

Legislative Assembly,

Wednesday, 27th May, 1931.

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

QUESTION—UNIVERSITY, LEAVE TO PROFESSOR SHANN.

Mr. SLEEMAN asked the Minister for Railways: 1, What amount annually has been paid during the last three years as a subsidy to the University of Western Australia? 2, What salary has been paid to Professor Shann by the University, with travelling expenses, if any? 3, What are the terms and conditions under which Professor Shann has been relieved by the University to write what appears to be political propaganda for the Bank of New South Wales against the present Commonwealth Government? 4, What are his qualifications, and who recommended him for his position? 5, Is Professor Shann at present drawing any salary or allowance from the University of Western Australia? 6, Has his absence from the University lessened the efficiency of the professorial staff? 7, Is it the intention of the University to ask Professor Shann to resume duty? 8, If so, when?

The MINISTER FOR RAILWAYS replied: 1, 1928-29, £30,000; 1929-30, £31,000; 1930-31, £31,000. 2 to 8, This information is not in the possession of the Government, as Professor Shann is an employee of the University, whence such information should be obtained direct.

QUESTION—AGRICULTURE, CARTING ALLOWANCES.

Mr. MARSHALL (for Hon. W. D. Johnson) asked the Minister for Lands: 1, What was the total number of farmers to whom

carting allowances were made? 2, What was the total amount paid? 3, What was the number who received super. from the Agricultural Bank for the season and to whom carting allowances were made. 4, What was the tonnage so supplied?

The MINISTER FOR LANDS replied: 1, 165. 2, £7,685 13s. 3d. 3, 76 from the Agricultural Bank, plus others who were able to make their own arrangements. 4, 530.

QUESTION—UNEMPLOYMENT.

Grubbing Poison Areas.

Mr. GRIFFITHS asked the Minister for Railways: 1, Has the Minister considered the suggestion of Mr. Stuart Patterson, of Kellerberrin, that unemployed men with bush knowledge should be put to work this winter in the poison plant infested country, to grub that plant? 2, Is this a feasible proposal and can he take steps to make practical use of it?

The MINISTER FOR RAILWAYS replied: 1, No. The question is one that requires the consideration of the Ministers for Lands and/or Agriculture. The Unemployment Relief Department can supply the labour. 2, Answered by No. 1.

MOTION—AGRICULTURAL INDUSTRY.

Withdrawn.

MR. GRIFFITHS (Avon) [4.35]: The following motion appears on the Notice Paper in my name:—

That in the opinion of this House a Royal Commission should be at once appointed to inquire into the whole position of the agricultural industry with a view to getting it placed on a payable business footing: this commission to include in its investigations the various proposals mooted regarding Empire preference, the quota system, currency, and interest, in addition to local production costs such as land tax, rates, living and working expenses, etc.

I wish to explain to the House why I tabled this motion, and to ask leave to withdraw it.

Mr. Corboy: Can that be done?

Mr. SPEAKER: Does the hon. member desire to withdraw the motion?

Mr. GRIFFITHS: That is my desire.

Motion, by leave, withdrawn.

MOTION—LAND AND HOMES LIMITED.

To Inquire by Royal Commission.

MR. WELLS (Canning) [4.37]: I move—

That in the opinion of this House, a Royal Commission should be appointed to inquire into the transactions of a firm of land agents carrying on business in this city under the name of Land and Homes, Limited.

Before dealing with the subject matter of this motion I wish to draw the attention of members to a paragraph appearing in to-day's paper in the form of an advertisement inserted by Land and Homes Limited. The paragraph sets out that the company would welcome any investigation into their business by a Royal Commission which would not consist of politicians, at whose request they had refused to cancel any contracts entered into by persons resident in their electorates, by whom they expected to be paid for any properties that had been purchased. In this paragraph there is a reference to politicians. I wish to say that I have never been into the office of the company to intercede on behalf of any of my constituents. I do not know the gentlemen personally. I was prompted to take action in this matter because during the past 12 months numerous complaints have been made by the general public and through the Press concerning the methods adopted in the disposal of blocks of land in their various estates. These culminated a few days ago in a large deputation coming to Parliament House to ask some member to do what was possible to relieve the situation in which people found themselves. The deputation comprised about 45 of the clients of the company. They stated their cases, which show conclusively that they have very good grounds for complaint concerning the methods adopted by the company. I realise that if a person, after inspecting a block of land, appends his signature to a contract of sale, this is a legal document and the purchaser is legally bound to comply with the conditions. There is no doubt that many of these people have made a bad deal. I have frequently made bad deals myself, but have done so with my eyes open and have had to foot the bill. Recently I paid a deposit on the allocation of two shares in connection with a vessel called the "Lygnern," believing that I would get more than my money back from the sale of the goods upon

her. What I hoped for did not happen, and I have had to part with £50 and look pleasant. There was, however, no misrepresentation so far as the purchase of those shares went.

Mr. Parker: You were lucky to have the money.

Mr. WELLS: But I have not got it now.

Mr. Withers: This is the place to take it from you.

Mr. WELLS: The large majority of the clients of this company have, I think, been induced to buy land by misrepresentation. If misrepresentation can be proved—a difficult thing to do—these people can show justification for their complaint, and for the attempt to get some relief from the supposed contracts that many have signed. As a boy I was told that the qualification of a salesman was that he was able to persuade a person to buy something that person did not want. Evidently this company possess the type of salesman who can do this. I have been told that the manager has informed people that, so far as his salesmen were concerned, he was quite satisfied that the bigger the liar the better the salesman.

Hon. P. Collier: Especially with regard to land.

Mr. WELLS: No doubt quite a number of these blocks were bought during prosperous times. Many of the purchasers realised when they had signed the contracts that they had made a bad deal, but felt the responsibility to a large extent rested upon them, and they were prepared to carry on so long as they could swallow the conditions of purchase and comply with the contract. Owing to the depression they probably found they were unable to pay, and are perfectly justified in thinking that the cases have been misrepresented to them, and in taking every step possible to relieve themselves of their obligations under these supposed contracts.

Mr. Marshall: Doubtless they believed the terms of the contract when they signed. These things cut both ways.

Mr. WELLS: What they did sign was not a contract.

Mr. Corboy: It is fairly evident that the contract was altered after they had signed it.

Mr. WELLS: I will deal with that later. One of the first estates the company handled was known as the Hurlingham Estate, just on the borders of South Perth and Victoria Park, adjacent to the Swan River. It may be a nice place in the summer, but in the

winter it is practically a swamp, and a large portion of it is under water.

Mr. Raphael: Is that the site of the Canning camp that you advocated people should go to?

Mr. WELLS: I never advocated that anyone should go there, but as they are there I am doing my best to make the people comfortable. We find this sort of thing appearing in the company's advertisements concerning the Hurlingham Estate. They paint fine word pictures. They speak of the charming river and countryside within a mile and three-quarters of the city central; of its woodland surroundings and of its exquisite beauty; of its delightful scenery; of its views of the Swan River; of its fine elevation and excellent climate; of its wonderful roads, its splendid winding streets; its magnificent trees; its bird life; its water and electricity and gas supply, and so forth. Regarding that particular estate, members will notice that there is a clause that sets out distinctly that the company have already undertaken the expenditure of hundreds of pounds on the construction of roads, the installation of conveniences, and in provision for the future development of Hurlingham, which, the company state, will be controlled on the basis of carefully considered building restrictions. To date I do not think that a load of gravel has been tipped there, nor has there been any attempt to make a road in fulfilment of the promise contained in the company's circular. Several people have bought blocks of land on that particular estate, and I shall give members some of the experiences of those people. I shall not divulge the names and addresses of the individuals, but their bona fides can be vouched for if necessary. One individual says—

I bought a block on the Hurlingham Estate, the amount to be paid being £160—£10 deposit and £1 per month. I have paid £25, but have paid nothing since last September. I am working but must give all I can to keep the other members of the family. My block is facing Chinamen's gardens. It was stated by Mr. Lilburne—

He is a salesman employed by the company—

—to be the picked block of the estate, and that the Chinese gardeners had been given six months' notice to get out. He had Mr. Butcher with him, and I had my mother. Nearly two years have elapsed, and the gardeners are still there. I left the office with Lilburne to go to St. James's Park Estate, and was surprised when we got to

Hurlingham. I cannot pay any further, and I am prepared to relinquish the lots and the money paid. They have threatened legal proceedings, and I am worried about the whole business.

Mr. Marshall: It is a wonder that person did not sue the company for non-fulfilment of their contract.

Mr. WELLS: The company set out in the circular they issued, and have made similar promises to purchasers of blocks, that water would be laid on, roads made, electric light installed and so forth. They also told their clients that the manager, Mr. Roach, intended to build a house on the estate that would be valued at about £3,000, and Mr. Lilburne intended building there a house valued at from £1,800 to £2,000. To date there is one house on the property valued at from £800 to £1,000. Thus the company have not made any attempt to fulfil the conditions under which they sold blocks to their clients. I shall read one or two extracts from letters received from other individuals, to show how the representatives of the company obtained signatures. One individual in her letter says—

After inspecting the land, I told the agent I would hold the matter over pending the consideration of my husband. The agent said he would hold the matter open for a few days if I would pay a deposit, the money to be returned if I did not go on with it. I paid £5, and the agent produced a paper and asked me to sign. I inquired if it was an agreement and was told that it was not, but merely an acknowledgment to show that I had paid £5. I signed a folded paper. After consulting my husband, I decided not to purchase, and was told by the agent I would get my money back. It was not returned, and I was later told that I had signed an agreement to purchase.

Here is another letter—

During April, 1929, on various occasions I was approached by Mr. Saul Finklestein—

He is one of the company's agents, and I do not think there is any harm in mentioning his name—

—in reference to purchasing some land in Victoria Park. On these occasions I told Finklestein that I did not want the land. On the next occasion of his calling, he brought with him two other representatives of the company. I told them both that I did not want any land, and with that they left, and I did not see them again. During this time I was living in Beaufort-street, Perth. About a fortnight later, Finklestein again approached me and persuaded me to go down

to Land & Homes Ltd.'s office in Barrack-street, explaining to me that it could do no harm to see this man, so I went along with Finklestein to see the manager of the company.

Mr. Corboy: It sounds like Bertie Johnston selling one of his blocks.

Mr. WELLS: Continuing, the writer says—

When I arrived at the premises of the company with Finklestein, I was introduced to a person who, I was informed by Finklestein, was the manager of the company. Finklestein then told the manager that he had brought me down to see this land of his. The man who was introduced to me as the manager, offered to run me out to see the land. I refused, telling him that I had no money at present to speculate on land, but I would consider the matter when I had some money. He then said he would take me out to look at the land as it would cost me nothing, and further that I would not be under any obligation to buy the land. On those conditions I drove out in the manager's car to see the land. I sat in the front seat of the car with the manager and Mr. Finklestein sat in the back with Mr. Bergon when driving out to see the land. On the way out the manager told me that the Government had already bought the rails for the purpose of extending the tramways to serve the district where the land was, also that Foy & Gibson Pty. Ltd. had bought a large building site. He pointed out some land where he said Foy & Gibsons were going to build a shop. The manager also told me that the State Savings Bank had bought a block for a bank site. The manager also told me that one of the blocks which he would show me had been purchased by a man for his son, but he had not gone on with the sale as his son would not be of age for a long time. I then inspected the land and returned to Perth, and the manager took me into the office and asked me to sign a paper. He told me I need not pay the deposit until I was able to pay, and if I decided not to purchase the land, I could let him know and he would cancel the sale. Up to this time I had not said I would buy the land, having explained that I did not have sufficient money. On the conditions set out by the manager, I signed a paper which he handed to me folded, showing me where to sign.

That seems to be one of the little ways of these people, in order to get a signature to a contract. They fold the document up in such a way that the individual whose signature they desire, does not see the contents of the document. The result is that the persons sign under the belief that they are merely supplying the company with a document for certain purposes. Then later on they find out that they have signed a definite

contract for the purchase of land. This person goes on to say—

I saw no printing on the paper at all, and the manager explained that by signing the paper it would reserve the land until such time as I told him whether I would buy the land or not. I then left the office with Finklestein, who was present the whole time. About six weeks later I received a letter, requesting me to call and see them. I went in to see the manager and told him I would not be able to go on with the purchase of the land as I had no money to spare. He then told me I was missing a good opportunity, as the town would eventually spread out that way. I, however, insisted that I could not pay for the land. He then said, "I'll hold the blocks for you, as you may change your mind." I then repeated it was no good, as I did not intend buying the land. I subsequently called upon Lilburne and told him I could not buy the land, and instructed him to cancel my option—

This person thought he had signed an option, not a contract—

—However, I found to my surprise that the option I had signed was a contract, under which I am now being sued.

That is the sort of thing that happened in not one but scores of instances. People have signed this particular document, not appreciating to what they have attached their signature. The company on occasions have taken clients out to inspect blocks. Generally the agent has a couple of salesmen with him in addition to the client, so that there are always three to one, thus furnishing plenty of corroboration if necessary. Should legal proceedings be taken, the client will be overwhelmed in court, and an unsophisticated woman, for instance, would have no chance in court against three men of the type employed on this work, with an astute lawyer to further their efforts. Frequently clients have been asked to sign a document that the company's representatives alleged to be merely something they could show the manager when they returned to the office to prove that they had driven a client to inspect blocks. They asked for the paper to protect themselves so that on their return to the office they could show it to the manager, who might want to know where the men had been for the last hour or two. At a later stage, persons who signed documents purporting to serve that purpose received through the post a copy of the contract the company alleged they had signed, under which they had agreed to purchase blocks.

Under such documents, attempts have been made to make individuals pay for land. I have one instance that concerns a lad 17 years of age whom the agents had got hold of. They discovered somehow that he had some money and regarded him as a prospective buyer. They took him to an estate situated beyond Mt. Lawley. Three salesmen escorted him in a motor car and showed him some blocks. The youth was a young, athletic-looking fellow, full of vim and, apparently noting that, the agents pointed out to him a part of the estate that they informed him was to be cleared as a recreation ground. They pointed out to him a road, and said that the company intended to subsidise a bus service. They assured him that a block there would be a splendid speculation. They took the boy's £5 and he paid one or two instalments in addition. The parents knew nothing of the transaction until quite recently. The other morning the father came to me and told me that at breakfast that day the lad had been reading the paper and asked his mother, "What is a Royal Commission?" She asked him why he asked and the lad replied, "I notice that Mr. Wells intends to move for the appointment of a Royal Commission to inquire into the affairs of Land and Homes Ltd." The father said to him, "What has that to do with me? I have had nothing to do with the firm." Then it leaked out that the boy had bought a block and, as he was then out of employment, he was in fear and trembling as to what was going to happen. I think the member for North-East Fremantle (Mr. Parker) will agree with me that if that lad's parents proceed in the right direction, they can compel the company to refund the lad's money to him.

Mr. SPEAKER: Before the hon. member proceeds further, I hope he does not intend to allude in his speech to any case pending or action taken in court. If he intends to do so, I must point out to him that it is against the Standing Orders. It is out of order for a member to deal with actions already before the court, and he must not mention them in his speech.

