

Consideration of Report.

THE MINISTER FOR LANDS (Hon. M. F. Troy—Mount Magnet) [4.36]: I move—

That the House take into consideration the report of the Royal Commission appointed to inquire into the operations of the Agricultural Bank.

On motion by Mr. Latham, debate adjourned.

House adjourned at 4.37 p.m.

Legislative Council,

Wednesday, 19th September, 1934.

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

QUESTION—FINANCIAL EMERGENCY TAX.

Hon. C. F. BAXTER asked the Chief Secretary: 1, What amounts have been assessed since 30th June, 1934, for financial emergency tax covering the period to the 30th June, 1933—(a) on individuals; (b) on companies? 2, What amount, is it estimated, has still to be assessed under the above headings for the same period?

The CHIEF SECRETARY replied: 1, (a), (b) £29,546. The amounts cannot be given separately under (a) and (b), as a dissection for that purpose is not made in the office. 2, Approximately £20,000.

MOTION—STATE TRANSPORT CO-ORDINATION ACT.

To Disallow Regulation.

Order of the Day read for the resumption of the debate from the previous day on the following motion by Hon. A. Thomson—

That Regulation No. 48, made under the State Transport Co-ordination Act, 1933, as published in the *Government Gazette* on 16th March, 1934, and laid on the Table of the House on 7th August, 1934, be and is hereby disallowed.

On motion by Hon. J. George, debate adjourned.

BILL—ROMAN CATHOLIC CHURCH PROPERTY ACT AMENDMENT.

Third Reading.

On motion by Hon. G. Fraser, Bill read a third time and passed.

BILL—FORESTS ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. W. J. MANN (South-West) [4.38]: If the forestry authorities are perfectly satisfied, as we understand they are, that the reforestation of sandalwood under existing conditions in this State is impracticable, it seems to me the proper course for the Government to take would be to introduce a Bill for the repeal of the whole of Section 2 of the Forests Act Amendment Act of 1924. That would put back the position to what it was previously, and there would be no necessity to bring down a re-enactment measure year after year. So far as I can gather, the forestry authorities have decided that they cannot profitably expend in sandalwood reforestation the amount that is provided in the original Act. If they are sincere in that, the bringing down of an annual measure is only prolonging the position without any good effect. The Bill before us has a retrospective force; it sets out to validate certain things that were done up to the 30th June of this year. To that there can be no objection, but it seems unnecessary to bring down a Bill year after year when final results could be obtained in another way. As for the utilising of funds for reforestation purposes, I join with Mr. Miles in calling attention to the fallacy of

using loan money to carry on the work and taking into Consolidated Revenue cash received month by month from royalties. It does not seem the right way to finance the work, and I think that practice should be remedied. The Chief Secretary yesterday made brief reference to reforestation and I understood him to say the work was keeping pace with the quantity of cutting that was going on; that is to say, that where a tree was being taken out another one was being planted. The Minister said that work was going on satisfactorily. But I hope the Chief Secretary has not been misinformed in this regard, for I know he would not wilfully mislead the House. However, that information which he gave is not in accord with information given me recently by men who are in the forests the whole of their time. I put that question definitely to a man in the industry in the South-West, and he said that only in one portion of the country was there any real regrowth taking place. I mention this because I do not wish it to go out that the position is satisfactory when it may not be so. I hope the Chief Secretary, in accordance with his admirable custom of following up reasonable questions put to him by members, will communicate with the Forests Department and get a little more information on this question of reforestation. If the department are representing the position as satisfactory merely for the sake of saying something pleasing, it should be remedied. I will support the Bill, but I think that when another year comes round the Government would be wise in taking the action I suggested in the first instance.

On motion by the Chief Secretary, debate adjourned.

BILL—ADMINISTRATION ACT (ESTATE AND SUCCESSION DUTIES) AMENDMENT.

Received from the Assembly and read a first time.

BILL—MORTGAGEES' RIGHTS RESTRICTION ACT CONTINUANCE.

Second Reading.

Debate resumed from previous day.

HON. H. V. PIESSE (South-East) [4.47]: I am pleased that this Bill has been brought down, and feel confident it will meet

with the support of every member. Although many instances have been quoted, and many letters have appeared in the Press, to the effect that it was time the Act was reviewed, as a member from the country I maintain that the position there has not altered sufficiently to warrant either amending or throwing out the Act. Mr. Parker suggested that the legislation could be amended so that the mortgagee might apply to the court concerning his mortgage. The Act could well be left as it is seeing that the mortgagor has many difficulties to contend with, and would not require to come under the Act if he was able to pay his interest readily. The onus that has to be carried should remain on the shoulders of the mortgagee. Mr. Mann expressed the opinion that the position in the town has altered compared with that in the country. I know of many cases of people in the country who, but for the Act, would have had to vacate their homes. We would be well advised to leave things as they are for the present, and I therefore give the Bill my entire support.

