to the Legislative Council.

BILL—BILLS OF SALE ACT AMENDMENT.

Council's Amendments.

Schedule of eight amendments made by the Legislative Council now considered.

In Committee.

Mr. Male in the Chair; the Attorney General in charge of the Bill.

No. 1.—Clause 3: Add the following proviso:—"Provided that it shall be sufficient for the purpose of this section if the bill of sale states that the rate of interest shall be the current bank rate for the time being."

The ATTORNEY GENERAL: As this makes no material alteration to the clause as it originally stood, I move—

That the amendment be agreed to.

Question passed; the Council's amendment agreed to.

No. 2.—Clause 6: Strike out the clause:

The ATTORNEY GENERAL: This clause was proposed in this Chamber

for the protection of those who have to register the transfer as well as the original bill of sale; I move—

That the amendment be agreed to.

Hon. J. MITCHELL: This amendment is necessary in order that the Act may be made clear. I think that transfers should be registered. However, I am willing to let it go.

Question passed; the Council's amendment agreed to.

No. 3.—Clause 7: Strike out the clause:

The ATTORNEY GENERAL: This clause was inserted at the request of the Chamber of Commerce, and I can scarcely understand why it has been deleted by another place. I have not read the debate in the other place, but it seems to me rather extraordinary that they should desire to delete it. As I am not anxious to put up more quarrels with the other place than are necessary, I shall accept the amendment. I move—

That the amendment be agreed to.

Question passed; the Council's amendment agreed to.

No. 4.—Clause 10: Strike out this clause:

The ATTORNEY GENERAL: I do not feel inclined to accept the amendment of another place and I am going to move that the amendment be not agreed to. One of the particular objects I had in view in introducing the measure, apart from complying with the request of the Chamber of Commerce, in urging the importance of matters that were really essential for an effective bill of sale, was to render it unnecessary for a man who wanted, say, a small sum like £5, £10, or £15 to be obliged to borrow £30. This clause was of great advantage to the man who had to borrow, to get over a temporary difficulty, a small amount. Otherwise he would be compelled to borrow £30 in order that he might get accommodation for a smaller sum. It is perfectly absurd to retain this £30 minimum for borrowing. In South Australia for years they have been simplifying bills of sale and have allowed these small transactions, on the payment of a small fee, to be perfectly legal as covered by the bill of sale. A ten

pound loan can be covered by security represented by a bill of sale. I shall therefore move—

That the amendment be not agreed to.

Question put and passed, the Council's amendment not agreed to.

No. 5:—Clause 17, paragraph (b)—In lines 3, strike out the words "before or":

The ATTORNEY GENERAL: This clause is an amendment of Section 18 of the Bills of Sale Act Amendment Act, 1906. In the first paragraph it amends that Act by omitting the words "the term stock means and includes any sheep, cattle, or horses." In the second paragraph it amends it by adding after the word "consideration" in the third line of that Section, the words "or to any bill of sale granted before or after the commencement of this Act to any person over crops sown or growing upon or about to be sown in or grown upon the land mentioned in the bill of sale" and so on. The amendment of the Council provides for omitting the words "before or" in this second paragraph, and whereas the clause as now drafted would make it retrospective, the amendment would defeat this object. I would point out that there are bills of sale now unregistered which may be presented within an hour of the failure or bankruptcy of the grantor.

Hon. J. Mitchell: Why are they not registered?

The ATTORNEY GENERAL: Because there is no necessity. We say it is unnecessary to go through the formality of giving notice in these cases. We want to better the conditions so far as those who assist the farmer are concerned. In effect, the clause is for the protection of storekeepers and others who have already made advances at the request of the Minister for Agriculture, to assist settlers in the farming districts, and who would, if the amendment were agreed to, be deprived of their security. I move—

That the amendment be not agreed to.

Hon. J. MITCHELL: This chiefly affects those people who desire to fatten stock, and such a transaction would

not last long and would not permit of notice being given. The farmer would be at a great advantage if the notice had to be given by the vendor. Up till now it has not been thought necessary to apply the same provision to fertilisers and other requisites for the harvesting of a crop. It is a question, however, whether we ought to make the legislation retrospective.

The ATTORNEY GENERAL: I am not insistent upon it, but I think it is the preferable thing to do.

Hon. J. MITCHELL: The Attorney General must remember that there may be other creditors who up to now have given credit because they believed the crop to be free.

The ATTORNEY GENERAL: They will have to register the bill of sale, but do not need to give notice of registration.

Hon. J. MITCHELL: Now they would be able to bring along a bill of sale, register at once and have a preferential lien as against other creditors. The object in giving notice is to allow all the other creditors to know what has happened. The clause as it affects future transactions is a very good one, but it should not be made retrospective. I can understand that it may be necessary that it should be retrospective as far as the Agricultural Department is concerned. It may be that the Minister of that department will have three or four years of fertiliser, seed, bags, twine, and other things to claim for, but if this legislation is passed he will certainly get an advantage that he is not entitled to get unless the position is made clear to the public.