Mr. WELLS: To the best of my knowledge and belief, I am not dealing with any cases at present being handled in court. Apart from the tactics of these people in selling blocks of land, there is another phase of their work that requires attention. I wish to deal with one clause in their con-

tracts. In that relating to the Hurlingham estate, the company state distinctly that the purchasers have five years within which to pay for their blocks and that the payments are free of interest, while relief from the necessity to pay instalments during sickness and unemployment is also mentioned. Some of the blocks at Hurlingham have sold at prices ranging up to £250. Taking a deposit of £10, with payments at the rate of £1 per month, which represent the terms provided by the company, and spreading those payments over the five-year period, it will be seen that purchasers of a £250 block will have paid £70, which leaves a balance of £180 still to be paid. In the company's contract, there is the following clause:—

The purchaser shall, on the signing of the subjoined contract, pay a deposit in cash of pounds, payable on on account of the purchase money and shall pay the residue of the purchase money without interest in the manner following, that is to say, by instalments of pound payable on the day of every calendar month, the first of such monthly instalments to be paid in one calendar month from the date of the said contract. If at the end of five years from the date hereof any portion of the purchase money then remains unpaid, such ultimate residue or purchase money shall at once become due and payable.

People signing that contract, even if they saw the body of the contract, might not have realised that; but not having seen it, although having signed it, they certainly would know nothing of it. We find that at the expiration of five years the firm could suddenly come down on them for the prompt payment of £180. What chance has a man of meeting a sudden demand for £180? And failing the payment, the firm forthwith exercises the option they have held under the contract. That is a very unfair clause, especially to those people who have signed what purported to be merely a blank paper. Again, the firm are very unfair towards unemployed persons, for they have inserted in their contract this clause:—

In the event of sickness or the non-employment of the purchaser during the continuance of this contract, the vendor will upon the written request of the purchaser consider the suspension of payment of any instalment or instalments and may in their discretion grant an extension of time for the payment thereof.

Mr. Corboy: They are nice people to consider anything.

Mr. WELLS: There is no discretion exercised by this company as I know them, for they have taken action against certain people and have even put the bailiff into the house. So long as they continue on those lines, it is up to Parliament to take action to prevent them from victimising people as they are doing. A little while ago in a case that came before him, Mr. Justice Draper had this to say—

I should like to see legislation dealing with sales of this nature. I have no doubt that many ignorant buyers suffer at the hands of unscrupulous vendors.

This was a case against Land and Homes, and the report of the case continues—

In giving judgment against the company His Honour pointed out that a clause in the agreement between the vendor and the purchaser which sought to protect the vendor from any action due to any representation other than those contained in the agreement might be a useful instrument for preventing persons from taking action for rescission of contract, but he was sure that no court would consider it when dealing with specific performance.

The clause to which the judge referred is this—

Notwithstanding any rule of law or equity or any Act of the Legislature to the contrary, this sale and the subjoined contract are subject to no conditions or representations other than those expressed herein nor will the owner recognise or be bound by any other conditions or representations than those specified in writing on this contract, and the purchaser hereby acknowledges that no selling or other agent has or has had any authority to make any representation whatsoever on behalf of the vendor with respect to the said land or this contract.

Members will not find a clause like that in the ordinary contract handled by reputable land agents. That clause is inserted by this company alone. When a company find it necessary to insert a clause like that, it is an indication of their attitude in disposing of their land. They attempt to legislate themselves outside the very laws of this country.

Mr. Marshall: Have they power to get outside the Land Act?

Mr. WELLS: No, but an uninitiated person on reading that clause would not be aware of that, and so probably would accept it as being all right. I think legislation will be necessary, even if the proposed Royal Commission is not appointed. However, I should certainly like to see the Commission

appointed because, as I said before, a woman in a court of law is very nervous and possibly cannot give her evidence in the best manner, and when three or four witnesses are opposed to her she cannot state her case in a way that will do justice to that case. Here is another learned solicitor of Perth who considers it necessary that some legislation should be enacted to prevent unscrupulous land dealers from swindling the public and misleading people who cannot afford to buy the blocks on the conditions under which they are sold. He says—

A considerable amount of trouble and confusion is sometimes caused by purchasers of plots of land entering into and signing contracts of the full purport of which they are not aware. It is also in some cases a little difficult for vendors or their representatives to refute remarks or statements made in the course of negotiation and which may or may not induce a contract to be signed, and yet might have been made merely by way of puffing or optimistic anticipation. A good many innocent buyers are not aware that a contract, apparently complete in itself, cannot generally be varied by mere verbal additions or amendments. It seems to me that by a very simple piece of legislation the matter of a sale of a lot of land on a building estate could be rendered equitable and binding in the following way:—(1) Every contract for the sale of a plot of land shall be in writing and signed by both vendor and purchaser or their authorised agents. (2) Every such signature to be attested by a justice of the peace or a commissioner or other authorised officer, and not to be sued upon or enforced unless so attested. (3) That the attesting witness by virtue of his office be authorised and instructed to ask the purchaser whether any material representation (outside the terms of the contract and not specifically included therein) has induced the purchaser to enter into a contract. (4) Unless the attesting witness is satisfied that all material terms are included in the contract itself, then no attestation to be completed.

Some such provision would be protective to both parties and would save useless re-crimination and annoying litigation.

Hon. P. Collier: Who is that?

Mr. WELLS: Mr. Howard Bath, of Perth. I do not wish to detain the House much longer. I have here a few statements from people who are concerned in this question, and those statements can be supported by hundreds of others. I will read one or two of them for the information of members. Also I have here some photographs taken of the land in the Hurlingham Estate. Land at Hurlingham has always been sold in the summer time, but here we have some photo-

graphs taken in the winter time. The firm have claimed in their advertisement that water is laid on. According to these photographs it is laid on in winter, but it comes from the heavens and lies on the land for weeks at a time. These photographs I will lay on the Table of the House for the information of members. Here is one of the statements I wish to read—

Here you will find photos taken of this estate in July, 1929, and with their misrepresentations they sold some of it at about £1,000 per acre.

Dr. Kenny bought a block there. Here is a statement dealing with that—

As regards Dr. Joe Kenny, he bought land there, but after using his name as a draw, he has stated they have cancelled his contract. They have grossly misrepresented this estate, inasmuch as they have made no roads, drains or conveniences, and have built only one house, valued at about £1,100. I have continually complained to Lilburne about no improvements, and I saw Roach the owner and complained about the lying statements of the salesmen. He said, "My motto is, 'the better the liar, the better the salesman.'"

Mr. Marshall: You, as a salesman, do not agree with that.

Mr. WELLS: No.

Hon. P. Collier: They do not sell well.

Mr. WELLS: I always seem to get a cheap advertisement on an occasion like this. The statement continues—

While at Parliament House at the meeting recently I overheard another member say that Roach had said the same to him. I paid instalments for about eight months, but finding the estate still bare and no improvements done I refused to pay any more instalments as they had not carried out their part of any contract.

Here is another one—

From statements made by their representatives who called on me, Mr. Richards and Mr. Magnus, also Mr. Cooper (who drove the car to the estate) and the manager, Mr. Lilburne, who was salesman on the estate—they all stated that the trams had been authorised to be extended past or to the estate within six months, that Foy & Gibson's had bought land just near and were going to build a factory, also that macadam roads were being made and 30 houses were to be erected at once, two of which were nearly completed. Also they said the land would be worth half as much again within six months, and Mr. Lilburne said he could easily sell the same and would do it for me free of cost if I desired. When asked to sign the agreement to purchase two blocks, I said I

had not the deposit on me at the time, and Mr. Lilburne said I could pay that to-morrow. I also said I had not read the agreement through, and he said, "Oh, it is only the ordinary land agreement."

That is absolutely false, for it is not the ordinary land contract at all. It contains clauses that suit their own particular end. The statement continues—

Such is far from being a fact. That same evening I found out that Mr. Lilburne's statements were false, especially regarding the trams and Foy & Gibson's, and decided not to complete the agreement by paying a deposit. I informed the company at 9 a.m. next day that I could not finance same. Now after nearly 2½ years the company are taking action to recover the full value of the land and expenses. What chance have I now of getting witnesses, whilst Mr. Lilburne would swear anything. He committed perjury twice during the case of R. G. E. Parker, in which I was a witness. He is worse than a confidential swindler and the firm is decidedly a bad blot on Western Australia, as hundreds can prove to their sorrow. The above facts I am prepared to swear to be the truth, the whole truth and nothing but the truth.

Here is another one—

A Mr. Simons called and said he represented Land and Homes. He stated he was selling land at Bella Vista Heights. He said it was a payable proposition as the Government would have the railway through the estate in two or three years. I became interested and agreed to inspect the land. In the afternoon he returned with another man and asked me to sign a note which he had written out to get a motor car from head office as they had to get the signature to show that they really had a prospective client. I was later taken to the estate and while there Mr. Lilburne, the sales manager, stated emphatically that they had it from the Government that the railway would be there in three years. On the same day I paid £1 as part of the deposit, which was fixed at £5, the suggestion being that a certain block would be held until the deposit was paid. Nothing further was done by me in the matter, and a fortnight later I learnt that a contract was in existence bearing my signature. The only paper I ever signed for Land and Homes was the note to get the motor car.

Hon. A. McCallum: That is what he thought.

Mr. WELLS: Yes. Another letter reads—

On the 19th December, 1929, I was taken to St. James's Park Estate by a Mr. Lilburne and an agent. While out there, Mr. Lilburne told me that the trams were to be extended out to the estate, and pointing to two houses

under erection, said there would be 30 more houses built by their firm within the next six months. Returning to Perth, Mr. Lilburne asked me if I intended purchasing the block, whereupon telling him I had not the money with me for the deposit until the following day, he persuaded me into signing, as I thought, an option, until the following day, when I was to pay £5 deposit. When the agent called next day with a receipt for the deposit, I told him I had changed my mind about buying, as I thought the price too much (£195), and that it had been misrepresented to me.

A hundred and ninety-five pounds for a block of land there!

Mr. H. W. Mann: At the back o' beyond.

Mr. Marshall: Where is it, out Canning way?

Mr. WELLS: Yes.

Mr. Marshall: A bit more waste stuff.

Mr. WELLS: The letter continues—

I then interviewed Mr. Lilburne, and he informed me I had signed a contract, unbeknown to myself. Since then they have taken action against me, and I am now paying off an amount for the deposit and instalments due. I think that I have been persuaded into signing a contract under false pretences and also misrepresentation, and would like to state my case fully at a Royal Commission.

A letter from the country states—

I wish to compliment you on your action in calling for a Royal Commission to inquire into the transactions of Land and Homes, Ltd. It is nothing short of a public injustice that these sharks should be allowed to batten on the public in the way they are doing. I myself was persuaded to sign an agreement to purchase a block in one of their estates by absolutely flagrant misrepresentation. I discovered a few days after I had paid the deposit that their statements were false, and refused to go on with the transaction. Several months later they summonsed me for the amount owing, and although I apparently have an excellent case, I am advised by my lawyer that the company have won every case to date contested on similar grounds, and that I would be well advised not to contest but to go on paying. I don't know if there is anything you can do to give relief to the hundreds of cases similar to mine, but you are certainly doing a service to the community by calling notice to their methods and seeing that they are not allowed to carry on without a protest from our leaders.

I have numbers of letters and shall refer to only two or three more. Members may recollect a small advertisement, about three-eighths of an inch, that appeared in the

"West Australian." Some of the other papers refused to insert it, but the "West Australian" at last consented to print a very small advertisement. It requested that persons who had had dealings with Land and Homes, Ltd., should communicate immediately with a certain number, "this office, Perth." Letters were received in shoals. Although the letters did not set out particulars of the transactions, they indicated some of the methods adopted by the company. One of them reads—

I wish to inform you that I have had dealings with Land & Homes, in October of 1929. At my late husband's request I signed a contract for the purchase of a block of land in St. Andrew's Garden Estate, situated in Carlisle, valued at £115, £5 deposit and £1 per month instalment.

Blocks could be bought from other agents for £55 and £60.

The Minister for Lands: For £15, I think.

Mr. WELLS: I have been trying to sell some for £35, and have not succeeded. The letter continues—

A week after I took it over, my husband died suddenly, and with his death my income ceased. I immediately informed Land & Homes of my husband's death, and told them I could not carry on, as it would be impossible for me to find the £1 per month instalment, but they still persist in asking me to pay my instalment. I can only tell them the same thing.

I was in their office last week, and I told them I could do nothing in the matter at all. I have not heard anything since about the matter. When I signed the contract the agent told me that it did not commit me to anything, as it was merely a matter of form to show his boss that he had really tried to dispose of the land. He told me that in front of two witnesses.

Another letter in particular I wish to read, because it is very emphatic and puts the facts very plainly—

I have had dealings with Land & Homes with two estates, St. James's Park, also Bellavista Heights.

The writer was evidently suspicious as to who had inserted the advertisement—whether it was someone who was interested in the buyers or whether it was Land and Homes, Ltd. He continued—

If you are genuine I will be glad to get advice from you, and if you are Land & Homes you are the greatest sharks unhung.

Hon. P. Collier: They do not execute sharks by hanging, do they?

Mr. WELLS: The writer concluded—

I am at home at six o'clock any night.

Mr. Panton: I suppose he had a gun?

Mr. WELLS: There is ample material to prove the methods adopted by those people in selling land.

Hon. M. F. Troy: It is a very common method.

Mr. Kenneally: It is not a common method at all.

Mr. H. W. Mann: I do not think it is a common method.

Mr. WELLS: Neither do I.

Hon. M. F. Troy: I myself was taken down in the same way years ago.

Mr. WELLS: Reputable land agents do not adopt those methods. People have been induced to sign documents in the back seat of a motor car when returning from inspecting an estate. No agent of any standing would do that. He would ask the party to go to his office, would show him the contract of sale, and let the prospective buyer know what he was doing.

Hon. M. F. Troy: They have been selling land in a similar manner for the last 10 years—Killarney Estates.

Mr. WELLS: Killarney Estates did not adopt methods such as are adopted by Land and Homes, Limited. I am quite satisfied there is substantial evidence to justify the appointment of a Royal Commission. If we got the people in their calmer moments and allowed them to state the facts quietly and confidently, I am sure a case would be made out against Land and Homes, Limited. If the statements are true, and on personal investigation they appear to be, one can only be convinced that cunning trickery and glaring misrepresentation have been resorted to by wicked and unscrupulous salesmen, whose one desire has been to earn commission, and their efforts have been condoned by a firm whose methods, to say the least, are void of business morality—a firm of go-getters, a company without a conscience, whose prey in many instances have been unsophisticated women. In all cases these agents have been in pairs, so that corroboration from the company's standpoint may be obtained when and if necessary against the word of the likely purchaser. By their wily ways and persuasive elo-

quence, they have painted word pictures and made promises that there was no hope or intention of fulfilling. They have trapped clients into signing contracts by many cunning devices—a blank, folded paper purporting to be an option over a block of land; an authority to show the manager that the agent had taken the client to inspect the land, and many others. They have definitely stated that railways, tramlines and bridges would be built, roads constructed, electric light and water laid on. Palatial houses were to be built, hotels, post offices and warehouses were to be erected in the near future. On their own showing the company have been operating in connection with these estates for 2½ years, and their promises are no nearer fulfilment than they were 2½ years ago. Their pious promises, and clap-trap issued by circulars and other advertisements of their suspension of payments during sickness and unemployment, have been violated. Many clients who positively cannot keep up their instalments during these times of depression are being persecuted, and many honest workers are in fear and trembling lest their homes, which have been acquired by years of toil and thrift, be taken from them and they too may have to swell the already large number of unfortunate citizens. Perhaps, in a court of law, the spoken word of a sufferer would not count against the corroborated evidence of two or three not too scrupulous land sellers. It may be difficult to get redress or relief, but surely there is a code of morality and honesty that should carry some weight with and receive some consideration from men in high places. Justice is not always administered in courts of law. I move the motion, believing as I do, after the testimony of many citizens of repute and my brief investigation of their cases, that the House should take steps to give relief to many of the people who cannot pay, even should their payments be justifiable. They are just as much entitled to protection from this unrelenting company as the man who cannot pay his rent. If the charges of wilful misrepresentation can be proven, then I think the House would be justified, if within its power, in passing a measure to cancel all contracts made by the company, or passing some legislation that will prevent a repetition of the cunning and harmful methods by go-getters, who have

been working one form of the confidence trick. Let us endeavour to keep this the best State in the Commonwealth free from companies who adopt, to say the least of it, very questionable methods in the transaction of their business. I commend the motion to the favourable consideration of the House.