On motion by Hon. H. Seddon, debate adjourned.

BILL—REDUCTION OF RENTS ACT CONTINUANCE.

Second Reading.

Debate resumed from the previous day.

HON. A. THOMSON (South-East) [4.50]: I feel that this legislation must be carried on, but, in view of the present anomalous position in which many property owners find themselves, it seems to me the Act should be both reviewed and amended. At the moment we are not in a position to amend the Act, because this Bill merely continues the existing legislation. Members who listened to Mr. Cornell's remarks must realise that considerable hardship is being endured by owners of properties on the goldfields. The man who has stuck to the goldfields is the one who is being penalised, whilst those who have recently returned to that part of the State, on account of the renewed activity of the mining industry, are able to erect new premises and impose almost any conditions they like. Mr. Mann suggests that all these emergency Bills should be amended with a view to removing

the various anomalies that exist. In my district, where the depression has seriously affected numbers of business people, the Act does not apply. In several of the country towns the owners of premises would be glad to receive any rent at all for them. On the other hand there are premises the owners of which suffered considerable hardship through having to accept reduced rentals. The Act applies only to people who had leases prior to the time when it was passed. If all these Bills could be reviewed, many anomalies could be rectified. I commend the suggestion to the Minister in charge of this measure in the hope that something along the lines I have indicated may be done.

HON. R. G. MOORE (North-East) [4.55]: Mr. Nicholson yesterday referred to certain anomalies that existed on the goldfields. To a large extent that is the position. The Act applies to leases that were in existence prior to the passing of the Act, and also to those persons who had renewal rights extended to them. The Act does create anomalies. Generally speaking I have not much sympathy with the landlord on the goldfields. If ever there has been a prosperity boom for landlords in the history of Australia, it has occurred on the goldfields during the last three or four years. I should like to see the scope of the Act enlarged, so that people who have been and still are being victimised may have the right to approach a court and obtain relief.

Hon. A. Thomson: You want a rent-fixing court?

Hon. R. G. MOORE: I am not advocating low rentals, but fair rentals. Some years ago I moved a motion when a member of the Kalgoorlie Municipal Council that the Government should appoint a fair rents board on the goldfields to deal with this very question, but nothing came of it. It is very difficult to handle a matter of that sort. On general principles I am not in favour of interfering with private enterprise, but I think there is a limit to which people ought to be allowed to go. Although there are a few people on the goldfields who, having leases prior to the passing of the Act, have been penalised because they are not getting reasonable rentals, most tenants there are paying far more than they should be asked to pay. Some landlords have kept the rents down to a reasonable figure, but others have squeezed the last shilling out of their tenants.

taken advantage of the situation, and extracted exorbitant rentals. I should like to see the Act amended so that the portion relating to leases could be wiped out, and some means devised whereby tenants could approach the court and get a fair deal. No doubt this situation will work out its own salvation sooner or later, but in the meantime many people are suffering a great deal of anxiety and distress. Working men who were paying 15s. a week for their homes, amounting to approximately a day's wages, more than which no man should be asked to pay as rental, are now paying as much as 30s. and £2 a week.

Hon. A. Thomson: For the same type of house?

Hon. R. G. MOORE: Yes. A reasonable landlord might still be charging only 15s. a week, but the tenant next door may have to pay £2 a week. Some people cannot help doing that sort of thing, and we often have to be protected from our fellow men. It is difficult to arrive at what is a fair rental in all these cases. In many instances the rents are anything but fair. I was hauled over the coals for moving the motion I did when a member of the Kalgoorlie Municipal Council. I pointed out to one man that the procedure I suggested would not apply to any person who was charging only a fair rent, and would apply only to those who were charging extortionate rates. There should be some way to deal with the latter individual, and ensure that the tenant has a fair deal. If a man invests his money he should be able to get value for it, but not an extortionate return. The more houses that are erected on the goldfields the better will the position become, and the sooner will things right themselves. Meanwhile, however, the situation is very acute. I should like the Government to appoint a fair rents board for the goldfields so that residents there may have some tribunal to which they can apply in order to secure reasonable treatment. I support the Bill.

HON. C. F. BAXTER (East) [5.0]: Whilst I have a great deal of sympathy for those people who I know are in many instances paying exorbitant rents on the goldfields, I cannot see that a fair rents court, if it were established, could work on sound lines. I do not know of any place outside the goldfields where it can be said rents are exorbitant, and if we made the Act applicable to the goldfields only, where would it

end? Practically from one end of Western Australia to the other there are bright prospects in respect to goldmining, and so we should have to go much farther afield than Kalgoorlie.