The Minister for Lands: We are only doing it on the basis of an arrangement made with the other creditors.

Hon. J. MITCHELL: That is so far as the recent action of the Minister is concerned in acting as trustee for other creditors. It is because the Minister has undertaken to act in this way for various people who supply farmers that I hesitate to oppose the Attorney General. All the same I do object to legislation being made retrospective. It is a very dangerous precedent and may work hardship in certain cases. Whilst the

Minister ought to be protected in regard to recent transactions, I doubt if the legislation should be made retrospective generally. Innocent creditors may be seriously damaged by this alteration. I would be only too glad to help the Attorney General in the work he is doing, but I want to point out how it will affect the people generally.

The ATTORNEY GENERAL: Certain obligations have been performed both by storekeepers and by the Agricultural Department, practically without giving the formal notice, acting under Section 18. Why should they be deprived of the money they have advanced to help the settler along, merely because they have not complied with the formalities necessary in regard to other transactions? The whole of the clause deals with the helping of the settler, whether by the department or by the storekeeper. That help has been given and why should we not recognise it? There can be no possible hardship imposed by the provision, more particularly as the words are repeated later in the clause.

Question put and passed; the Council's amendment not agreed to.

No. 6, Clause 17, paragraph (b)—Strike out all the words after "crops" in line 10:

The ATTORNEY GENERAL: Why another place has chosen to throw out this provision I cannot understand. The Agricultural Department has helped the farmer in a way that no private person could afford to do. If it had not been for the aid rendered by the Agricultural Department we should have had large areas of agricultural settlements deserted. The new settlers could not possibly have carried on through the bad seasons we have had if the Agricultural Department had not come to their aid and kept them on their farms, thus developing the country. Not only has the Agricultural Department helped the settler himself by giving him the means to continue in his industry, but it has protected him against the greed of unscrupulous creditors, while to all fair-minded creditors the department has said, "When the crop is gath-

ered and we are able to realise from the sale we will see that each of you who has contributed to help the farmer gets his fair proportion out of the money available." The department has been the trustee, not only for the State, but in the interests of all the creditors who have helped the farmer along. It would be a serious blow to the farmer if this power were taken away, as it will be if the Agricultural Department is to have no guarantee, no security. If the Council's amendment be agreed to it will deprive the State of the advantage of that help being given to the farmer, and will be an injustice to the upright creditor of the farmer. I move—

That the amendment be not agreed to.

Hon. J. MITCHELL: The clause places the creditor in the hands of the Minister. The system followed now is for the Minister to take a bill of sale over the growing crop, and act as receiver for the men who have supplied fertiliser, bags, seed, etc.; and when the Minister gets the money he makes a *pro rata* distribution if there is not sufficient to go round. I can see an advantage to the farmer in having the money with which to do his work, but in giving this power to the Minister we place the whole of the creditors, willing or unwilling, under the control of the Minister. If the merchant is willing that the Minister should act on his behalf there can be no objection, for the arrangement enables the farmer to get his crop, and saves the Government from having to advance the money; but we should be very careful before forcing all creditors under the control of the Minister. Again, it may give an advantage to one set of creditors over another who do not come within the scope of the Minister's operations. Further, if the Minister gets this power he could take a bill of sale over everything a man possesses and distribute the proceeds among one section of the creditors, shutting out others. I do not think the Minister should have power extending beyond the scope of the clause as applied to a private storekeeper.

Mr. Dwyer: The Minister is only a trustee protecting the rights of the storekeepers.

Hon. J. MITCHELL: But the clause applies to any bill of sale granted before or after the commencement of the Act. I have no objection when the Minister is acting for all the creditors, provided they are willing, but I do object to giving the Minister power to order all creditors to come under his control.

The MINISTER FOR LANDS: The retrospective action of this clause the Council seeks to delete is necessary owing to the fact that when we first made advances in the shape of seed wheat, fertilisers and, in some cases, fodder, the urgency of the needs of the farmers necessitated promptitude on our part, and we made advances first and provided for the bill of sale after. At that time the Crown Law Department pointed out that our position, from a legal standpoint, was not very sound, and they wanted the Department to comply with the provisions of the Bills of Sale Act in their entirety. I pointed out that that would mean relief could not be given with the necessary promptitude, and I had a discussion with the Commissioner for the Wheat Belt, and we had interviews also with the representatives of the Chamber of Commerce, and I told the Commissioner for the Wheat Belt that it was our place to take the risk and go ahead.

Hon. J. Mitchell: How long is that ago—several years?

The MINISTER FOR LANDS: Oh, no; we were not able, owing to the large volume of business, to fix up the matter for some time after the actual advances were made.

Hon. J. Mitchell: The advances, then, were made several years ago?