MR. KENNEALLY (East Perth) [5.27]: As one who will possibly be excluded from participating in the proceedings of the proposed Royal Commission, because the company say they are prepared to agree to an inquiry provided it does not include any member of Parliament who has sought relief for his constituents from the company's actions, I have pleasure in supporting the motion.

Mr. Marshall: The people of East Perth were too shrewd for them, were they?

Mr. KENNEALLY: No, some people of East Perth have fallen victims to the company. I have been brought into touch with cases of the kind mentioned by the member for Canning, just as other members of Parliament have been. I think the company were wise in saying that they would not like any member of Parliament who had interested himself in cases to take part in the inquiry. The company seem to have inaugurated a system under which their employees hunted in packs. They either set out in company with the victim, or else one of them took out the victim and accidentally met two or three other go-getters of the company on the estate. They endeavoured as far as possible to work their schemes through the womenfolk. The members of Parliament who were present when a deputation was introduced to the Speaker recently were impressed by the fact that the proportion of males present was very small. The members of the deputation were almost wholly womenfolk. We shall have to ask ourselves whether some 500 or 600 people who have had transactions with the company have combined wilfully to tell lies about the company, or whether the statements made by the representatives of the company are to be disbelieved. The system of folding a paper and getting a prospective purchaser to sign it will be adjudged by the House, I believe, as reprehensible in the extreme, and we should take action to ensure that if misrepresentation of the kind has been per-

petrated, it will be ventilated. If it is proved that such misrepresentation has occurred, I should expect the commission to make recommendations, not only to render such actions impossible in future, but to secure redress for the people who have been victimised. It is a difficult matter for people who have been victimised to prove their cases in court, but there has been opportunity to prove them in some instances. The company seem to have got the idea that, when a certain decision was given recently, it was well to ensure the utmost publicity for it. I give the company credit for this, that wherever it was possible for them to secure publicity, they got it.

Mr. Patrick: They had an advertisement in the "Worker."

Mr. KENNEALLY: Yes, and also in the paper patronised by the hon. member. They had advertisements everywhere. I propose to ask members to bear with me while I analyse their methods of advertising in the different papers. After all, there is a genuine and modest method of advertising, and there is the opposite. I wish to point to an advertisement which most hon. members have probably observed in one or other of the papers circulating in this State. The heading is "Justice" in big block type, and the article opens—

The first case that Land and Homes had ever lost through alleged misrepresentation was what is now known as the Parker case, and so that the public may know some of the true facts, Land and Homes (W.A.), Ltd., publish below Mr. Justice Northmore's remarks to the jury.

From that advertisement one would infer that Mr. Justice Northmore's remarks referred to the Parker case, that they were his remarks to the jury in that case. But no such thing. The Parker case was heard in the Supreme Court, and the company lost. But during the hearing of the Parker case, certain evidence given by Lilburne, an agent of the company, was such as to warrant action being taken against him for misrepresentation. Proceedings were instituted, and as a result Lilburne was committed to the Criminal Court for trial. The advertisement refers to that criminal case. Mr. Justice Northmore's charge to the jury was not connected with the Parker case, which the company lost; but the company publish the judge's remarks in such a manner as to mislead the public into the belief

that the first case brought by Land and Homes was dealt with in that manner.

The Minister for Lands: The advertisement does not say what Mr. Justice Draper stated in connection with the first case.

Mr. KENNEALLY: Action was taken against Lilburne for misrepresentation. The company have a good method of advertising, and in their advertisements they resort to some of the practices which they adopt in connection with sales. They do not advertise in the ordinary, straightforward manner. I understand that a big factor in the company is a trust with a lot of money behind it. I understand also that Western Australia is not the first State that has received the company's attentions, whether under this or another name. It is necessary for us to protect the people of the State against companies wishing to send out teams of go-getters for the purpose of defrauding. I could mention numbers of such cases, but I presume the House will not need much convincing to pass the motion, so that the company's operations may be brought into the light of day. I have in mind a case where a woman was taken out to view a site, no mention being made of land sales before the party went out. In fact, two women were taken out to view sites, and accidentally people were there prepared to sell land. After having refused for some time to sign a contract, one of the women, upon being asked to sign an option, mentioned that she had not her glasses with her and therefore could not see what was in the proposition for the option. I am speaking now of what came out in court. The case has been settled; the company lost. The woman mentioned in evidence that she had not her glasses with her at the time, and the company's representative admitted that that was so. Nevertheless, the company's representatives admitted they put the paper before her and got her to sign it. Subsequently the paper turned out to be a contract to pay about £90 on a block of land.

Mr. Parker: And the contract says, "I have read and understand this form of contract."

Mr. KENNEALLY: Possibly the company thought it was a good opportunity to get the woman without her glasses, so that she would not be able to see that particular clause in the contract. I have in mind another case in which a man and his wife were taken to an estate and were urged by no

fewer than four salesmen to purchase land. The couple refused to sign. Then they were asked to sign a document for office purposes. Later the company claimed that they had signed a contract to purchase land. The case dragged on for over a year. During the year there were ten adjournments at the company's request. Finally the case was settled out of court by the defendants paying £6 and £5 5s. costs. To my way of thinking, the company, apart from their nefarious dealings in land, are using our Local Court as an instrument for extorting money from people who otherwise would not pay. At the present time men and women concerned in transactions with the company are worried to such an extent that they positively do not know what they are doing. The company, with plenty of money behind them, are using the courts of the country as a sort of bluffing agency to get as much as possible out of those people, settling the cases out of court and thus avoiding the light of day. The company have said that they are prepared to have a Royal Commission inquire into their affairs provided there are no members of Parliament on it.

Mr. H. W. Mann: That is very good of them.

Mr. KENNEALLY: I should say that the company leave it possible for some members of Parliament to be on the commission, but they stipulate that they must not be members who have come to the company with requests for leniency to the people concerned. While the company profess to welcome the appointment of a Royal Commission, they are taking direct action against those who formed part of the deputation which waited upon you, Mr. Speaker. After that deputation the company wrote to numerous persons in the following strain:—

As you have seen fit to partake in a deputation supposedly from persons where contract was induced by misrepresentation, we take it therefore that you claim your land was misrepresented to you when you purchased. Please take notice that you must pay every penny that is owing and that we intend to keep you to your contract in every sense of the word. It is not very nice for us to have clients coming to us with stories about their inability to pay, and then on the other hand claiming to other persons that the contract was secured by misrepresentation.

One man offered to pay £2, representing current contributions and arrears, and the company's reply was that the amount of £2 was no good to them and that they were going

for the lot. If we are not sufficiently powerful in this Parliament to prevent a go-getting combination such as this from ruling the roost here, it is time we got out. Therefore I presume the House will not need much convincing of the desirableness of passing the motion. The Royal Commission will be able to get the collective evidence of people bearing on the question. In the courts, cases have been decided in the company's favour on purely legal grounds. In other cases the company have lost. What greatly impresses me is that unless an army of people in Western Australia have suddenly decided to join the society supposedly presided over by Ananias, evidence is obtainable from 400 or 500 persons that there has been considerable misrepresentation in these land transactions. I consider that those people should have an opportunity of placing before an impartial tribunal, one not so much trammelled as in many respects the law courts are, the incidents connected with these land transactions. Therefore I have much pleasure in supporting the motion. I hope the Royal Commission will be vested with such powers as to enable it not only to prevent a repetition of these cases, but also to grant redress in the cases that have occurred. If the Royal Commissioners confine their attention to the future, what is required in the latter respect will not be secured. The Royal Commission, in order to be effective, will need to have some retrospective power.

MR. RAPHAEL (Victoria Park) [5.44]: While supporting the motion, I desire to move an amendment. In view of the trying conditions through which Western Australia is passing and the financial stress described by our Premier, with curtailment of expenditure in every direction, the proposed Royal Commission should act in an honorary capacity. To my mind the position as it has been outlined by many members is quite true in every respect. I have experienced these go-getters trying to sell blocks in St. James' Park to me.

Several members: What optimists!

Mr. RAPHAEL: They told me that roads were to be constructed, trams were to be built to the estate, and all those tales that we have heard outlined by the member for Canning (Mr. Wells) and the member for East Perth (Mr. Kenneally). In the end I was nearly compelled to exercise brute force to shift these people from my premises

because they would not take "no" for an answer. I mentioned at the end that I was a member of the Perth City Council and they shot out of the place as quickly as they could get away. During the course of my election campaign I was collecting absentee votes, and in many instances I came across holders of Land and Homes blocks and asked them if they would care to vote. I found that in many instances the holders of these blocks had paid deposits of £1 and after having done that had changed their addresses as often as twelve times. Many of them had not paid anything more than the initial £1 deposit, and the company had issued summonses against them for the recovery of the outstanding amounts, in some instances amounting to as much as £129. The land in question, before Land and Homes purchased it, was obtainable at £5 per block. I had some offered to me at that price. It is a fairly long distance from the tramway terminus and there is no chance of transit facilities to the estate for many years to come. Land and Homes secured the estate at about £10 or £15 a block and they have been selling the blocks at as much as £150 each—these blocks for which they paid £10 or £15! It is all very well to have go-getters coming here from the Eastern States. We have all heard of the wise men that came from the East. On this occasion the wise men came from the East to take down the men of the West. The only homes that have been built at St. James' Park that I know of are three. They were built by Land and Homes, Ltd., and not one has been built by a private individual. Those three homes were built in the hope of inducing purchasers of land to follow the example set by Land and Homes, but no one has done so. The member for East Perth touched on the fact that suburban newspapers had advocated the purchase of blocks on the estate. There was one, the "Swan Leader," owned by a member of Parliament which was a great advocate for this land which was sold at exorbitant figures to working people. It is a shame to think that a newspaper proprietor would descend so low as to accept money in this way for the purpose of robbing people. The position that has arisen from the selling of this land by go-getters calls for immediate action on the part of the Government. It was a shock to me the other evening to hear the Chief Secretary declare that it was

impossible for the Government to take action against this company until such time as this Parliament had appointed a Royal Commission to inquire into the matter. It looks as if the company were hurrying up with their actions so as to get judgments, when the people would have no chance of redress or recovering that of which they had been robbed. It is my intention to move as an amendment that the Commission be an honorary one, and I trust that that amendment will be agreed to. The finances of the State we know are in a chaotic condition and I am going to appeal to members, or to those who may be appointed to the Commission, to give their services free in the investigation of the affairs between Land and Homes Ltd. and those people who have been so wantonly robbed of their hard-earned earnings. I move an amendment—

That the word "a" in the second line be struck out and "an honorary" be inserted in lieu.

Mr. Wells: I have no objection to the amendment.

THE CHIEF SECRETARY (Hon. N. Keenan — Nedlands) — on amendment [5.53]: On the very limited question before the House—the amendment—I submit that this is a matter purely for the Governor and not for the House. I do not propose to say anything further on the amendment, but I shall speak to the motion.

Amendment put and negatived.

THE CHIEF SECRETARY (Hon. N. Keenan—Nedlands) [5.54]: As Acting Attorney General, it is not within my province to agree to the motion. The member for Victoria Park (Mr. Raphael) appears to be under a misapprehension. I am not aware that I addressed myself to the question until I was called upon to do so just now by reason of the fact that, for the time being, I am Acting Attorney General. The motion moved by the member for Canning (Mr. Wells) is for the appointment of a Royal Commission to inquire into certain transactions of a firm of land agents known as Land and Homes, Limited, carrying on business in the city. The grounds are that certain transactions have taken place, and the hon. member gave many details which he claimed justified the appointment of a Royal Commission. I propose to ask the House to accept from me an

assurance that if the facts are as he stated them are capable of being substantiated before a court of law, in every instance the people concerned will be released from the agreements entered into. It was stated by the hon. member that misrepresentations had taken place. One of them, he said, was the signing of a paper in blank and another the signing of a folded paper by which means the individuals were induced subsequently to sign what were discovered to be contracts. I do not believe that even a justice of the peace—a class not always endowed with too much knowledge of the law, though many of them have a good deal of common sense—would ever agree to bind a person by a contract that was never opened, or which was kept folded when the signature was attached. Then there was a further allegation that a lady who was the wife of a man living in the city signed a paper and paid £5 for what she understood to be merely an option and nothing else. If the hon. member's story is correct, it should be possible to cancel the option, and again, if the fact can be substantiated in a court of law, what was alleged to be an agreement will be cancelled. The hon. member told us that there had been misrepresentation of facts that induced people to become purchasers. One of these was that the tramway line was to be extended to that particular area, and that Foy & Gibsons had purchased a big parcel of land on which to erect factories and shops. The law is this: that if a vendor makes a misrepresentation of facts, not of opinion, but facts, and thereby induces a person to become a party to the contract, the contract becomes void. A mere opinion, apart from the fact, would not void a contract. If the gentlemen who have been described as go-getters—I do not know what that word exactly means—declare that a certain place will boom some day, or shortly, or that there is a great probability of values going up, that is a mere expression of opinion, and it is assumed that the other person has some common sense and would be aware that that expression of opinion was not a fact.

Mr. Kenneally: That tramways would be built there?

THE CHIEF SECRETARY: That would be a fact, not an opinion, and if it was found to be untrue it would void the contract. In such a case there would be no

reason to suppose that any court would not declare a contract void. But the allegation is that these people have no choice in such transactions because the parties who rejoice in the name of go-getters go in a crowd, and when the case comes before the court they support one another against the single word of the defendant. It is apparently assumed that the courts arrive at a decision by counting heads, that if there are three witnesses on one side and two on the other they find in favour of the three. That is far from being the case.

Mr. Corboy: The decisions in these cases lead one to think that.

The CHIEF SECRETARY: There is no reason to think that. If reminiscences are of any use, I can recall a sly grog case in which I was engaged on the goldfields. On that occasion there were 20 witnesses for the defence and only one for the prosecution. The magistrate, however, found for the prosecution, and I am certain he found correctly.

Mr. Corboy: He probably knew it was a sly grog shop.

The CHIEF SECRETARY: Those who sit on the bench do not count heads. They estimate the value of the evidence, just as any prudent common-sense person would do. It is absurd to say that because the company in question happen to have two or three witnesses against the only evidence one person can give for the other side, the case as a matter of course must go in favour of the plaintiff, the company having the weight of evidence in their favour.

Hon. J. C. Willcock: Unsupported interested evidence is not always accepted by the court.

The CHIEF SECRETARY: No.

Hon. J. C. Willcock: These people are interested in getting out of a contract, and this makes the cases very difficult.

The CHIEF SECRETARY: A court of justice is a common-sense tribunal. If a great many cases are coming before the courts, and all present the same features, and all indicate a certain amount of misrepresentation more or less of the same character, associated with these contracts, there would be no question—

Mr. Millington: The law sometimes bears a worse name than you are prepared to give it.

The CHIEF SECRETARY: Unjust opinions are sometimes expressed on both sides of the House. I warn members against setting themselves up as a court of appeal over the courts of law of the country. Nowadays, I do not accept briefs because I am too much engaged in other duties, but I have accepted a brief on behalf of one of these purchasers. If, therefore, I were interested, it would be in favour of agreeing that some form of relief should be given to the purchasers.

Hon. P. Collier: In what way are you appearing?

The CHIEF SECRETARY: I am appearing in the appeal court. One must not apply personal views to a matter of this kind. What I wish to impress upon the House is that it is most undesirable for members to attempt to set themselves up as a court of appeal over the courts provided by the law. If they do that, how will it all end? This is not a single case. Many cases regarding contracts come before the courts.

Hon. A. McCallum: It may be a question of finding out whether the law is deficient or not.

The CHIEF SECRETARY: I am sure the hon. member can recollect many cases where contracts have come before the court and misrepresentation has been alleged. The court must come to a decision. Is there to be an appeal to this Parliament to review that decision?

Hon. A. McCallum: It may be a question of finding out whether the law should be tightened up in the interests of the public.

Mr. H. W. Mann: It was done once.

Hon. J. C. Willcock: It was tried in this House.

The CHIEF SECRETARY: I do not know of any alteration that can be made to the law on misrepresentation that would improve it. The law to-day is that if a misrepresentation of the facts that are material is made, this upsets the contract. What more do members want beyond that? Do they want to say that if a man is a stupid person he must receive an advantage over the ordinarily intelligent person, and must be protected against his own stupidity?

Mr. Corboy: Do you suggest that another person should be allowed to plunder him merely because of his stupidity?

The CHIEF SECRETARY: The hon. member must mean that if a contract is

legal, it should be set aside by the court on the ground that the party signing it was too stupid to understand it. Misrepresentation must be a statement made by a party which is false. Does the hon. member suggest that a statement amounts to misrepresentation if it is made to a person who is too stupid to understand it? Can we go as far as that? It is obvious that no good can arise from appointing a Royal Commission. If it were appointed it could do nothing. No doubt the members could investigate the number of cases in which it is alleged these things have occurred, but of what use would be their finding? Are we going to constitute this Parliament as a court of appeal? If we did we should lead ourselves into a most extraordinary set of difficulties. We know that decisions have been given with regard to this company and that there have been some cases of misrepresentation. In the case in which I am myself engaged, there has been misrepresentation. Because of these reasons, apparently, we are going to be hysterical, and act in a manner which is not consistent with the dignity of the House and of the courts of law.

Mr. Kenneally: The same argument would apply to the findings of every Royal Commission that is appointed.

The CHIEF SECRETARY: It would not apply because it would be impossible to get a Royal Commission to sit as a court of appeal on the courts of law.

Mr. Corboy: I rise to a point of order. I think the Chief Secretary is referring to a case that is now sub judice.

Mr. SPEAKER: That is highly improper and against the Standing Orders.

The CHIEF SECRETARY: I am not referring to the merits of the case, merely to the fact that I am connected with it. Now that objection has been overcome I will resume what I have to say. Never in the memory of any member of this House has a Royal Commission been appointed to sit as a court of appeal over the courts of law of the country. I am sure the Leader of the Opposition, who has had many years of Parliamentary experience, has no recollection of any Royal Commission being appointed merely to act as a court of appeal to revise decisions of the courts of law.

The Minister for Railways: If you have a Royal Commission on this matter, let us have one on the Ravensthorpe business.

The CHIEF SECRETARY: That indeed was a question where there was a grave miscarriage of justice. As the result of conduct which was certainly not meritorious on the part of those responsible for the position, this matter cost the State about £58,000.

Mr. Marshall: It was nearer £80,000.

Mr. Corboy: A Minister of the Crown was responsible for that.

The CHIEF SECRETARY: We may feel that the decision arrived at in the Ravensthorpe case was a wrong decision, but would we be justified in asking the House to appoint a special Royal Commission to inquire into and upset the finding of the courts? I hope members will look at the motion before them from a sensible point of view, and with regard to the dignity of the House and of the courts. They will then see that the appointment of a Royal Commission is not justified. I hope the motion will be rejected.

MR. CORBOY (Yilgarn-Coolgardie) [6.10]: I hope the motion will be carried. It seems there is ample room for an investigation into the affairs of the company in many directions.

Mr. Wells: Apart from the decisions of the court.

Mr. CORBOY: Yes. Particularly with respect to their clients and their methods of selling blocks. Only this afternoon we had the spectacle of a public servant in charge of the stamp office swearing that the documents produced by the company in one of these cases were insufficiently stamped. The company's solicitor immediately produced a sheaf of other documents and said, "If that is the case, all these must be insufficiently stamped."

The Minister for Railways: Is this not a case that is pending in the court?

Mr. CORBOY: On the evidence produced it is clear there should be an investigation from the point of view of the State into the activities of the State stamp office. We should know why these documents have not been properly scrutinised. An inquiry into all aspects of the company's activities would do good, particularly in view of the fact that the Government are apparently losing money through the stamp office. It seems that the company can produce a whole sheaf of documents which have been

insufficiently stamped. The whole matter warrants a proper investigation.

MR. H. W. MANN (Perth) [6.11]: I cannot agree with the views of the Chief Secretary.

Mr. Marshall: You fellows over there never do seem to agree with one another.

Mr. Parker: It is like the pine forests.

Mr. H. W. MANN: The Chief Secretary dealt with the matter as if it were an isolated case. Let me instance the case of a woman being summoned for a sum of money said to be due on a block of land. The court gives its decision on the principles surrounding that particular case. This woman is sued by the company, and to prove the case an agent gives evidence of the transaction. He is supported by another agent, and then probably by a further employee of the company and finally by a very binding agreement. Against that we have the evidence of a weak woman, who tells her story as well as she can to the court. If all the facts were as stated and it was an isolated case, the decision might be all right. We know, however, there are scores of similar cases all under similar conditions. It therefore occurs to me there is evidence of design on the part of those who made the contracts. We are told that before the contract is made the agent goes with the intending purchaser and the land is viewed. The intending purchaser is told what great advantages there are in purchasing such a piece of country. We are also informed that one woman was told that Messrs. Foy & Gibson had bought one of the blocks and intended to erect upon it a big warehouse. Of course this woman would not understand the difference between an existing false pretence and a future false pretence. A present false pretence is a criminal one, but if she were told as a fact that Messrs. Foy & Gibson were going to build a warehouse on one of the blocks, it would not matter how far ahead in the matter of time, it would not be a false pretence or a criminal act on the part of the person making the statement. The woman I am speaking of was also told about certain tramway concessions, and the fact that the rails had been purchased for the line, and that the Government were giving other concessions.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. H. W. MANN: Before tea I was endeavouring to show that if these cases are taken in an isolated way they probably wear an innocent appearance, so that the court might reasonably find against a defendant woman on evidence which would be substantial on the part of the plaintiff suing for the money. The evidence would be substantial because the witnesses would be trained witnesses, men of experience, men accustomed to go into court, knowing when they went in what they were going to say. One witness would corroborate the other, and the final corroboration would be the agreement. For the defence there would be the unfortunate woman alone, with no experience of courts or of giving evidence, faltering in her replies, uncertain of almost everything. The woman has been carried off her feet by the eloquence of the agent, and does not remember anything. Consequently the magistrate, in finding for the company, does so on the evidence before him. But we learn that there are scores of cases of a like nature. Are we to assume that all those unfortunate people from all over the State have, without coming together, built up similar stories? It is not possible in civil cases to call evidence of a number of other cases as showing that there was design, that there was some proof of false pretences or fraud. But in every case where the story is told, we find that the Government are going to build a section of tramway and that Foy & Gibson have bought a block and are going to erect a warehouse. Is it reasonable to assume that all those people have invented that story? Of course not. The point, however, is that it is not possible to get that evidence before the magistrate so as to enlighten him on that aspect. He judges each case individually, merely on the surroundings of that particular case. With all respect to the Chief Secretary, I submit that it would not be assuming against the judgment of the court if a Royal Commission investigated the facts of all these cases. Then, if the Royal Commission found that there was a design, that there was an intended fraud, and that this was carried out in every case, I submit, with all respect, it would be the duty of this Parliament to pass an amending measure to nullify those contracts.

The Chief Secretary: It would require a new Act, not an amending Bill.

Mr. H. W. MANN: In that case I would support the Bill for the necessary Act. It is

many years since such extensive operations as those of Land and Homes occurred in Australia. I can throw my mind back many years to similar cases in Victoria, which some hon. members will also recollect—the cases arising in connection with the “Picturesque Atlas of Australia.” Throughout Victoria, copies of the “Picturesque Atlas” were sold under extraordinary conditions, and suits were brought against scores of people and judgments given against them; but finally there was a criminal prosecution which showed that there was fraud and design, and the principal was sentenced to a term of imprisonment. The majority of the defendants in these cases are women of very limited means, many of them not able to employ counsel to defend them. Therefore if any reasonable ground exists for believing that injustice has been done, the best means to right that injustice should be utilised. If that means is through the agency of a Royal Commission—and I see no other agency—I shall support the motion. The Chief Secretary said there never had been a case of a Royal Commission being appointed to inquire into something decided by the courts. The hon. gentleman's memory was astray, because in the first session that I was a member of this Chamber I myself moved for and obtained the appointment of a Royal Commission to investigate the Gosnells land swindle. In that instance, the company were suing people for payments on land. Many people had paid the full amounts owing, but were not able to get titles. Some of them never got titles. A Royal Commissioner was appointed to investigate the conditions of sale, and eventually relief was given to the purchasers.

The Chief Secretary: They got the titles and the land.

Mr. H. W. MANN: Yes, after the Royal Commission had reported. Previously the purchasers had the land but wanted titles. They had built homes on their blocks.

Hon. A. McCallum: Was there any relief as the result of the Royal Commission?

Mr. H. W. MANN: I believe there was.

Mr. Parker: No.

Mr. H. W. MANN: The point is that a Royal Commission was appointed to investigate the position. The Chief Secretary's contention was that there never had been an instance of a Royal Commission being appointed to investigate a case decided by the courts. Whether or not relief was given is

not the point. The point is that a Royal Commission was appointed. If a Royal Commission investigated these cases and reported that the contracts had been obtained by fraud, the Government would have no option but to bring in a Bill to relieve those people of their contracts.

The Chief Secretary: Why not leave the matter to the court?

Mr. H. W. MANN: Many of these cases will not reach the court.

Mr. Kenneally: The company are using the court to bludgeon other people. Only a small percentage of the cases reach the court.

Mr. H. W. MANN: People who have not the means of defending the cases are being forced to pay. Another point is that an individual who is sued for a sum of money can merely go along and tell his own story, where the Royal Commission would be able to get the stories of all these people.

Mr. Kenneally: Yes, and without each defendant having to engage a solicitor. The company are working on that at the moment.

Mr. H. W. MANN: It is all very well for a person with a trained mind and with commercial knowledge to defend such a case. But that is not the class of person that is being sued. It is the inexperienced housewife, who knows nothing about law courts, that is being sued. Where the woman is able to employ counsel and put up a fight, the matter is decided merely on the circumstances of that particular case, whereas a Royal Commission would be able to ascertain what are the conditions in scores of cases.

The Chief Secretary: That can be done in every case.

Mr. H. W. MANN: The learned judge refused to admit such evidence in a recent case.

The Chief Secretary: That was a criminal case. I am speaking of civil actions.

Mr. H. W. MANN: The judge refused to admit such evidence.

The Chief Secretary: But that was a criminal case.

Mr. H. W. MANN: Yes. I consider there is justification for an investigation by a Royal Commission, and therefore I support the motion.

On motion by the Minister for Lands, debate adjourned.

Resolved: That motions be continued.

MOTION—HARBOUR DUES, PORT HEDLAND.

MR. LAMOND (Pilbara) [7.43]: I move—

That in the opinion of this House the action of the Commissioner of Railways in levying differential harbour dues, by way of rebates, at Port Hedland on wool transported by motor lorries is inimical to the welfare of the pastoral industry, and should not be allowed.

I have not brought forward this motion without first interviewing the Railway Department and also the Minister in charge of that department with a view to securing some relief for those who, in my opinion, have a well-founded grievance. In 1929 the Commissioner of Railways, realising that a large portion of the wool clip in the Port Hedland district was being transported by road, came to the conclusion that a considerable percentage of the transport of that wool should be the work of the Railway Department. By way of bringing back that traffic to the department, he imposed differential wharfage rates. On all wool carted by rail, the old rate of 2s. 6d. per bale was to apply, but on the wool carted by road, a surcharge of 1s. 6d. per bale was imposed. Several of the station owners concerned referred the matter to a lawyer and were advised that they were entitled to a refund as it was unlawful for the Commissioner to levy such differential rates. After some argument and application to the Commissioner for a refund, that official decided to agree to the request and refund the payments to the station owners affected by the increased rate. In 1930, the Commissioner decided to impose a flat wharfage rate of 4s. per bale and those station owners that utilised the railway were to receive a refund of 1s. 6d. per bale. He further decided that those who carted by road but were considered as not being served by the railway, were also to receive the rebate. The stations that the Commissioner considered were being served by the railway and were within the railway zone had to pay the increased rate. Then the Commissioner set out to decide what stations were within the railway zone. It is on this particular point that I raise my protest. I claim the Railway Department have set up an extraordinary anomaly. There are really three stations only affected by the arrangement. They are the Shaw River, Wallareena and Hillside. I wish to explain the position of those stations and also of another station the

owners of which received the rebate although, according to the Commissioner, within the railway zone. The Shaw River out-camp is 16 miles from the railway siding. The nearest siding is 54 miles up the railway line. The distance by road from the station to the port is 50 miles. That means that wool conveyed by the railway has to travel a distance of 70 miles. The station owners have to pay railway and road freight over a distance of 70 miles, instead of over 50 miles by road direct to the port. Neither the Government nor the Railway Department have given any consideration to the road conditions between the Shaw River shearing shed and the railway siding. Neither the Government nor the local governing authorities have spent a shilling on the road, which is merely a bush track. There are several nasty creek crossings to be negotiated, and the expense of clearing the track to enable the siding to be reached has had to be borne by the station owners. Wallareena is 26 miles from the nearest railway siding and 38 miles from the port. The people there would have to bring the wool by road 26 miles to the siding, which is 31 miles up the line, making a total distance for the wool to be carted, 57 miles, as against the distance by road direct to Port Hedland of 38 miles. Regarding Hillside, it is 60 miles from the head of the railway line, which is 114 miles from Port Hedland. The wool from that station has to be carried a total distance of 174 miles as against the distance by road to port of 148 miles. That is to say, by rail the wool has to be carted an additional 26 miles, which represents that much additional cartage costs. One station at least four miles within the railway zone was exempted by the Commissioner of Railways. The station house is within four miles of a railway siding; there are two sidings on the run, and the railway divides the run. Yet that station was granted exemption! Can the Minister or the Commissioner of Railways justify such an exemption, having regard to the fact that other stations not exempted but regarded as within the railway zone, are 16 miles, 60 miles, and 26 miles respectively distant from the nearest railway siding? If those stations were compelled to use the nearest siding to the properties, they would have to pay extra cartage costs over distances of 20 miles, 20 miles and 26 miles respectively. I think that position will take a lot of explaining to convince members that such a distinction should have been made. I am prepared to go as

far as anyone else in my desire to see the railways secure their just and legitimate trade, but I will not be a party to assisting the Commissioner of Railways to force back trade to the railways under the conditions I have outlined. The pastoral industry is passing through most difficult times. Instead of imposing further burdens on that industry, it would be more in keeping with the times were the Government or the Commissioner of Railways to relieve the industry of burdens they already carry, rather than increase them, particularly when those increased burdens create such an anomaly as I have disclosed and mean increased wharfage dues. The other night the Minister for Works introduced legislation to relieve those who are carting wool by motor transport. That relief extends to 50 per cent. of the license fee they pay to-day. That is just, and I approve of the proposal. On the other hand, the position I have disclosed this evening has indicated to hon. members how the Commissioner of Railways has added further charges that have to be shouldered by the pastoralist. It will be agreed, when we consider the rate of 4s. per bale charged at Port Hedland, compared with the charge of 1s. 6d. at Fremantle, it is time the Government gave the people in the North-West some relief from these burdens.

The Minister for Railways: What is the name of the station you say the Commissioner exempted?

Mr. LAMOND: Pippingarra. I appeal to the Minister to give consideration to this matter. I have endeavoured to place it clearly before the House. If the Minister will consider the position, I am convinced he will come to the conclusion that refunds to the station owners I have indicated will be justified.

On motion by the Minister for Railways, debate adjourned.

MOTION—PARLIAMENTARY REPRESENTATION.

Withdrawn.

MR. SLEEMAN (Fremantle) [7.56]: The next notice of motion is standing in my name, and reads—

That the Government be requested to bring down legislation in time for the next elections to provide that the number of members of Parliament in this State be reduced from

80 to 40, and also to provide that they be elected for a four years' term instead of three.

In view of recent happenings in the Eastern States at the Premiers' Conference, I ask leave to withdraw the motion.

Motion, by leave, withdrawn.

PAPERS—PUBLIC SERVICE COMMISSIONERSHIP, APPOINTMENT.

MR. PANTON (Leederville) [7.57]: I move—

That all papers relating to the applications for appointment as Public Service Commissioner be laid upon the Table of the House.

I presume the Minister does not propose to regard this as a formal motion, seeing that he refused to lay the papers on the Table of the House, as indicated in his replies to a question I asked in the House. It is no mere curiosity that impels me to move the motion, nor is it with any desire to start upon a heresy hunt regarding the successful applicant. On the other hand, I consider the Public Service Commissionership an office of great public importance. The occupant of the position will have control over a large section of the community, and if anybody has a right to know who the applicants were and their qualifications, surely it is Parliament. In answer to one of my questions, the Acting Premier stated that the qualifications required for the position were the fullest knowledge of the service and the financial position of the State, coupled with administrative ability. From my knowledge of some of the applicants I know that they would have filled the bill. In my opinion, if the successful applicant possesses all the qualifications set out, especially with reference to the financial position of the State at present, the Government committed a grievous error when they removed that officer from the position of Under Treasurer. If there is any department to-day requiring the best administrative brains, it is the Treasury. In those circumstances it is difficult to understand why the successful applicant was appointed. What I am particularly interested in is the policy of the Government regarding these appointments. It has been said by the Premier on many occasions—and I presume the Premier speaks for the

Government—that the policy of the Government is preference to returned soldiers. I have here a circular setting that out in unmistakeable language. It is the accepted policy of the Government. For a long time efforts have been made to get the Government to carry out something of that policy, and in most instances we have found the departmental heads blamed for failure to carry out that policy. However, on this occasion we have a concrete case against the Government, who themselves dealt with the applicants, numbering, as the Minister explained the other day in answer to my question, no fewer than 35. I know, and the Minister has admitted, that there were returned soldiers amongst those applicants. Still, the Minister declared that the qualifications of the successful applicant were superior to those of the other applicants. I and many others are strongly of opinion that the qualifications of at least one or two of the returned soldier applicants were equal, if not superior to, those of the successful applicant.

The Minister for Railways: That is a matter of opinion.

Mr. PANTON: I admit that. And for this side of the House it must remain merely a matter of opinion unless we are allowed to peruse the papers and so acquaint ourselves with the qualifications of the other applicants. I can see no reasonable objection to the papers being laid on the Table. The Minister said that some of the applicants might resent it. But surely, if a person considers himself of sufficient ability to apply for a high position like that of Public Service Commissioner, he must consider that his qualifications fit him for the post. In those circumstances why should he resent having his name, with those of the other applicants, laid on the Table of the House? I do not know where the Minister gets the idea that the unsuccessful applicants would resent the laying of the papers on the Table of the House. At present I am unfortunate in that if I desired to move in the matter of this appointment, I should not be in a position to put up a case until I saw the papers and was able to scrutinise the qualifications of the 35 applicants. Having once seen those papers, and considered the qualifications of the applicants, I might agree that the Government had appointed the best man after all; but until I can go through the papers,

I have to voice my opinion practically in the dark.

The Minister for Railways: Every expression of opinion is made in the dark.

Mr. PANTON: Certainly we on this side are in the dark and must remain in the dark until we see those papers. So, as I say, if I felt under an obligation to move in this matter, I would be only expressing an opinion in the dark, which I do not desire to do. I can see no reason why the Minister should decline to lay those papers on the Table. If the Government have appointed the best qualified man, why refuse to let the House and the world have proof of it? If, after seeing the papers, we were of opinion that the best man had not been selected, we would be justified in expressing an opinion to that effect. If the House is not prepared to agree to the motion and have the papers tabled, we shall have to take it for granted the best man has been selected. But there is a big principle underlying this, namely the policy of the Government in respect of preference to returned soldiers. It is a very easy thing for the Minister to say the qualifications of the successful applicant were superior to those of the returned soldier applicants, but until he lays the papers on the Table the Minister is not justified in expecting us to accept his assurance on that point. If the Government desire the returned soldiers and the public to agree there was not amongst the applicants any returned soldier deserving of preference, it is their duty to let us see the papers. Members ought to support the motion, if only in view of the importance of the position to which the applicants aspired. Again, if all we hear about the state of the finances is true, it was a grave error on the part of Cabinet to appoint the Under Treasurer to the post and take him from the Treasury, where just now the best brains and administrative ability are essential. It may be argued by the Minister that a thorough knowledge of the public service and of financial administration is necessary in this office of Public Service Commissioner, but I say that where the Public Service Commissioner could save the State £1, an Under Treasurer with the necessary financial ability would save the State £1,000. An officer with an intimate knowledge of the finances of the State should remain in the Treasury, where he is so much required at present. After

all is said and done, financial questions are for the departmental heads rather than for the Public Service Commissioner, who should be thoroughly versed in classifications and the hearing of disputes in the service, a man able to weigh the pros and cons of cases put before him, rather than a man skilled in finance. A Treasury official is required to have a knowledge of where the money is being spent, which is something the Public Service Commissioner knows little or nothing about. I repeat that the papers should be laid on the Table, so that members may see for themselves whether the Government have picked the right man for this important position.

On motion by the Minister for Lands, debate adjourned.

BILL—CHARITABLE PURPOSES INCOME DEDUCTIONS.

Second Reading.

MR. SAMPSON (Swan) [8.10] in moving the second reading said: I hope the Bill will receive a welcome. Of course it is not a taxing measure; indeed, it is quite the opposite, for it provides relief in respect of amounts paid for charitable purposes. The object is to correct an anomaly as between the Federal and State Taxation Acts. In the Federal Act, Section 23, provision is made for deductions in respect of payments for certain charitable purposes. The State Act contains no such provision. To supply the omission, Clause 2 of the Bill reads as follows:—

For the purpose of the assessment (in the financial year ending on the thirtieth day of June, 1932, and in every subsequent financial year) of the taxable income of any taxpayer, a deduction shall be allowed of the amount of any payment (not less than one pound), made by him, out of his income by way of gift during the preceding financial year, to the board of trustees or other controlling authority (whether incorporated or not) of any public hospital or other public charitable or benevolent institution, or of any public park or reserve, or of any university or public school, or of any library, art gallery, museum, or other institution maintained for public education, recreation, or enjoyment and subsidised by the Government of the State, or of any payment so made to any public fund established and maintained for the purpose of providing money for any such institution as aforesaid or for the relief of persons in necessitous circumstances.

Approval of the Bill would give consideration under the State Act to money gifts, subject to the minimum amount of £1 being donated to the purposes mentioned. I have discussed the matter with the Deputy Commissioner of Taxation, Mr. Black, and he agrees that since a similar deduction is allowed under the Federal Act, no added expense would be involved in checking the returns for the State.

Hon. J. C. Willecock: Is not the amount under the Federal Act £5?

Mr. SAMPSON: No, I understand that gifts of £1 and upwards are allowed as deductible amounts. The Bill would afford special consideration to people providing funds to assist State benevolent and other movements stipulated in the Bill. It would also allow consideration for money paid to local unemployment committees, subject always to the minimum of £1. The Bill would accomplish something in the direction of encouraging philanthropy for the benefit of State institutions.

Hon. P. Collier: How would it help to balance the budget?

Mr. SAMPSON: I do not know that it would help, but it would have a good effect on State charities. I believe the Minister controlling unemployment relief would welcome such a measure, because it would encourage the exercise of that virtue, charity, which would be helpful in various activities in which the Minister is interested.

Hon. P. Collier: The more the unemployed got, the less the Treasurer would get. It would be only a cross entry.

The Minister for Railways: Why tax anyone on voluntary giving?

Mr. SAMPSON: The Bill would correct an anomaly, and the fact that a similar deduction is allowed under the Federal Act is argument for allowing it under the State Act.

Hon. P. Collier: I thought the Federal people could do nothing right.

Mr. SAMPSON: Perhaps the exception proves the rule. I am not sure that the Leader of the Opposition has much faith in any Federal Government. If he has, he and I think differently. The House might well approve of the principle of the Bill, and thus remove an anomaly. I move—

That the Bill be now read a second time.

On motion by the Minister for Railways, debate adjourned.

BILL—TRAFFIC ACT AMENDMENT.*In Committee.*

Resumed from the previous day. Mr. Richardson in the Chair; the Minister for Works in charge of the Bill.

Clause 4—Amendment of Section 42:

[Mr. H. W. Mann had moved to strike out of the proposed new Subsection (1a) the words "prohibit, either absolutely or subject to prescribed" and insert in lieu the word "prescribe."]

The MINISTER FOR WORKS: I oppose the amendment. I am surprised at the attitude of members on this side of the House, because the regulation in question has been in force since 1926. I have laid on the Table several amendments dealing with this matter and they have not been questioned. The regulations were amended on the 22nd June, 1928, 27th May, 1929, 6th September, 1929, 19th September, 1930, and 26th September, 1930. Only once was exception taken to an amendment, and that was in regard to picking up passengers between Locke-street and Broadway. The Upper House objected to the amendment of the regulation, and it was then made to provide that buses could pick up passengers going to Fremantle but not to Perth. The Full Court recently ruled that Section 42 was ultra vires.

Hon. P. Collier: Has the Chief Secretary been advised that the Bill is now being considered?

The Minister for Lands: No fear!

Hon. P. Collier: I think it is only fair to advise him.

The MINISTER FOR WORKS: It is not my duty to advise him.

Hon. P. Collier: He ought to be present.

Mr. Corboy: The Minister for Works will not run away again if the Chief Secretary does come?

The MINISTER FOR WORKS: The amendment would make it impossible to enforce the regulation.

Mr. ANGELO: I am as keen as any member to protect the interests of the railways and tramways as much as possible, but we must consider the convenience of suburban residents. Since the debate last week, I have made two trips from Nicholson-road, Subiaco, to the city by tram. One trip occupied 21 minutes, and the other 20 minutes. From close handy to that intersection, I made two trips to the city by bus, one of

which took seven minutes and the other six minutes.

Hon. P. Collier: And how long did you have to wait at the tram terminus?

Mr. ANGELO: That was not taken into consideration. There was a difference of 14 minutes in the time occupied on that short journey.

Mr. Withers: What is the difference in the fares?

Mr. ANGELO: By bus the fare is 6d., by tram 3d.

Mr. Corboy: Only 100 per cent. difference!

Mr. H. W. Mann: Is not that a pretty good tax?

The Minister for Railways: We ought to charge by weight.

Hon. P. Collier: Then the member for Gascoyne would have to walk.

Mr. ANGELO: I often walk, but if the hon. member doubted my ability to do so, I could roll. A business man likes to go home to lunch.

Hon. P. Collier: Or back to the office at night.

Mr. ANGELO: It would be safe to say that the average suburban man travels to the city twice a day, thus making four trips by tram or bus. A saving of 15 minutes in travelling by bus would mean a difference of an hour per day, as against travelling by tram.

Mr. Corboy: But he would save 1s. if he travelled by tram.

Mr. ANGELO: The time of many people is worth more than 1s. an hour. Six hours a week would mean 24 hours a month, or nearly a fortnight a year.

Mr. Corboy: That would be his long service leave.

Mr. ANGELO: Is it fair to penalise a business man by compelling him to travel by tram instead of bus?

Mr. Raphael: The residents asked for the trams in the first place.

Mr. Marshall: Many business men have their own means of transport.

Mr. ANGELO: When on a visit to Sydney, I had occasion to visit a suburb seven or eight miles from the capital, and a friend who accompanied me took me by bus. He said there were hundreds of buses plying between those two points. On a subsequent visit he took me by train. I asked where the buses were, and he replied that only two were then running. The railways had been electrified and brought up to date, and the buses had gone off the route. I believe our

transport service could be improved, even with the present rolling stock.

The Minister for Railways: I told you so ten years ago and you would not take any notice of it.

Mr. ANGELO: I have often said that minutes could be cut off each journey.

The Minister for Works: Off the tramway runs?

Mr. ANGELO: Yes, and the present rolling stock could make many more trips if it were not kept idle at the termini for 10 or 12 minutes. In the circumstances, it is not fair to penalise suburban residents, and therefore I support the amendment.

Mr. MARSHALL: Some metropolitan members are not giving the Minister for Railways much support. The Chief Secretary, in his speech last week, raised three points in opposition to the clause. When the Chief Secretary makes a speech in this House his remarks are usually treated with respect. When the Bill becomes law, I hope the Minister for Works will request the Routes Advisory Board to revise the present routes. Practically all these routes have been in existence for a long time. It was necessary to dovetail them more or less into one channel as they approached the centre of the city. The Swanbourne, Wembley and North Beach buses dovetail, more or less, at Oxford-street and follow much the same route into the city. Settlement, however, has been going on all the time, and new roads have been constructed. It is now possible to depart from some of these routes, supply the requirements of many new settlers, and reduce the competition against the trams. No one wants to prevent bus proprietors from profiting by public custom if people wish to travel in their vehicles. Every effort has been made to supply the wants of the people with due regard to the interests of the State. A Supreme Court action was required to show the weakness of the present regulations, otherwise they would doubtless have remained untouched. The Bill now proposes to amend the law in the direction required. The Chief Secretary is as much a custodian of the public interests as is the Minister for Railways. All members of the Government should work together in a matter of this kind.

Hon. P. Collier: The Chief Secretary was not consulted when the Bill was framed.

Mr. MARSHALL: Because he was not consulted, he has felt insulted. The Chief

Secretary made light of the Routes Advisory Board. He said it had no legal status and was therefore entitled to little consideration. This board was created merely to give advice.

The Minister for Railways: It has only power to do that.

Mr. MARSHALL: It comprises people who have a complete knowledge of this kind of thing, and they have acted only in an advisory capacity. The Chief Secretary does not believe in monopolies. He spoke of them in disparaging terms, and said that they stank and that he would not have anything to do with them. The very regulations that give a monopoly to the trams and railways also give one to bus owners provided they do that which is expected of them. I am afraid I must now view the Chief Secretary's remarks with suspicion. Despite his stinging statements concerning monopolies, last night he voted for one. If he preaches one principle and practices another within the week, his remarks must lose value.

The Minister for Railways: Everything is right now: he has rectified his previous error.

Mr. MARSHALL: I should like to know if it has been the custom of the Government to ask the Chief Secretary either to frame regulations for the Government or supervise them.

The Minister for Works: That is for the Attorney General to do.

Mr. MARSHALL: On Thursday night the Chief Secretary referred to a tramway monopoly, and to persons being prevented from getting transport after the trams had ceased running. I now find that the regulations under the Traffic Act cover the very point raised by him. What he said was misleading. He declared that a woman with a sick child was unable to get transport at 11.30 at night from Claremont because the last tram had passed and no bus would pick her up. I find that Part 5 of the regulations specifically states that they do not apply to or affect terminal points on any prescribed route, and allow vehicles along certain routes freedom of action between 11.30 p.m. and 6 a.m. It therefore appears that any bus could have picked up anyone along the route in question between 11.30 p.m. and 6 a.m. The language employed in the regulations so much resembles that of the Chief Secretary that I am glad to have the assurance of the Minister for Works that

he was not deliberately misleading the House. The law as it stands has done injury to no one. The buses have gathered custom, made progress, and experienced a fairly profitable time. The clause we are dealing with would never have been contemplated had it not been for a breach of contract on the part of the bus proprietors. When routes were first prescribed it was agreed between the Government and the proprietors that certain routes should be followed conditionally upon the buses refraining from picking up or setting down passengers along the tram tracks. One person signed an undertaking to adhere to that agreement, but before he had operated buses for any length of time he violated it. Seeing that in the past many bus proprietors agreed to such a condition, why the present amendment?

Mr. MILLINGTON: As to the merits of a tramway system, the people who urged the construction of the tramway undertook that if a line were constructed they would not ask for buses. A fair deal has been given to the buses. They take away some custom from the trams, but where it can be shown that the tramway system does not serve a certain area, buses are permitted to ply. My belief is that a large majority of the residents of outlying suburbs favour the tramway system. If it were suggested to discontinue the tramways, there would indeed be an agitation. The Bill represents no hardship to the bus proprietors. There has been no breach of faith on the part of the Government, but some bus proprietors have discovered a loophole in the regulations. It is possible to curry favour with those who do not care whether the tramways pay or not, but yet wish them to remain in the district. People who ask for tramway extension should be prepared to put up with a certain amount of inconvenience. Short-distance railway travel is not worth protecting.

The Minister for Lands: It is handy in the morning and at night.

Mr. MILLINGTON: If the tramway system were discontinued, we could not have sufficient buses to shift the traffic at peak periods. The time for scrapping the trams has not yet arrived. I believe in the shandy-gaff system of trams and buses obtaining in my electorate. Let us not have regulations that will not hold when tested at law.

Mr. RAPHAEL: I oppose the amendment. We have to decide whether we will look after the interests of the State generally or in the interests of a small section, throw millions' worth of public property on the scrapheap. I agree that the Government should take control of the buses, although I do not consider the tramways should be abolished. The two systems should be worked in conjunction. Another point for consideration is that of running costs. Every mile run by buses means additional taxation, because all that they run on is purchased from America. The flow of money from Australia to America and England must cease. In Victoria Park there is a bus service, the proprietors of which have been fined on numerous occasions for picking up passengers where they should not have done so. I have to acknowledge the fact that the progress of the outer parts of the district has been due to the initiative of the man who inaugurated that service. I would not be a party to prohibiting him from carrying on, but if the Government want to deal with the whole position in an honourable way, they should assume power to take over the bus services from the present owners, who should be compensated. The Government do not appear to know where to stop when they commence passing legislation to place burdens upon the motor services. The mismanagement of those in charge of the tramways has been another factor in the successful operations of motor transportation. How can it be expected that the trams will show a profit if they are not run in a profitable way? On one occasion at the W.A.C.A. ground, there were two or three trams available to cope with 2,000 or 3,000 people, and at that time about 40 tramway men were being stood down each week, and rolling stock laid up accordingly. There was plenty of work for those men to do. Can the public be expected to support the trams under such conditions? Until the Government provide a decent tramway service under reasonable management, the buses and taxis will continue to control the passenger traffic of the city. The trams did not show a loss under the Labour Government's regime. I have a complaint to make against the buses which do not cater for the people, whereas the trams do run to a time table. How can

it be expected that buses run by young boys and girls will provide an adequate service?

Mr. Angelo: I thought the bus service was responsible for building up Victoria Park.

Mr. RAPHAEL: I refer to the Perth-Fremantle service, which should prove profitable seeing that for some time the proprietors were paying a sweating wage of £1 a week to the girls.

The Minister for Railways: You do not want that!

Mr. RAPHAEL: No, that is why I support the Minister, hoping there is no ulterior motive behind his action. It can justly be claimed that the buses on all routes run to suit themselves. The Minister is making some attempt to see that they maintain a reasonable time-table and provide the facilities required by the people. I hope the amendment will be defeated.

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

Ayes	..	..	..	..	3
Noes	..	..	..	..	31
					—
Majority against					28
					—

AYES.

Mr. Angelo
Mr. Sampson

Mr. H. W. Mann
(Teller.)

NOES.

Mr. Barnard
Mr. Brown
Mr. Corboy
Mr. Doney
Mr. Ferguson
Mr. Griffiths
Mr. Hegney
Mr. Johnson
Mr. Kenneally
Mr. Lamond
Mr. Latham
Mr. Lindsay
Mr. Marshall
Mr. McLarty
Mr. Millington
Mr. Munsie

Mr. Parker
Mr. Patrick
Mr. Piesse
Mr. Raphael
Mr. Scaddan
Mr. Sleeman
Mr. J. H. Smith
Mr. Thorn
Mr. Troy
Mr. Wansbrough
Mr. Wells
Mr. Willcock
Mr. Willson
Mr. Withers
Mr. North

(Teller.)

Amendment thus negatived.

Mr. PARKER: I move an amendment—

That in lines 10, 12, 13 and 14 the words "or railway" be struck out.

This amendment is not on all fours with that which we have just considered, because the trams do stop at reasonable distances of from 200 yards to 300 yards. On the other hand, the trains generally stop at distances varying from a mile to three miles apart. Take the position on the Perth-Fremantle railway route. The clause would

mean that from Cottesloe to Fremantle, the buses would be debarred from picking up or setting down passengers. That was not in the original regulation at all.

The Minister for Railways: Nor is it in this, either.

Mr. PARKER: So, too, in respect of Armadale. Imagine that because of the railway crossing near Gosnells the Governor may make a regulation to prevent a bus from picking up a passenger on the Gosnells road within 150 yards of that railway crossing! The railways should not be brought into this at all. If the Government desire people to travel on suburban railways instead of on the buses, there are many railway reforms that might well be instituted in order to encourage passengers. Then if the buses wanted the traffic, they in turn would have to make concessions, and the public would get the benefit. I cannot see any reason why, because of the railway, the Governor should be empowered to make regulations to prevent buses picking up or setting down passengers along the Karrikatta road or between Cottesloe and the traffic bridge at Fremantle. Competition with the trams is different, for the trams cater for what might be called the road traffic, whereas the railways do not. If we wish to prevent people travelling by bus, let us eliminate the buses altogether, but do not let us have these vexatious restrictions. If the clause means that the Governor will in fact make these proposed regulations, the result will be that a bus leaving Fremantle for Perth will find very few places where passengers can be picked up or set down. These words "or railways" were not in any previous regulation, and ought not to be in the clause.

The MINISTER FOR WORKS: Evidently the hon. member is not aware that since first these regulations were made there has been provision that no passenger shall be picked up by a bus within 150 yards of a railway station. It is not intended to make any further restrictions on behalf of the railways.

Mr. SAMPSON: Surely if this is all the Minister desires, the clause ought to be amended, for at present it gives power to make regulations regarding the running of motor buses within 150 yards of a railway line.

Amendment put and negatived.

The CHIEF SECRETARY: I move an amendment—

That the following be added at the end of the clause:—“In competition with tramcars using such tramway, or trains using such railway.”

I understand that the whole purpose of the proposed regulation is the protection of traffic, not of tramway rails nor railway rails. The addition of these words will define the powers given for protection of that character. Without these proposed additional words we shall really be protecting rails, as indeed the old regulation did. Under the contemplated regulation, if trams or trains were never to run on the lines, nevertheless the prohibition would lie, and that I think is not desirable.

The MINISTER FOR WORKS: I assume the Chief Secretary desires that when no trams or trains are running, the buses shall be allowed to pick up passengers along those routes. I have to be very careful about accepting an amendment to the clause.

Hon. P. Collier: Especially having regard to the source of the amendment.

The MINISTER FOR WORKS: We have been very careful in the drafting of this clause, and I think I know what is required. These regulations can give effect to the suggestion of the Chief Secretary; in fact, they have already done so, in that they provided that after the trams ceased running, the buses could pick up passengers anywhere. That can be provided also in the new regulation, and indeed it will be provided.

Amendment put and negatived.

Clause put and passed.

Clause 5—agreed to.

New Clause:

The MINISTER FOR WORKS: I move—

That the following new clause be inserted to stand as Clause 5:—“Clause 5.—The Third Schedule of the principal Act is hereby amended by adding the following words to the third paragraph of Part 2 after the word ‘payable’:—‘for each passenger the omnibus is licensed to carry.’”

Under the Act, we have declared that buses and taxis in country districts shall pay a fee of £1 10s. a seat. Now that has been interpreted to mean £1 10s. per vehicle. The proposed new clause will make it clear

that it means £1 10s. per seat. This matter has cropped up in Kalgoorlie, and the Kalgoorlie Road Board have written for an interpretation.

Hon. P. Collier: They are very alert people up there.

The MINISTER FOR WORKS: The new clause is required to make the position clear.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

MINISTERIAL STATEMENT—LOAN COUNCIL.

Consideration of Premier's Report.

Debate resumed from the 19th May on the following motion by the Premier:—

That the statement made to the House on the 12th May be received.

HON. J. C. WILLCOCK (Geraldton) [9.32]: There seems to be no disposition on the part of members on the Government side to continue the debate. I thought there would have been a rush to catch your eye, Mr. Speaker, because it was stated in the Press that members supporting the Government had unanimously decided in solemn Caucus that Parliament should be summoned to consider the financial position of the State.

The Minister for Lands: No, the Leader of the Opposition influenced the calling together of Parliament.

Hon. J. C. WILLCOCK: Oh, no.

Hon. P. Collier: It was the Governor who suggested it.

Hon. J. C. WILLCOCK: Members opposite must have had their tongues in their cheeks if they did not desire to discuss the financial position or the measures necessary to get the State out of its difficulties. It is surprising that, after such a consensus of opinion regarding the advisableness of calling Parliament together to discuss these matters, when the motion is called and after the Leader of the Opposition has contributed a weighty utterance, members on the Government side should seem to think all that need be said has been said.

The Minister for Railways: The case is sub judice. Lang and Theodore have nearly agreed.

Hon. J. C. WILLCOCK: I do not know that all our troubles will be solved from the moment they agree, or that there is no necessity for this or other State Parliaments to consider the position. So many aspects were raised by the Premier's statement and the position is changing so rapidly, almost from day to day, that one hardly knows where to commence or which phase to discuss. It would be well, perhaps, for members to discuss not only the cause of the present financial stringency and the position of the State, but also the effects, and the measures that might be taken by united action to get the State out of its trouble. I do not think there can be any difference of opinion regarding the cause of the trouble. It is due principally, as the Leader of the Opposition stated, to the fall in the prices of staple products, wheat and wool, and the over-borrowing that took place in the last seven or eight years. The over-borrowing would not have been permitted had not there been a general belief that the prices of primary products would remain somewhere near the level of those years. If it had been apparent to the people in London, America or Australia that the price of wool would have receded to 8d. or 9d. per lb. or that the price of wheat would have fallen to about 2s. a bushel, very few people in control of finance would have been prepared to lend money to build up those industries, which are now being conducted on an absolutely unprofitable basis. Borrowing is not harmful provided the money is spent well. The serious aspect of over-borrowing, as was pointed out by the Economic Commission a few years ago, is that almost all the money borrowed abroad by Australia came here in the form, not of cash, but of goods. At any rate, that applied to the portion of our borrowings not used to pay interest overseas. The great bulk of the goods imported were subject to heavy Customs duties, which gave the Federal Government considerable revenue and created an impression, in view of succeeding surpluses, that money could be found for everything. There has been extravagance on the part of the Federal Government. At present it is unjustified and cannot be allowed to continue.

The Minister for Railways: The worst feature was that the money was borrowed

by the State and was used by the Federal Government as ordinary revenue.

Hon. J. C. WILLCOCK: I suppose that 25 per cent. of the money borrowed overseas passed into Federal revenue through the Customs and has been spent as ordinary revenue. But for that we should not be experiencing the trouble that prevails to-day. It is the easiest thing in the world to increase expenditure, and often a good case can be made out for increased expenditure, but to reduce expenditure is the hardest job in the world. It is so difficult to get departments to curtail expenditure and it is equally difficult to get people who have received social or other benefits to forego those advantages. I give credit to all Governments for their efforts to reduce expenditure, because they have effected many reductions. Some of them, however, were unnecessary, and in the interests of the people should not have been made. What I object to is that the Premier is always blaming the Federal Government for the State's difficulties, charging them with extravagance and fastening on to them the responsibility for the deficit and for striking a blow at the nation. If the Premier were honest, he might well admit that the State Government, in common with other Governments have been extravagant. One would think, to read the Premier's statements, that in Western Australia everything in the garden was lovely, particularly as regards the reduction of expenditure, and that the Federal Government were the only people to blame. It must be admitted that the responsibilities of the Federal Government are at least equal to, if not more onerous than, those of the State Government, taking into consideration the war debt and the cost of pensions, the maternity bonus, etc. On a per capita basis the deficit of the State is equal to that of the Commonwealth at the present time. The deficits of both Governments are equal to about £2 10s. per head of the respective populations. To read his statements, one would think the Premier was a paragon of virtue and thrift, and that the Prime Minister was the personification of extravagance, but as I have pointed out the deficit of each Government works out almost exactly the same per head of population. So it is of no use the Premier pointing the finger of scorn at the Federal Government and blaming them for all sorts of extravagance.

when the State is in a precisely similar position.

The Minister for Lands: I think our securities are better than theirs.

Hon. J. C. WILLCOCK: Of course they are better, in the sense that most of the money we have borrowed has been expended on public utilities and works of value, but the Minister would not suggest that the Federal Government should not have incurred the war debt, or that we are not responsible for the interest due on the war debt. The war debt is certainly unproductive expenditure. As the Leader of the Opposition pointed out, the Federal Government are in the position of having to find interest on a huge unproductive debt, and consequently they have to raise an enormous amount of money to meet the interest payments.

Hon. P. Collier: They had no public debt of any consequence before 1914.

Hon. J. C. WILLCOCK: No; they even built some public works out of trust funds.

The Minister for Lands: They have incurred a tremendous debt since the war, apart from the war debt.

Hon. J. C. WILLCOCK: We all agree on that.

Hon. P. Collier: So have the State Governments, during the last eight or nine years.

The Minister for Railways: It has been incurred. There it is. What are you going to do about it?

Hon. J. C. WILLCOCK: Another matter on which the Premier is always harping and making statements to the Press in Perth, Kalgoorlie, Cook, Deakin or other of the Trans-line stations when he is travelling to and from the Eastern States, is the Financial Agreement. He attributes a great proportion of our trouble to the fact that we became a party to the Financial Agreement.

Mr. Sampson: They were fine statements that kept us in touch with affairs.

Hon. J. C. WILLCOCK: They were fine statements to hoodwink the people and distract their attention from the State Government's shortcomings. The Premier pointed to the shortcomings of the Federal Government in order to cover up what I might term his own misdemeanours in the way of creating a deficit. Our deficit at the present time is about £1,500,000, and it would have been over £2,000,000 but for the relief

the State is receiving under the Financial Agreement. Instead of the Premier blaming the Financial Agreement and declaring we should get out of it, he should show that it is responsible at least for half a million less expenditure than would otherwise have had to be incurred by the State, owing to the incidence of reduced payments made possible under the new arrangement. The Premier also blames the Financial Agreement because he has no freedom to raise money. I do not think it would make much difference to us if we had the right to raise loans. We would not be in a better position than the other States. It is, I think, true that all the States making up the Loan Council would be agreeable to any one State raising money if it could do so either within Australia or outside. The Loan Council would fall over itself to agree to any State going on the London market at either 6 or 7 per cent.

The Minister for Railways: I am sure they would not agree. They declined to permit the Premier to do it.

Hon. J. C. WILLCOCK: I have had some experience of Loan Councils.

Hon. P. Collier: The States declined to permit him but the Federal Government did not do so. The Loan Council consists of representatives of the States.

The Minister for Railways: I did not say the Federal Government had declined.

Hon. P. Collier: But the Premier keeps on saying the Federal Government would not allow it.

The Minister for Lands: He said the agreement prevents it.

Hon. J. C. WILLCOCK: With the Loan Council it is a question of its financial advisers saying that it is impossible to raise money under present conditions. It is not a matter of declining to allow the States to make the attempt. The Loan Council would fall over itself to agree to any State raising money at 6 per cent. anywhere in the world; it would be such a good thing for Australia if money could be borrowed outside so that it might have a radical effect upon the exchange position. The exchange alone is responsible for about one-third of the deficits of the Federal and State Governments.

The Minister for Railways: The Loan Council declined to permit any State to borrow money.

Hon. P. Collier: Because the money is not available overseas.

The Minister for Railways: That is different from the way the hon. member is putting it.

Hon. J. C. WILLCOCK: The Premier says if it were not for the Financial Agreement we could get money overseas; that is the burden of his story. He says our credit is so good in the Old Country that for this and sentimental reasons the people there would support us and lend us the money.

The Minister for Railways: No one can deny that, but no one can prove it, as things are.

Hon. J. C. WILLCOCK: It can be proved if we look at the price of our stocks on the London market.

Hon. P. Collier: Ours are not as good as the Federal stock.

Hon. J. C. WILLCOCK: Our 6 per cent. stock is quoted at a little over £70, and gives an average return of about 9 per cent. for anyone who desires to invest money in Western Australian securities. British Government 5 per cent. stock stands at about £103. Can it be imagined that if we went on the market for money at 6 per cent. we would get anyone to show an interest in our prospectus when we have other stocks showing a 9 per cent. return? People who have travelled abroad from Australia and public men in Australia have declared that Australia is willing and anxious and filled with a desire to meet her obligations, but we are not believed abroad. If we were believed our stocks would stand at a higher figure. Some Australian stocks are quoted at less than £50 for a £100 bond. It is said that when stock falls below half its value its security is regarded as unsound. I have no desire to decry Australian securities, I am merely pointing out these things in contradiction of the statement of the Premier that, but for the Loan Council and the Financial Agreement, we should get money. Earlier in the session we dealt with legislation that was to get round the Loan Council, so that we could borrow money ourselves and use it for the development of the State. The Premier brought down a Bill, and to-day the Acting Premier laid some regulations on the Table dealing with the Industrial Development Board. We passed the legislation to enable us to go on the market without the authority of the Loan Council but nothing has been done. Some of us on this side of the House said it was useless to pass it, and that the Premier would not dare to

go on the market in the circumstances. So far the Premier has not had the courage to take that course, and has not been game to avail himself of the opportunity thus afforded. The regulations I speak of enable the Government to sell debentures on behalf of the Industrial Development Board, but there has been no talk of going on the market either locally or overseas. There is much point in the statement of the Leader of the Opposition that interest is of paramount importance to our financial well-being. For years we have not only increased our indebtedness but increased the rate of our interest with every fresh loan we have raised. We have constantly converted loans at a higher rate so that our interest payments have gone on increasing. It is not so much the debts we have incurred in Australia as it is the raising of the rate of interest that gives us so much trouble. Twelve or 14 years ago the average rate of interest was $3\frac{3}{4}$ or 4 per cent., but to-day it is about 5 per cent. One per cent. on £11,000,000 makes an enormous difference in our interest payments. It is in this direction that the Federal Government have done excellent work for Australia. Time and again they have declined to be a party to any financial readjustment or to an alteration of the conditions under which we operate in Australia unless interest payments were included. Sir Otto Niemeyer and other authorities have said we ought to balance our Budgets by decreasing our expenditure and by retrenchment. It has been said that because our loans were raised at a certain rate of interest a contract existed between the Governments and the bondholders to pay that rate, and it could not be altered. Despite a great deal of misrepresentation, the Federal Government have stood fast by their view. They said there must be a readjustment of interest payments before any other adjustment could be made. That which was said to be entirely impossible has now been agreed to by economists, bank managers, Premiers, insurance companies, bondholders, and all who are participating in the present negotiations. They now believe it is possible to reduce the interest payments.

The Chief Secretary: For internal loans.

Hon. J. C. WILLCOCK: Those who are hostile to the present Federal Government did not lay any stress upon internal loans. They said we could not get out of our contract to pay a certain rate of interest. The Government have performed a great national

service to Australia by insisting as they have done on a reduction of the interest payments before they will agree to any other rearrangement of the general conditions. The financial people of Australia are now in such a frame of mind that in the interests of the nation they have agreed there must be a revision of the position, and a reduction in the rates of interest paid. It is this interest burden which is pressing so heavily upon the people and has so much to do with the present financial crisis. When that difficulty is overcome the country will be so much better off. Notwithstanding some shortcomings the Federal Government have done a tremendous service to the country by the attitude they have adopted in this matter, for, by their insistence they have brought people to a frame of mind when they are prepared to agree to reducing the rate of interest, thus rehabilitating the finances of the nation.

The Minister for Lands: Our own Premier has done a lot in that direction.

Mr. Marshall: No. He was one of those that stuck out hardest against any interference with interest.

Hon. J. C. WILLCOCK: The Chief Secretary, by his interjection, seemed to imply that possibly something of the kind could be done as to internal loans only. But is there not a possibility of some reduction as regards external loans? People in control of finance, when times of stress come along, are not so much concerned about reduction of dividends or interest provided that capital is kept intact. That is why the financial interests of the Eastern States are apparently ready to agree to reduction of interest. Thousands of people having shares in industrial enterprises at the present time and receiving no dividends, are comparatively satisfied so long as the value of their asset does not decrease and the capital invested seems likely to be conserved. It is equally feasible that if Australian financial interests can be brought to that frame of mind, something similar may be arrived at regarding our overseas indebtedness. The Premier, in discussing oversea indebtedness, implied that it would be impossible to make any alteration whatever in the contract; but when the Financial Agreement came into existence, it affected materially our sinking fund payments overseas. A radical alteration was made in the incidence of sinking fund payments, and I believe there was no

opposition whatever from any financial interest in London, despite the serious departure from the terms of the contract as to sinking fund payments.

The Minister for Lands: It would be difficult to get the bondholders together to agree to a reduced rate of interest.

Hon. J. C. WILLCOCK: The Leader of the Opposition in the Federal Parliament is always harping on the fact that a tremendous proportion of our overseas indebtedness is held by small middle-class people. I do not believe that to be a fact. Just as in Australia a small number of financial interests own two-thirds of our stocks, so in England a comparative handful of people own the bulk of Australian stocks held overseas. In the course of a financial debate held four or five months ago, I mentioned that it was possible to set the ball rolling as to decreased interest payments, and that one method of relieving the States of considerable strain was to make an agreement between them as to savings bank interest. I see there is now a definite announcement to the effect that interest on savings bank accounts is to be reduced by one per cent.

Hon. P. Collier: Subject to a corresponding reduction by the Associated Banks.

Hon. J. C. WILLCOCK: That is a highly necessary safeguard. I pointed out to the Premier some months ago the advisableness of taking such a step. I agree that the majority of depositors in the savings bank will not feel the loss of interest very much, because it represents only about 7s. or 8s. yearly on the average account in this State, which would be £35 or £40. It is thought that money would be withdrawn from the savings banks if the interest rate was lower. Money withdrawn would have to be put into bonds or into industry, and thus would do considerable service. Still, the Government would be much embarrassed if there were considerable withdrawals from our savings bank, because the Agricultural Bank and other institutions are financed from savings bank deposits. It is rather a serious aspect of our public finance that during the last eight or nine months the excess of withdrawals over deposits in our savings bank has been half a million. We are half a million pounds down in deposits as compared with withdrawals. There is only one other aspect of finance I wish to deal with, and that is the banking institu-

tions of Australia. They have set themselves to criticise adversely the actions of Governments during the past two or three years. The Bank of New South Wales, the National Bank, and various pastoral companies have all been lecturing the Governments as to the manner in which they carried out their functions during the last two or three years. If it can be said that the Governments have been to blame as regards the advancing of credit to the people, the banks are even more blameworthy. All over Australia, and particularly in this State, four or five years ago there was an absolute avalanche of credit for anybody who wanted it for any purpose. In Geraldton alone two or three new banks set up branches, and money was available to anybody on almost any conditions. Bankers certainly saw to it that the security was fairly good, but they took no notice of the purpose for which the money advanced was going to be used. Bankers, being charged with the responsibility of making credits available to the people, should live up to that responsibility and make credits available only for the purpose of production. The outstanding factor in connection with loans from banks should not be whether or not clients possess adequate security but whether the clients desire their overdrafts in order to further production. Our trouble has arisen from the fact that people have obtained overdrafts and instead of treating them as loans to be repaid, have proceeded to deal with their overdrafts as income, and have spent as much money as they could secure. The banks exercised no preventive influence along those lines until two years ago, irrespective of to what use the money was being put. I do not desire to discuss the gold standard or the hoarding of gold in various parts of the world, except to say that it appears to me there is a general desire in various countries to get away from the gold standard and to substitute another standard based on commodity values. When speaking regarding commodity values in relation to the gold standard some four or five months back, I pointed out that three years ago, Australia produced sufficient wheat to pay the whole of her overseas liabilities for interest. Notwithstanding the fact that since then our production of wheat has increased by 50 per cent., we can now pay but half of our overseas interest indebtedness with our total wheat production. That means that we must

produce three times the quantity of wheat we secured three years ago in order to meet the same liability. That should surely furnish support for those who urge a reasonable re-arrangement of standards by the adoption of commodity values in lieu of the gold standard. I understand that serious consideration is being given to that phase by economists throughout the world who see the advisability of getting away from the gold standard. Such a move should appeal to the people of a country like Australia which depends upon production to meet its liabilities overseas. Without some such arrangement, it does not appear that we shall be able to meet them. Before I conclude, I wish to say a word or two about unemployment. In common with the Leader of the Opposition, I do not desire to keep on harping upon the fact that the Premier has broken his promises to find work for all, to right the finances, to balance the budget, and so on. I do not wish to remind him that he said, "We did it before, and will do it again." The only sad feature about the Premier is that he is still unrepentant. He will not admit that he was either woefully ignorant of facts that any thinking man should have been aware of, or that he deliberately hoodwinked the people. It was either one thing or the other. Either he was ignorant of facts—

Hon. P. Collier: And, of course, he was not.

Hon. J. C. WILLCOCK: No; or else he tried to hoodwink the people. It would save the Premier an awful lot of criticism if he would but admit that it was impossible for him to carry out his promises.

The Minister for Railways: Save himself from criticism! I doubt that.

Hon. J. C. WILLCOCK: With a man possessing the temperament of the Premier, I do not suppose it would be easy to get him to admit any such thing, but the position is apparent to everyone.

Mr. Kenneally: It is so much easier to attack Federation all the while.

Hon. J. C. WILLCOCK: I have already pointed out that the Premier is always adversely criticising the Commonwealth whereas, in fact, our deficit per head of the people is equal to that of the Commonwealth. I am aware that it is difficult to find money for sustenance, but what money can be secured for that purpose should be

utilised to at least preserve the assets of the State. The Government would be well advised to spend money in other directions. I do not object to them giving money to the local authorities. I commend them for adopting that course, if they cannot find any other outlet. As a former Minister for Railways, I know any number of ways open for the expenditure of money that would be of advantage to the State. If the Government can provide money for the local authorities to spend, why not provide some for the Railway Department?

The Minister for Railways: Because the department could not use it.

Hon. J. C. WILLCOCK: Couldn't it? If the Minister were to get into touch with the Commissioner of Railways, he could ascertain the position.

Hon. P. Collier: What about regrading and reducing working costs?

Hon. J. C. WILLCOCK: If the Minister were to get into touch with the Commissioner of Railways, he could easily ascertain that if money were made available to that department and not debited to departmental working expenses—

The Minister for Railways: Can you not see that if that could be done as sustenance work, there would be sufficient money available to keep the men at work?

Hon. J. C. WILLCOCK: I was not dealing with that point.

The Minister for Railways: The Commissioner of Railways could not employ the men under the same conditions that the local authorities can. In every instance, the Commissioner is working under an award, and he cannot ration the men.

Hon. J. C. WILLCOCK: I am not talking about rationing.

The Minister for Railways: We cannot find the money necessary to enable men to work full time; it takes us all our time to provide money for sustenance work.

Hon. P. Collier: But you have tramway men working part time.

The Minister for Railways: Ask the railway men, if they will consent to that.

Hon. P. Collier: I think they would.

The Minister for Railways: They were asked to do so, and they positively refused.

Hon. J. C. WILLCOCK: The Government could employ men for two or three weeks on casual work and then let them stand down for a week, just as is being done with work at Harvey, Waroona, Wanneroo and

at other places. That could be done in connection with the railways.

The Minister for Railways: No.

Hon. P. Collier: That would not be in contravention of the award.

The Minister for Railways: Yes.

Hon. P. Collier: Not for casual work.

Mr. Kenneally: Of course not. That is specially provided for in every award.

Hon. J. C. WILLCOCK: I can refer to the position in my own district, which I know best, although I have considerable information in my possession regarding the railway service generally. Take the Northern district from Geraldton to Magnet and out to Perenjori on the Wongan Hills line. Prior to the recent rains, owing to the fact that the catchment areas for the railway water supplies had not received attention, there was a water shortage, with the result that several water trains had to be run weekly. This inconvenienced the ordinary railway running. Owing to the catchment areas not having been cleaned up and the drains cleared, there was not sufficient water in the dams. Although that work required attention, the Government at the same time were making available considerable sums of money to the local authorities to spend. It would have been much better for the Government if some of that money had been given to the Railway Department for the purpose of cleaning the catchment areas. That would have meant a considerable saving in working expenses.

The Minister for Railways: Every Government department is in a position to get sustenance work money, just as are the local bodies. The only thing we insist on is that the work for which the money is required shall be in the interests of the community, and not serve merely private interests.

Hon. J. C. WILLCOCK: The trouble is that money spent by the Railway Department is regarded as sacrosanct and must be debited against revenue.

The Minister for Railways: The Commissioner submitted several schemes, some of which have been approved.

Hon. J. C. WILLCOCK: I suggest there is a fertile field for the expenditure of money in the conservation of water supplies in the outback areas, and I have already given some instances to prove that statement. I know from my own experience of the Rail-

way Department that when the original water supply was put down at Canna, half an inch or three-quarters of an inch of rain resulted in the impounding of over a million gallons of water. But for several years nothing has been done in that area, and consequently the creeks and channels have been blocked up and the running of the water obstructed. So good was this catchment area seven or eight years ago that the Government put down an extra dam, and since that time the original dam has not been half full. There is room there for a good deal of effective casual work. Also, as the Leader of the Opposition mentioned, re-grading should be undertaken, but not with the idea that the expenditure must be debited to the Railway Department. Why should we not expend some of this sustenance money in our own departments, rather than distribute it all to the local authorities? One phase of this sustenance with which I do not agree is that if one works for a farmer he is paid 15s. per week, whereas if he works in any other capacity he gets only 7s. per week. The 15s. paid in the farming industry should apply equally in the mining industry. If it is good business to allow a farmer 15s. per week for the purpose of paying sustenance, it is equally good to extend it to the working miner. In my own district a man producing lead is producing a commodity that ultimately will become valuable, and all that he requires in the meantime is sustenance to carry him on. He is over 15 miles from the rail head and 14 miles from the nearest town, so in his instance 7s. per week would be useless. If the money can be issued to employers, even in secondary industries, to employ men in a productive capacity, I do not see why the farmers should be the only people to be furnished with Government money. If we are to adapt the principle to the farming industry, we should adapt it also to other forms of production, for it means then the creation of wealth. I do not see much sense in advancing money for the clearing of footpaths, which does not affect the productive capacity of our State in any shape or form.

The Minister for Railways: There is another aspect of that.

Hon. J. C. WILLCOCK: Yes, and the Minister requires to be very careful about it.

The Minister for Railways: In granting sustenance to local authorities we stipulate that it shall be for the employment of married men resident in the district. Do you object to that?

Hon. J. C. WILLCOCK: I am not caviling at the issue of the money to local authorities, for I agree that they can make good use of it. But the obvious duty of any Government is to increase the production of wealth, whether on the farm, in the mine or in the factory. That is much better than merely shifting sand from one place to another. I am not criticising the Minister, but am merely giving it as my opinion that if the principle is good in respect of farming, it is equally good in respect of any other industry. The time is coming when we shall have to do a little more for our unemployed, whose position is very serious. Those of the unemployed who have had any assets are spending the result of their thrift. During the last 10 months half a million of money has been withdrawn from the savings banks. It means that practically 50,000 people have each withdrawn £10 from the banks. From that we can reason that they must be reaching the end of their resources and will not be able to continue on bare sustenance. I do not wish to suggest that there is going to be any disorder, but I know the position is becoming desperate for many of the unemployed. I am not criticising what the Government have done for the unemployed. But even though it compares favourably with what has been done in the Eastern States, I say the time is drawing near when we shall have to do a little more than we have done in the past.

The Minister for Railways: If only we could classify the deserving and the undeserving, the problem would be simplified. Certain men whom we provide with meal and bed tickets rush off and buy cigarettes and other rubbish with the money.

Hon. J. C. WILLCOCK: While no doubt there are some who would do that, a considerable section of the unemployed is suffering severely. This side of the House, I am sure, would support the Minister in any action he might take against persons receiving sustenance and frittering the money away on non-essentials. After all, the amount provided for sustenance is not sufficient to maintain a man properly, and if people are so foolish as to waste the money

given them, we on this side will readily support the Government in declaring that those people shall not get any further sustenance for the time being. I do not hold with anyone receiving sustenance and not making the best use of it, and I commend the Minister for making commodities available in wholesale quantities in order that the best results shall be obtained from sustenance expenditure. I think the time has arrived when the job has grown too big for private charitable organisations. Those organisations might have been all right 12 months ago, but it is time the Government seriously considered taking over the management of relief funds and ensured that they are expended in a proper manner.

MR. SAMPSON (Swan) [10.31]: In my opinion this Parliament cannot do very much to alleviate the difficult position that exists. Our difficulties are mostly due to Federation. It has been urged that the reduction of importations will have a good effect, but I take a different view. A reduction of importations must surely have a bad effect. Our desire should be to encourage inter-trading and do all we can to bring about reciprocity between this and other countries.

Mr. Kenneally: Cheap labour and cheap labourers? Is that your idea?

Mr. SAMPSON: The hon. member may think that that provides the solution but I have not said so.

Mr. Kenneally: Yes, you advocated the importation of cheap labourers.

Mr. SAMPSON: What is that quotation, "Home keeping youth hath ever homely wit"? The hon. member's knowledge should teach him that Australia's allegedly high standard of living is not higher than the standard in other countries. The mere receipt of a certain number of pounds sterling per week does not ensure to the recipient an improved standard of living.

Hon. P. Collier: Of course that is absurd. The hon. member knows that our standard has been higher than that of any country in Europe.

Mr. SAMPSON: There are other countries besides Europe.

Mr. Kenneally: He does not know.

Mr. SAMPSON: Those who have visited Europe know that the standard there compares favourably with that in many parts of Australia.

Hon. P. Collier: Only for the wealthy people.

Mr. SAMPSON: I do not agree with that.

Hon. P. Collier: Not for the masses.

Mr. SAMPSON: The hon. member has travelled through the State and he knows that the standard of living in many country centres is nothing to boast about.

Hon. P. Collier: Not just at the moment.

Mr. SAMPSON: It has become a platitude to say that the standard of living here is high.

Hon. P. Collier: It has been a truth.

Mr. SAMPSON: Let us hope it is. Our people labour under a great disability because of the high cost of living. It is not a matter of the people living high; the costs they have to meet are in excess of what should be necessary. That has been brought about largely, if not entirely, by Federation. The Commonwealth has adopted the policy of exceptionally high protection, and the result is that we are unable, except by the expenditure of more pounds than is necessary in other countries, to provide that reasonable measure of comfort which human beings throughout the world desire. I should like to refer to the efforts put forth by the United States of America. California, not many weeks ago, despatched a number of ambassadors to other countries to seek new markets for fruit, meat and other products, and I believe a considerable measure of success was obtained. We in Australia fail to do that. Even New Zealand has to depend for imports mainly upon California; yet it is comparatively close to Australia. Markets for fruit are being opened up by California in Java, Singapore, China and other far-eastern countries. California is focussing on this essential work so that her products may be distributed.

Hon. P. Collier: Why do not we open up markets in Java for our fruit?

Mr. SAMPSON: That is an obligation on the Government.

Hon. P. Collier: Why, we sent a whole shipload of people there a few years ago.

Mr. SAMPSON: I am unaware of the personnel of the shipload.

Hon. P. Collier: The present Minister for Railways was the leader of the party. About 80 ambassadors went from Western Australia to Java in the State ship "Kangaroo."

Mr. SAMPSON: I understood it was more of a health trip.

Hon. P. Collier: I did not hear of any trade following the visit.

Mr. SAMPSON: I did not hear of improved trade following the trip of the Leader of the Opposition to Java.

Hon. P. Collier: I did not go for that purpose.

Mr. SAMPSON: Perhaps the other party went with the same object as did the Leader of the Opposition.

Mr. Kenneally: They did not stop at Malta.

Mr. SAMPSON: They did not reach Malta.

The Minister for Lands: They could not very well do so.

Mr. SAMPSON: Malta affords a wonderful object lesson. That little island exports potatoes to the Old Country.

Mr. SPEAKER: We are not discussing Malta. I have given the hon. member considerable latitude. I ask him to adhere to the statement before the Chair.

Mr. SAMPSON: I am attempting to show that Australia does not take advantage of the opportunities that nature, climate, and situation give her.

Hon. P. Collier: Assuming that is so, to what do you attribute that fact, if it is a fact?

Mr. SAMPSON: Instead of the Commonwealth levying heavy duties and endeavouring to secure the salvation of the country through high protection, we should develop our natural industries and extend the markets for our primary products.

Hon. P. Collier: But America is a country of high protection.

Mr. SAMPSON: If my idea were adopted there would be a better feeling between this and other countries, and the products of other countries would be brought into Australia in exchange for ours. However, I must not deal with that matter at great length because I notice that you, Mr. Speaker, doubt the propriety of my proceeding along those lines.

Mr. Kenneally: The Speaker has no doubt on the point.

Mr. SAMPSON: Even if I could convert the member for East Perth to take a broader view, I would feel that the time had not been entirely lost. Our great difficulty is to retain our farmers on the land. We shall retain them on the land when we realise the difficulties with which they are confronted and when the Federal Parliament reviews

the high protective duties with which the primary producers are saddled. I am glad it is proposed to reduce interest charges. That, I consider, is a reasonable proposition. As regards the State Savings Bank, I have come to the conclusion that the increase of the interest rate was not justified. Let me pay a tribute to the Leader of the Opposition for the success that attended his efforts, while Premier, to secure a large amount of deposits for the State Savings Bank. Still, I consider that the payment of interest on amounts in excess of a certain sum was not justified. It appeared all right, but I do not think from the standpoint of returns, it was satisfactory to the State.

Hon. P. Collier: We were forced to do it because of the action of the Federal Government.

Mr. SAMPSON: I am aware of that. I hope when the secession matter is again dealt with, the Leader of the Opposition will remind me that we are always being assailed by the Federal Government, by Federal utilities and trading concerns operating against us. The question of the construction and maintenance of main roads alongside our railways has been referred to on many occasions, but it is like the voice of one crying in the wilderness. It must receive consideration.

Mr. SPEAKER: Does not the hon. member think that is outside the scope of the financial statement?

Mr. SAMPSON: Only if you, Sir, think it is. Our finance is bound up in these comparatively everyday matters. I leave it to those giants of finance, the Premier, the Deputy Premier, the Leader of the Opposition and the member for Geraldton, to discuss finance in all its intricacies. If we could handle production, approve the construction of railways only when circumstances justify them, force into use unutilised land, and cease constructing roads to the detriment of our railway service, perhaps the rest of what we desire would come to us.

Mr. Hegney: You will become a socialist if you go on like that.

Mr. SAMPSON: I am prepared to be socialistic regarding the railways so long as nothing unfair, tyrannical, or unreasonable is done in connection with our bus and taxi services.

Mr. Hegney: How are you to force land alongside the railways into cultivation?

Mr. SAMPSON: I am sure the hon. member would support any measure for closer settlement that would force such land into use. Are the words and writings of the late Mr. Morrison, who made his mark in the local literary world, to be wasted or are they to be acted upon? If they were acted upon, Western Australia would be the better for so doing. Unnecessary railways have been constructed. There is a suspicion that the Denmark-Nornalup railway was constructed without justification. Statements have been made that the motor truck service operating between those points is quite sufficient.

Mr. Wansbrough: Why pick on Denmark?

Mr. SAMPSON: Because it is an example of railways that have been built without justification.

Mr. Wansbrough: It was almost a compulsory railway.

Mr. SAMPSON: With regard to tramway construction I urge—

Mr. SPEAKER: Order! The hon. member is delivering an Address-in-reply speech. His remarks at the moment are outside the four corners of the subject matter of the debate. The Premier said it was his intention to make a financial statement showing what the Loan Council were doing to assist the financial position of Australia. It appears to me that the debate is drifting into a general discussion upon everything under the sun. I must ask the hon. member to confine his remarks to the statements made by the Premier, who was followed so ably by the Leader of the Opposition.

Mr. SAMPSON: In my opinion the Government would conserve the finances if they refrained from constructing new tram routes in districts where there is insufficient justification for them. Trams are becoming obsolete and some saving might be effected if that were recognised by the Government. An extension of the electricity supplies for power purposes would be truly reproductive, and lead to the creation of national wealth by those who used them. I hope the Government will, if finances permit, see the wisdom of extending electricity to those districts where primary production can be so much developed by using them.

Hon. P. Collier: You would not suggest any particular direction?

Mr. SAMPSON: It would not be wise to do so at this juncture. If we rely solely upon a policy of borrowing money, this country will not get very far. There has

been a frenzied desire in this direction on the part of many Governments. I hope that policy will soon be dropped. We must compete with other countries, and to do that must reduce our high protective policy. We must also be more self-reliant and be prepared to get along with less borrowed money. We must also reduce the cost of production. Some effort should be made to resist the policy of holding up land that would otherwise be used in the production of apples. Our apple industry would develop considerably if it were assisted in the right way. In Germany, Austria and other parts of Europe, our apples are well known. Unfortunately the Forests Department look with a jealous eye upon land which would be very suitable for apple growing. With the member for Nelson and others representing fruit-growing electorates I am very much discouraged. I should like to have said something about sustenance, but I am doubtful whether I can do so on this occasion. A policy which denies Government work to those not in receipt of sustenance must, I am sure, be giving the Minister controlling unemployment much concern. I have wondered whether it might not be worth while to consider the giving of Government work to those not in receipt of Government assistance, and I venture to suggest that if that were done it would have the effect of building up in those men an even greater spirit of self-reliance than they at present may possess. But the policy of declaring that only those who receive sustenance will receive Government work has the effect, in my opinion, of undermining what is best in the manhood of the State.

Mr. Wansbrough: The men want work.

Mr. SAMPSON: Yes, and I am most anxious that they should have work. But there is this other aspect, that also those who do not receive sustenance should receive consideration, because there are in this country men and women very anxious indeed to obtain work but unwilling to accept it at the price of what they regard as charity. In the early part of this session a resolution was carried agreeing that the State trading concerns should be sold.

Mr. Kenneally: No such thing.

Mr. SAMPSON: A resolution was carried making it possible for the Government to dispose of the State trading concerns. I venture to suggest that notwithstanding that

times are abnormal, an announcement by the Government that they are prepared to consider the purchase of any one or more of those concerns would be welcome.

Hon. P. Collier: What a time to sell, when there are no buyers for anything!

Mr. SAMPSON: One never knows.

Hon. P. Collier: Oh!

Mr. SAMPSON: It would show a readiness—

Hon. P. Collier: To sacrifice!

Mr. SAMPSON: —to do what Parliament has approved of.

On motion by Hon. S. W. Munsie, debate adjourned.

House adjourned at 10.54 p.m.

Legislative Assembly,

Thursday, 28th May, 1931.

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

QUESTION—UNEMPLOYMENT RELIEF.

Sustenance Payment Methods.

Mr. RAPHAEL asked the Minister for Railways: 1, Is it a fact that only one child of those over the age of 14 years of each unemployed family is allowed to draw rations? 2, Is there any other source from which these children can obtain sustenance?

3, Is it a fact that Greeks and Italians and other foreigners are being paid sustenance by the Government? 4, If so, can the Government define their attitude in refusing sustenance to Britishers although paying sustenance to foreigners?

The MINISTER FOR RAILWAYS replied: 1, Yes. 2, It is considered in large families the ration is sufficient to provide for such cases. 3, Yes; in accordance with accepted British practice so contrary to most foreign countries. 4, Sustenance is not refused to qualified persons.

QUESTION—HERDSMAN'S LAKE, HOUSING SCHEME.

Mr. RAPHAEL asked the Minister for Lands: 1, How many houses have been erected to date under the Government housing scheme at Herdsman's Lake? 2, What was the total cost of the houses? 3, From what source was money made available for the erection of the houses?

The MINISTER FOR LANDS replied: 1, Forty. 2, £10,220. 3, General Loan Fund.

QUESTION—LAND AND HOMES, LTD.

Mr. CORBOY asked the Chief Secretary: 1, Was an application from Land and Homes, Ltd., received for a license under the Land Agents Act? 2, Was any objection lodged to the issue of such license? 3, If so, by whom? 4, Was any such application, as a result of police objection, subsequently withdrawn?

The CHIEF SECRETARY replied: 1, (a) An application was received, and a license granted for 1928; (b) an application was received, and a license granted for 1929; (c) an application was received for 1930. 2, As regards (a) and (b), No. As regards (c), a notice of intention to oppose was lodged with the Clerk of Petty Sessions. 3, By the police. 4, After notification of the intended objection had been served, the applicants' solicitors withdrew the application and notified the Clerk of Petty Sessions that no license was necessary inasmuch as their clients sell their own land, do not act as agents, and consequently are not bound to hold a license.