Hon. R. G. Moore: Make it apply to the whole State.

Hon. C. F. BAXTER: Then we should be interfering with private enterprise to such an extent that the cure would be worse than the disease. We should be interfering with those possessing enough enterprise to build homes, and that interference would extend throughout the State instead of to one part of it only. The hon. member would find that if the legislation were made applicable to Kalgoorlie only, it would have the effect of arresting building operations there. No one would attempt to build because it would not be known what the court would do. Any builder would be running a tremendous risk. Such a proposal would frighten those people who had any idea of building homes. With the establishment of a fair rents court throughout the State, trouble would commence. I cannot see that there would be any hope of relief from such a tribunal.

Hon. J. Nicholson: The law of supply and demand will regulate the position.

Hon. C. F. BAXTER: Quite so. When the people of the State are satisfied that there is a semblance of permanency about the goldfields, then many will build homes. All they require is a fair return for the capital they invest; but it is highly dangerous to amend the law to provide a fair rents court. During the past 4½ years, Parliament has been very busy passing Acts of a most drastic nature. We have placed Acts on the statute-book which, in ordinary times, we would shudder to think about. All this, however, has been compulsory, and we are dealing with some of that legislation at the present time. If we are going to extend that legislation in the direction suggested by some speakers, the position will become worse.

HON. H. SEDDON (North-East) [5.4]: As has been pointed out, the Bill is one of those introduced as the result of the depression. It contains two main principles, the first dealing with the position of a tenant who, through unemployment finds himself unable to pay rent, and the second dealing with the position of the man who obtained a mortgage and who, for the same

reason, is unable to meet his obligations. The Bill was placed on the statute-book as a temporary measure, and the committee which investigated it set out that fact as the reason for recommending the placing of the Bill on the statute-book. It was felt that it would place a burden on the man who had invested his money in houses, a burden that should rightly have been carried by the community. That position still exists. In many cases people invested their life savings in houses that they intended to let, and from which they hoped to reap a certain income for their old age. What is the position of those people to-day?

Hon. J. George: Some of them are better off than old age pensioners.

Hon. H. SEDDON: I would be glad if the hon. member would point out those cases. There are instances where people are worse off, and, by reason of their possessing property, they are unable to receive assistance.

Hon. C. F. Baxter: Unfortunately there are many such cases.

Hon. H. SEDDON: The Bill has been carried on from year to year, and from the figures given by the Minister yesterday it is evident that the position is easier. We are all pleased to know that. Of those figures, it would be interesting to know how many of them are orders which were given by the court to the tenants, and how many are orders given for the relief of those persons who have undertaken mortgages.

The Honorary Minister: Are not you confusing this Bill with another?

Hon. H. SEDDON: I am discussing the Tenants, Purchasers and Mortgagors' Relief Act Amendment Bill.

The Honorary Minister: There is no connection between the Bill before the House and what you are discussing.

Hon. H. SEDDON: Then I am speaking on the wrong Bill. I have been concerned about the rents on the goldfields, and have brought the subject before the House on several occasions. Up to five years ago the position was that houses were going begging, and the question of rents did not enter into it at all. House property was sold at ridiculous prices, or the houses were demolished and erected elsewhere. After 1928, there was a change as the result of a cyclone which effected a drastic clean-up. Many dwellings were wiped out completely, and since then there has been, in Kalgoorlie, a shortage of houses. The law of supply

and demand operated, with the result that rents went up. Still, if any people suggested it might be desirable to invest money on the goldfields in building dwelling houses, one would have been met with the reply that he was mad. Soon after, the position became more and more acute until at the present time a good many people are building, though mostly for their own requirements. I know of very few people who are building houses with a view to letting them. Quite a number of places that were formerly occupied as offices and hotels are being converted into flats, and the owners are reaping a handsome profit. When it was suggested that the position might be relieved by the introduction of capital for the erection of dwellings, certain sources were tapped. People who had money lying idle were approached with a view to the construction of a number of residences. The Perth Building Society, which at that time had £50,000 lying idle, were invited to invest it on the goldfields, but the proposal was turned down as it was considered by that society that the investment would not be a safe one. A suggestion was also made to the Government that they might meet the position somewhat if only by erecting houses and renting them to Government employees. This, it was thought, could be done through the agency of the Workers' Homes Board, and it was considered that the scheme would have been a good one from the Government's point of view.

Hon. R. G. Moore: Where private enterprise could not succeed.

Hon. H. SEDDON: So far, however, nothing has been done. Still another suggestion was made that the Government should make advances through the Workers' Homes Board, and so enable the people on the goldfields to build their own homes and in that way escape the payment of heavy rents. I understand that certain proposals have been made to assist those people who suffered through the riots which took place in January last, but that is as far as the Government have gone. Those who are in a position to know are quite convinced there is sufficient life ahead of the gold mining industry to ensure reasonable interest on the capital that might be invested. As Mr. Moore has pointed out, rents have increased considerably, and there are scores of instances where two families are living in the one house and in that way helping each

other to pay the rent. The Government do not appear to be game to step in. I should like to hear a suggestion from any hon. member as to what might be done to relieve the pressure that exists in Kalgoorlie.

Hon. J. Nicholson: We cannot deal with that question on the Bill we are now discussing.

Hon. H. SEDDON: No, but the point has been raised, and I am dealing with the position as I know it. The position that exists in Kalgoorlie to-day is also being created in other goldfields towns. At Laverton, for instance, where the Lancefield Mine is operating, there is great want of accommodation. A number of the men there are living in camps and small cottages which have been provided for them. A similar position exists at Menzies, where many people are finding great difficulty in securing suitable habitations. This is going to be a serious problem, and it will have to be considered by the Government. I suggest to the Honorary Minister that he should bring the matter under the notice of his colleagues to see whether anything can be done through the Workers' Homes Board, or through some other agency. In my judgment that is the only way in which excessive rental charges can be effectively and permanently reduced.

Hon. T. Moore: You believe that when private enterprise will not do a certain thing, the Government should step in?

Hon. H. SEDDON: That has been done in the past, and it appears to me to offer a solution of this problem. If the hon. member has a better remedy to suggest, I am prepared to listen to it.

Hon. T. Moore: And then blame the Government if they fail.

Hon. H. SEDDON: Fail to meet the emergency? That would be a matter between the Government and their electors. I have explained the difficulty to members because it is serious. In other respects we have adopted the principle that when no one else will cater for a need, the Government should do it. I am of opinion that the time has arrived when the whole of our emergency legislation should be reviewed, in order to determine whether there is any need for its continuance, or whether it might be amended. I reserve to myself the right to decide what attitude I shall adopt towards this Bill.

On motion by the Honorary Minister, debate adjourned.

BILL—SUPREME COURT CRIMINAL SITTINGS AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. H. S. W. PARKER (Metropolitan-Suburban) [5.17]: The proposal in this Bill is a move in the right direction. Undoubtedly it is unreasonable that a person committed in December should have to wait until March for trial. As there is always a judge available at the courts in February, it would be a great convenience to those practising in the courts, and only fair to persons awaiting trial, that they should be arraigned without undue delay. There is a good reason why criminal sittings should not be held in January; the papers would not be ready. The Chief Secretary said there had been instances of undue delay. I doubt whether that has happened to any extent worth mentioning. During the 5½ years I was prosecuting, I cannot recall an instance of hardship caused through the Criminal Court not sitting in February. There was a murder case a couple of years ago, and the judge did sit in January. The judges have always been ready and willing to sit and indeed have sat during the vacation when so requested by the parties interested. It should be pointed out that in murder cases especially, time is required by the police to collect the necessary evidence for the inquest, and after the inquest various formalities have to be observed before the accused person can be brought to trial. Even if a person were committed in December and not brought to trial in February, it would not necessarily indicate undue delay. In the case referred to by the Chief Secretary the alleged murder was committed in December, and the woman was brought to trial on the 14th March. Actually, I believe, the trial was delayed until late in the month because the parties were not ready to proceed. People are often apt to conclude that delays are due to the courts, whereas other good and sufficient causes are responsible. Whenever the judges have been requested to sit during the vacation, they have done so, often when the parties concerned have been ready to proceed. The

measure commends itself to me and I trust that members will support it.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment and the report adopted.

House adjourned at 5.23 p.m.

Legislative Assembly,

Wednesday, 19th September, 1934.

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

BILL—ADMINISTRATION ACT (ESTATE AND SUCCESSION DUTIES) AMENDMENT.

Third Reading.

THE MINISTER FOR JUSTICE (Hon. J. C. Willcock—Geraldton) [4.32]: I move—

That the Bill be now read a third time.

MR. SAMPSON (Swan) [4.33]: I would appreciate a statement from the Minister regarding the amendment to Clause 69 dealing with legacies to certain public bodies. An amendment was passed to include the words "or any charitable or educational institution in Western Australia prescribed by the Governor." That amendment was passed after a long discussion as to the wisdom of giving