The MINISTER FOR LANDS: Yes. The position also not only affects myself as Minister controlling the Agricultural Department, but also the Agricultural Bank, because, where security has been insufficient in regard to advances asked for, or where advances have been up to the limit which they thought safe, they have taken bills of sale over the stock. The Managing Trustee of the Agricul-

tural Bank was very dubious about the legality of our standing, and it was he who first saw me, and afterwards conferred with the Crown Law Department to secure this protection. Since then the provisions had to be extended, and we had to make the whole business more comprehensive. We had to create a department to enable the Commissioner for the Wheat Belt and his officers to act as trustees not only for the department but for the other creditors. We found the position was that they were not inclined to trust each other; they were afraid that one creditor might get in ahead of another and secure an advantage. They were content to agree to the arrangement the department made, as trustees, to serve the interests of the creditors on a fair basis. Before the arrangement was finally ratified we decided on a scheme of distribution, and submitted it for their approval. Since then some of the creditors who declared their intention of adhering to it have receded from it, but fortunately there are others who have said they would take the risk and supply what was refused. Far from there being any probability of myself as Minister or the Department of Agriculture attempting under this power to secure some advantage to the Department, the necessity is forced upon us to set to work now to devise means for rendering further assistance in the future.

Hon. J. Mitchell: It will cover future transactions.

The MINISTER FOR LANDS: It is a business protection which we wish to use wisely and administer sympathetically in the interests of the farmers and the creditors. It is a necessary protection against some who desire to take advantage of us. We are not desirous of taking an unfair advantage, but it is necessary to prevent that on the part of others. Hon. members will realise that unless we have this it simply means that we take no legal precautions in the future; we will simply place ourselves entirely at their mercy.

Hon. J. MITCHELL: I believe that the great bulk of the merchants who have supplied farmers have behaved honestly.

The Minister for Lands: I say that they have exercised a considerable degree of forbearance, but there are others who have not.

Hon. J. MITCHELL: They are so isolated that we should hesitate to brand them all as being of that class. The Minister has confessed that in the early stages it was necessary to be lax, and that he allowed the matter to drift on until now, in the hope, I have no doubt, that the amounts would be paid off. The retrospective power he asks for now will date back several years. The Minister will obtain an unfair advantage over the creditor of the last few months and over the creditor of the future. It is not a question whether the Minister can or did not give value. I hope that whatever is done the Minister will have power to take security by way of a bill of sale.

Mr. S. STUBBS: The Minister has stated that his department has no desire to be unfair, but this Bill, if it becomes law, will give him power to claim money owing to the department for land rents or to the Agricultural Bank for interest. I want to know whether the Government in dealing with the claim would recognise the fair and just claim of, say, a store-keeper.

The MINISTER FOR LANDS: We propose to do it on the basis which we submitted to the Chamber of Commerce, and which has been approved.

Question passed; the Council's amendment not agreed to.

No. 7.—Clause 18; strike out the clause:

The ATTORNEY GENERAL: This clause deals with the preferential demand in case of seizure or sale by the sheriff, and the month's wages of a servant. I think I made a big compromise when I agreed to the reduction of the period in regard to the preferential claim for wages from three months to one month. The other place wants to delete the whole clause, and give no preference at all. That would be unfair to the man who works for a farmer. He is really giving money value, and cannot get a bill of sale over his work. The amendment of the other place will mean that every creditor

can be satisfied but the worker. All that the Bill provides is that the law shall make a bill of sale for him and give him a month's back pay. I move—

That the amendment be not agreed to.

Question passed; the Council's amendment not agreed to.

No. 8.—Fourth Schedule: Strike out the figures “£250” in line four and insert “£50”; strike out the figures “£250” in line five and insert “£50” and strike out the words “but does not exceed £500.” Strike out lines six, seven, eight, and nine:

The ATTORNEY GENERAL: I am not wedded to this. It may appear to be somewhat exorbitant. It limits the amount paid in stamp duty for the registration of a bill of sale. The amendment will give us a little more revenue than we now have, but will not give us the revenue we should have got if my schedule had remained as it was originally introduced. I move—

That the amendment be agreed to.

Question passed; the Council's amendment agreed to.

Resolutions reported, and the report adopted.

A committee, consisting of the Hon. J. Mitchell, Mr. Dwyer, and the Hon. T. Walker, drew up reasons for not agreeing to three of the amendments made by the Legislative Council.

Reasons adopted, and a Message accordingly returned to the Legislative Council.

House adjourned at 6.12 p.m.

Legislative Council,

Wednesday, 9th September, 1914.

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

PAPERS PRESENTED.

By the Colonial Secretary: 1, Regulations under the Game Act, 1912-13. 2, By-law of Weston Local Board of Health, under Health Act, 1911-12.

QUESTION—RAILWAY FREIGHTS ON STARVING STOCK.

Hon. C. F. BAXTER asked the Colonial Secretary: Have the Government decided to reduce freights on stock which will be starving for food; if not, will they give consideration to this most urgent matter?

The COLONIAL SECRETARY replied: A reduction of freight will be considered in all special and deserving cases.

BILL—POSTPONEMENT OF DEBTS.

Recommittal.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central): I move—

That the report be adopted.

Hon. F. CONNOR (North): I move an amendment—

That the Bill be recommitted for the purpose of considering a new clause to stand as Clause 5.

Amendment passed.

In Committee.

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill. New clause: