

On motion by Hon. H. S. W. Parker, clause consequentially amended by striking out paragraph (k).

Clause, as amended, put and passed.

Clauses 55 to 101—agreed to

Progress reported.

BILL—JUSTICES ACT AMENDMENT.

Second Reading.

HON. A. THOMSON (South-East) [9.58] in moving the second reading said: If members cast their minds back to last session, when we were dealing with an amendment of the Traffic Act, they will recall that I endeavoured to get an amendment inserted to obviate the extreme cost associated with the service of summonses when a citizen was charged with a slight misdemeanour. A man had driven his motor vehicle into Perth. The tail-light had been damaged on the journey and he discovered that it was proposed to forward the summons to his residence. As he lived 38 miles east of Katanning, members will appreciate that the cost of service would have been considerable, whereas the fine for the offence would have been little more than nominal, amounting to 9s. or 10s. After consultation, the member for Katanning drafted this Bill, which has passed another place, and has been sent here for our consideration. The proposal is to amend Section 56 of the Act to provide that a magistrate or clerk of petty sessions may, if the offence is not an indictable one and personal service might reasonably be dispensed with, allow service by post, to avoid undue expense. I trust the Bill will receive the favourable consideration of members, who will agree that while personal service is quite convenient in towns and in the metropolitan area, it is liable to impose a great hardship upon those who live a considerable distance in the country. Incidentally, I might mention it is time the Police Department gave some consideration to the present method of transport, as far as the country police officers are concerned. While I have no desire to eliminate the horse, the police have to travel over big distances to collect statistics, etc., and, as we know, the horse is a very slow means of locomotion. It would be much speedier and also much more economical if country police were equipped with motor cycles. I submit the Bill for the

favourable consideration of members, and move—

That the Bill be now read a second time.

On motion by Chief Secretary, debate adjourned.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [10.2]: I move—

That the House at its rising adjourn until Tuesday next.

Question put and passed.

House adjourned at 10.3 p.m.

Legislative Assembly.

Wednesday, 28th October, 1936.

	PAGE
Questions: Land settlement, deficiency	1428
Unemployment, relief workers' wages	1429
Wheat belt, drought effects, Parliamentary inspection	1429
Bills: Forests Act Amendment, 1R.	1429
Dividend Duties Act Amendment, 1R.	1429
Financial Emergency Act Amendment, 1R.	1429
Bunbury (Old Cemetery) Lands Re-vestment, 1R.	1429
Police, 1R.	1429
Trade Descriptions and False Advertisements, 3R.	1429
Distress for Rent Abolition, 2R.	1440
Betting Control, 2R.	1440
Agricultural Bank Amendment, 2R., withdrawal directed, dissent from ruling	1452
Rural Relief Fund Act Amendment, 2R.	1459
Pearling Crews Accident Assurance Fund, returned	1465
Motions: Youth employment, to inquire by board	1429
Traffic Act, to disallow trailer regulations	1439
East-West Railway, Perth-Kalgoorlie section	1451
Economic survey	1451

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

QUESTION—ABANDONED FARMS, LOSSES.

1, Mr. **DONEY** asked the Minister for Lands: What proportion, if any, of the interest, sinking fund, and exchange deficiency of £716,768 on Agricultural Bank, Soldiers' Land Settlement, Industries Assistance Board, and Group Settlement undertakings

for 1935-36 is represented by the loss for the same years on abandoned Agricultural Bank, Soldier Settlement, and Group farms?

The MINISTER FOR LANDS replied: £111,538.

QUESTION—UNEMPLOYMENT, RELIEF WORKERS' WAGES.

Mrs. CARDELL-OLIVER asked the Minister for Employment: 1, How many persons are employed by the Government at present, including those temporarily standing down, on unemployment relief works? 2, How many of such persons are in receipt of wages equal to or greater than the basic wage, after making proportionate allowances for their respective standing-down periods? 3, How many of such persons, after making similar allowances, are in receipt of sums—(a) less than the basic wage but more than £3 per week; (b) £3 a week or less, but more than £2 10s.; (c) £2 10s. a week or less, but more than £2?

The MINISTER FOR EMPLOYMENT replied: 1, 7,296 (6,075 married men and 1,221 single men). 2, 2,112. 3, (a) 1,268; (b) 1,982; (c) 713. These earnings do not include payments for margins for skill.

QUESTION—WHEAT BELT, DROUGHT EFFECTS.

Parliamentary Inspection.

Hon. P. D. FERGUSON asked the Premier: In view of the necessity for members of Parliament to become *au fait* with the conditions existing in the northern, north-eastern, and eastern wheat belt, will he make the necessary arrangements for those metropolitan and goldfields Parliamentarians desirous of making a comprehensive tour of these districts, to enable them to acquire first hand information relative to the disastrous effects of the drought conditions prevailing in the areas mentioned?

The PREMIER replied: The general position regarding the conditions in the affected areas is so well known to representative public men that it is not considered necessary to incur any expenditure in this direction.

BILLS (5)—FIRST READING.

- 1, Forests Act Amendment Continuance.
- 2, Dividend Duties Act Amendment.

Introduced by the Premier.

- 3, Financial Emergency Act Amendment.
- 4, Bunbury (Old Cemetery) Lands Revestment.

Introduced by the Minister for Lands.

- 5, Police.

Introduced by the Minister for Police.

BILL—TRADE DESCRIPTIONS AND FALSE ADVERTISEMENTS.

Read a third time and transmitted to the Council.

MOTION—YOUTH EMPLOYMENT.

To Inquire by Board

Debate resumed from the 30th September on the following motion by Mr. Lambert (Yilgarn-Coolgardie)—

That, in the opinion of this House, a Board (with statutory powers, if necessary) should be appointed to inquire into and investigate generally the question of employment of the male youth of the State, having regard to the social and economic conditions which are likely to result by their non-employment, and in view of the increasing number of young females engaged in clerical and other occupations which could be filled by males, and, further, with a view of rationalising employment on an equitable quota basis of all juvenile workers.

MISS HOLMAN (Forrest) [4.38]: The motion moved by the member for Yilgarn-Coolgardie is one with which I cannot altogether agree, and at the conclusion of my remarks I shall move an amendment, the object of which will be to enlarge the scope of the inquiry. In his motion the member for Yilgarn-Coolgardie asks for the appointment of a board to inquire into and investigate the question of employment of the youth of the State, but his proposal does not go far enough. The board should be appointed to inquire into the question of employment of the whole of the youth of the State, male and female. The member for Yilgarn-Coolgardie, during the course of his remarks, said that there was no suggestion in his motion that female labour should be displaced. He repeated that assertion on several occasions, but his later remarks showed that his statement was not quite in accord with his ideas regarding this problem. As a matter of fact I was disappointed when I read his speech to learn that he did not deal more fully with the question. He promised to touch upon the percentage of female and male stu-

dents at the University, and upon other matters as well, but he omitted to do so. In the course of his speech the hon. member stated—

It is not my wish that through any action that may be taken by the Government, female employment should necessarily be displaced.

He went on to say—

It must be obvious to those who have even in a superficial way considered the displacement of male youths from employment, particularly since the close of the War, how distressing a thing that is, and must recognise that the position must ultimately be met, and can only be met by legislation.

This, immediately after saying that he did not wish to displace female labour by means of legislation! The member for Yilgarn-Coolgardie went on further to say—

I think I had better address my remarks to those who have been affected by the displacement of the male youth of the country in many avenues of employment, where I think young men could be better employed.

I quote those remarks to show that the member for Yilgarn-Coolgardie really did intend to displace females, and his assertion that he had no such intention was not borne out by his later statements. The hon. member drew attention to the increasing propensity on the part of employers to employ female labour, and said that such employers took advantage of the War and made that their first excuse for the employment of female labour. He further stated—

... our youth will be walking around the streets without any work, while females are employed in lucrative positions that might well be occupied by males.

I may be forgiven if, after reading these statements, I cannot but believe that the hon. member's motion is intended to displace female labour. Where he joins me on my own ground is embodied in his references to equal pay and the exploitation of female labour. He indicated that he wanted the question of employment dealt with having regard to the social and economic conditions that were likely to result by the non-employment of the youth of the State. In fact he stated during the course of his speech that he referred to the social and economic position and the conditions regarding our youth employment. The member for Yilgarn-Coolgardie also made an attack on Miss Bromham which, I consider, was entirely unjustified. So far as I am aware she is not an officer of the Women's Service Guild, but is a very cultured and

well-educated woman who has travelled all over the world and knows a great deal about social questions. With regard to youth employment we have only to refer to the Commonwealth Year Book to find how serious is the problem. On page 552 of the Commonwealth Year Book No. 28 there is the following:—

Unemployment: The number of persons who stated they were wholly unemployed as at the 30th June, 1933, totalled 481,044, or 22 per cent. of the number of persons in the wage-earning group.

Of those unemployed 405,269 were males and 75,775 were females, representing a percentage of unemployment of 24.9 for males and 14.7 for females.

Mr. Seward: Are those the latest figures?

Miss HOLMAN: They are the latest given in the Commonwealth Year Book, No. 28. Corresponding percentages of unemployment from the 1921 census results were, males 10.5 per cent. and females 5.6 per cent. At the 1933 census there were 15,061 males and 7,710 females who were unemployed and under the age of 21 years. They stated they had never been in employment. The total number recorded as unemployed in 1933 was three times as great as the corresponding number in the 1921 census, and that was nearly three times as great as the figures in the 1911 census. I wish to direct the attention of members to the statement that 22,000 odd of those young men and women unemployed were under the age of 21 and had never been in employment.

Mr. North: Were they men and women?

Miss HOLMAN: They were youths—boys and girls. It is most urgent that there should be an inquiry held into the question of the employment of youths. It is a crying shame to think that there are so many young people in this land of ours who have not employment at present and who have never had any employment. The latest figures I could get from the West Australian Year Book, on page 29, also deals with the year 1933 and shows that 21,476 males and 3,991 females were unemployed, or a total of 25,467, excluding part-time relief or sustenance workers. There was an increase, over the 1921 period, of 16,396. The employment figures to-day, according to the figure based on 100 in 1929, are much better and are over 100, but we must remember that there are 5,000 or 6,000 girls and boys leaving school every year and for those

young people employment must be found. It is interesting to note the enrolments for technical education in Western Australia. They were 4,296, at business colleges—these figures are taken from the Commonwealth Year Book, page 296—in Western Australia, there was in 11 schools an enrolment of 2,487 males and 1,069 females. There, I would point out, the females were decidedly in the minority. I have not been able to make a very large investigation, but I took the trouble to communicate with one or two of the mill centres in order to find out how many boys and girls were on the mills and were employed or unemployed. I find that on the 16th September, 1936, at Mornington Mills five boys were employed and six girls were employed, whereas 24 boys and girls, including the children of forestry workers, were not employed. From Nanga Brook the return shows that 10 boys and five girls were employed while five boys and five girls were unemployed. At the No. 2 Railway mill, Dwellingup, I could not get complete figures, but there were 24 juniors employed in the timber industry, and two or more girls. However, I could not get the unemployment figures. At Holyoake there were four boys on full time and four boys on half time, while eight girls were employed, and two boys and five girls were unemployed. That was a very small investigation to make, but in those three mills there were 41 children, boys and girls, unemployed. So I say there is absolute necessity for a complete inquiry into the employment or unemployment of youths. Quite a number of people complain of the apprenticeship laws and say that if those laws were altered the employers would employ apprentices. However, I feel sure that if there were no apprenticeship laws, things would be worse than ever for our unemployed youth. I have no hesitation in saying that employers as a class are tending more and more every year to shirk their proper responsibility to continue the industry in which they are engaged. I have obtained a return from the Arbitration Court showing the number of apprentices employed on the 24th August last. These figures do not include apprentices registered on probation only and not indentured. The return is as follows:—

Baking	29
Do. (Country)	14
Do. (Eastern Goldfields)	5
Boilermaking	9

Bookbinding	3
Bootmaking	26
Do. (Bespoke)	9
Bricklaying	11
Butchering	47
Do. (Eastern Goldfields)	9
Do. (Geraldton)	1
Carpentry and Joinery	81
Do. (Eastern Goldfields)	7
Do. (South-West Land Division)	4
Clothing Trades	12
Coachbuilding	45
Do. (Country towns)	3
Coopering	2
Engineering	166
Do. (Eastern Goldfields)	41
Do. (South-West Land Division)	21
Do. (Collieries)	3
Do. (Midland Railway Co.)	5
Furniture	138
Hairdressing	36
Jewellery and Watchmaking	14
Lithography	1
Moulding	23
Do. (Eastern Goldfields)	4
Optical	1
Painting and Signwriting, etc.	39
Pastrycooking	10
Plastering	14
Plumbing	35
Do. (Eastern Goldfields)	3
Printing (Composing)	36
Do. (Letterpress Machining)	37
Do. (Newspaper Section)	10
Paper Ruling	2
Printing (Country towns)	15
Saddlery Trades	11
Sheet Metal Working	33
Shipwrighting	2
Stonemasonry	1
Tailoring (Order)	116
Timber Machining	12
Do. (South-West)	2

That gives a total of 1,148, and the total number of apprentices at the Midland Junction workshops was 308, and at railway outstations five, making nearly 1,500 apprentices employed. According to a number of statements, there is a shortage of skilled labour. But also some employers take advantage of the Federal awards, which give low wages, and employ fewer apprentices. I am informed that in the baking trade there would be room for further apprentices, but at present there is a good deal of dummying, and there is no encouragement for youth. There were 36 apprentices in this trade examined this year for their final certificate, and 15 were recommended. Five of those were kept on, 10 were put off—aged from 20 to 21 years—and five new apprentices were taken on. In the bootmaking trade, the figures for which I have read out, there would be room for quite a number of apprentices if the

people would but support local industry to the extent that they should do. My attention has been drawn to an article in the "Gropser" of the 3rd October, in which many incorrect statements about apprentices were made. For instance it was asserted that at the end of last year there were only 506 apprentices in the State. Well, I have already read out a list showing that there were 1,148 on the 24th August. Then the article declared that 162 were employed at the Midland Railway workshops, whereas the authentic figures are 308. The article declares that there were 12 painters, whereas there were 39; and it declares that there were nine plumbers, whereas there were 35. Speaking of the boot trade, this article talks about our boys becoming wood and water joeys for artisans from overseas, and states that in the bespoke bootmaking and repairing, for instance, those doing the best business are Greeks. The writer contends that it is no wonder that only two boys are apprenticed to this trade. That is not correct, because there are seven boys apprenticed and two others on probation. A letter that I have here states that there was a time when the repairing trade was booming, but owing to rubber soles and the large amount of rubbish put on the market the repairing has gone largely to the pack. Further, the writer says that in all the shops around Perth there are only two journeymen—foreigners—employed, and one of the foreign employers learnt the trade in Perth himself. I wanted to mention this article and this letter touching the bootmaking trade in order to show that the remedy for some of these things is in our own hands. Time was when the shopkeepers in this State would not show imported goods in their windows, but showed only local goods. This was the result of a great deal of work done by the women's economic council, and also by the Minister for Employment and the council he appointed. I ask the Minister to launch another big drive, because the shopkeepers are slipping back, and this has a prejudicial effect upon youth employment. A little while ago a thoroughly representative committee occupied several months inquiring into the question of the employment of youth. They submitted a report to the trustees of the Youth and Motherhood Appeal Fund. This committee comprised Hon. A. Clydesdale, Miss E. Hooton, Professor Cameron, Mr. P. J. Mooney, Mr. J. F. Lynch, and

Mr. A. J. McNeil. Professor Cameron is well known as Professor of Education. Miss Hooton is well known for her work amongst parents and citizens. Mr. Clydesdale is also well known for his work. Mr. Mooney submitted the Trades Hall and industrial unions' opinions. Mr. Lynch is head of the Technical College, and Mr. McNeil presented the opinions of the employers of labour. Mr. McNeil did not agree entirely with the report. He has agreed to the final report subject to a letter which he put in. Members will realise the defects of the position relating to youth employment if they will listen carefully to the report.

Mr. Thorn: Are you going to read it all?

Miss HOLMAN: The hon. member cannot stop me if I wish to do so. This report was sent to the chairman of the trustees of the Jubilee Appeal for Youth and Motherhood. It says—

Members of the special committee, while appreciating the honour conferred upon them, recognised at the outset the serious and difficult nature of their task. Their subsequent meetings ranged over several months, and the preparation required for these meetings indicated even more completely the complexity and multiplicity of the factors underlying their problems. The signatories to this report are of opinion that the problem of youth unemployment is, under our present economic system, insoluble. The present system cannot make provision for the employment of all normal people at a living wage.

Mr. Marshall: They cannot do it anyway; not at a shilling a day.

Miss HOLMAN: I agree with the hon. member, but I am reading this report, which continues—

The unemployment which necessarily accompanies this system when the trade cycle is at its lowest point affects most adversely those least able to bear it. Our work has been made exceedingly difficult by our inability to obtain reliable statistics. We have had to attempt to solve a problem without a full knowledge of the dimensions of the problem. We find that it is possible to obtain annually for this State the number of fruit trees, or of horses, or of pigs, or of sheep slaughtered; but it is not possible to obtain the numbers of unemployed youth, nor the more important facts about partial employment, health conditions, curtailed educational opportunities, nor facilities for recreation. To illustrate one aspect—it has been brought to our notice that youths have little difficulty in getting employment between the ages of 14 and 16, but that some lose their jobs at 16, others at 18, and others at 21. Precise information on these points was not obtainable, and no solution of the problem arising therefrom is possible until some agency is responsible for collecting such data.

Later on in this report it is recommended that a compulsory census of unemployed youths and unemployed adults up to the age of 25 years be taken. The points made in this report would be good ones for inquiry by a committee, as requested in the motion. Here is another recommendation—

Appointment of a permanent honorary citizens' committee. The problem is such a difficult one that we desire to recommend the appointment of a permanent honorary citizens' committee for the purpose of co-ordinating and possibly guiding all activities concerned with the work and leisure of youth. This committee would be responsible to the Minister for Employment, and might well control the expenditure of the money subscribed by citizens, to the Youth Appeal in those directions determined by the trustees.

The committee goes on to deal with various schemes, including the prospecting scheme, the farm employment scheme, and others, and recommends as a means of assisting in the employment of youth the raising of the school age. The report continues—

Our second point of reference, that of educational and vocational training, raises many important questions. (On the educational side there is the question of raising the school age). It is generally agreed now that on educational and psychological grounds schooling should last until at least the age of 15. Many would add a further reason; they believe that a world as mechanised as ours renders the employment of young adolescence unnecessary. Already the school age has been raised in certain parts of England. In U.S.A. the practice differs from State to State. Some school children leave at the age of 13, some at 17, and the majority at 16. The delay in raising the school age to 15 for all children, it is alleged is due to lack of funds. But this statement will not bear examination. The Federal surplus in Australia in recent years indicates that the Australian people can afford it. Consequently we wish to urge strongly that the school age should be raised at first to 15, and that legislation should be introduced raising correspondingly the age of entry to industry. It should in addition be compulsory for children to remain at school until they obtain jobs.

The report goes on to quote the objectives of the National Youth Administration of the United States. These objects are—

1. To find employment in private industry for unemployed youth. Work designed to accomplish this shall be set going in every State in order to work out with employers in industry, commerce, and business, ways and means of employing additional personnel from unemployed young people. 2. To train and re-train for industrial, technical and professional employment opportunities. 3. To provide for continuing attendance at high school and college.

4. To provide work relief upon projects designed to meet the needs of youth.

The report recommends that the training should not be restricted to technical institutions. It says—

Justice demands that subsidies should be available to unemployed young people of all intellectual levels, and should not be restricted to those whose interests and talents lead them towards occupations, preparation for which demands attendance at technical institutions.

The report further deals with the question of vocational training, and states—

There is urgent need for the establishment of a bureau of educational guidance. This, of course, is a matter for the Education Department. We feel, however, that this committee in its report to the trustees should stress the urgency of the matter.

It is interesting to read about the need for a compulsory census. The report states—

Three attempts have been made in this State to obtain on a small scale a census of unemployed youths. Although the technique was improved on each occasion, the last attempt was not entirely satisfactory. The only satisfactory method is that of having a compulsory census, a method which is now being adopted in certain States of the United States. Only thus could we get to know the dimensions of the problem we have to deal with. Some attempt could then be made to correlate the choices of occupation with the absorptive capacity of each occupation, and we should then know what provision to make for the necessary training.

The committee went on to deal with various occupational training courses, and also dealt with domestic science for girls. The recommendations that are put forward are very valuable. This is a recommendation of the committee:—

That domestic science training centres be established in Perth and in various country towns, and £5,000 be allocated for this purpose; that the centre be linked up with the labour market in such a way as to establish housework as a profession; that the scheme be limited to the training of unemployed girls who desire to secure employment as domestic workers or as nursemaids.

That a certificate be given to each candidate completing the course; that a special committee be appointed to handle the whole scheme, to co-operate with the Education Department in the teaching and placement in employment of the trainees.

The report goes on to deal with housework and to say why it is recommended as a profession. This brings me to another aspect of the employment of youth. To-day there is no protection whatever for girls who take up domestic work for a

living. There are no means of ensuring that they shall work decent hours, and no means of having any control over the conditions of their work or the payment they receive. Until this is brought about, and until more care is taken with the girls who are expected to take up domestic work, and until their status is raised so that they will be appreciated as they should be, so long will there be only a few girls willing to engage in this occupation.

Mr. Seward: Rubbish!

Miss HOLMAN: The recommendation of the committee that a domestic science college should be established is a very valuable one. In such a college, proper training could be given to the girls. A course could be laid down and diplomas issued. Employers could then apply to the college for girls to assist in housework. Those in charge of the college would be able to see that proper wages and conditions were given to the girls. If the girls had a diploma, naturally they would command more respect, and better appreciation of their services from the community at large. I am sorry the member for Yilgarn-Coolgardie (Mr. Lambert) went to such pains to mention females in this motion. It would have been better if the motion had applied in the first place solely to all unemployed youths. It is absolutely necessary that girls should have an opportunity to work. They claim that, and they have the right to command it as human beings. They live in this world. They are supposed to have equality with the other sex. They are given a vote, but are expected to be limited in the avenues in which they earn their living. I do not agree with some organisations which say that the whole of industry should be thrown open to girls and women without any restrictions or without any protective legislation. I am heartily in accord with protective legislation. Instead of having less protection for women in industry, we should give them more. I also feel that housework for girls should be made a profession, that they should be given decent wages and living conditions, and that whilst they do their work on the same footing as men, they should receive equal pay.

Mr. Seward: Can you indicate what you mean by decent wages?

Miss HOLMAN: Let us say—for the present, the same basic standard as the men receive.

Mr. Seward: For domestic service, what do men get?

Miss HOLMAN: I am not here to inquire into that.

Mr. Seward: But you have made a silly statement.

Mr. SPEAKER: Order!

Miss HOLMAN: I will try to outline the position. We will say that board and lodging are counted at 25s. per week, that the hours should not be more than eight per day, and that the basic wage is, as at present, £3 12s. per week. Therefore, if a girl is to receive the same wages as a man, her weekly pay, deducting the allowance for board and lodging, when provided, should be £2 7s. I was not dealing merely with the question of domestic workers when I said that men and women should receive equal wages. I was talking about all classes of employment. For instance, in this Parliament—although there are neither men nor women, as has been pointed out on several occasions—women are not penalised in point of salary. When entering the House they receive the same pay as men, and they do the same work as male members, or more; certainly not less.

Mr. Hegney: Nor more either.

Miss HOLMAN: A woman doctor can claim the same fees as a male doctor. A woman teacher does not receive the same salary as a man, but no one can say that she does not do similar work. That is why I object to the expression "Equal pay for equal work." I do not think it means exactly what we wish it to mean. I would say, "Equal pay for the sexes." Continuing with the question of women in work, I desire to quote from a book issued by the Victorian Technical Schools Exhibition of 1934. It says—

Every woman needs a skilled occupation developed to the degree of possible self-support. She needs it socially for a comprehending sympathy with the world's workers. She needs it intellectually for a constructive habit of mind which makes knowledge usable. She needs it ethically for a courageous willingness to do her share of the world's work. She needs it aesthetically for an understanding of harmony relationships as determining factors in conduct and work.

To my mind, the employment of women has now become inevitable. We should rather be talking about their conditions of work

and trying to make things better for them than endeavouring to put them out of industrial or professional life and send them back to their homes without any employment whatever. I do not know what advantage there is in raising the question of employment with regard to male youth only. I feel that it should be raised with regard to all youth. I feel that no excuse can be given for not doing so. Many complaints are made about the employment of women in industry to-day; but those who make those complaints forget that women always have had to work, that before there were factories they did the work in their homes, and that less than a hundred years ago it was not considered out of the way for women to have to work in mines. We know that the very first legislation dealing with the work of women in mines was passed less than a hundred years ago.

Mr. Patriek: They do it in Russia now, do they not?

Miss HOLMAN: I do not know about Russia. The employment of women in mines is becoming less in India and Japan owing to the International Labour Organisation. For instance, in Japan the number of women employed in mines has fallen from 36,000 in 1928 to less than 6,000 at the present day. But in Japan and even in India women are not out of the mines. In England women were employed in mines much less than a century ago. When employed in mines, although still considered to be the weaker sex, these frail women who could bear fifteen children and do all the housework had to toil under terrible conditions, had to take their children below, had to pull trucks along, and all that sort of thing. To day, however, women are to be driven out of industries in which they have obtained a footing.

Mr. Hegney: Women are emancipated now, but I would sooner see women in the home than see them pushing trucks.

Miss HOLMAN: So would I, and the pushing of trucks by women in coal mines has been eliminated by the work of various social organisations in England and in this country, too. However, that is only one part of the emancipation of women. The so-called emancipation under which women are suffering to-day is that they are given a vote and are told they have all the social and civic opportunities granted to men. If women are to be sent out of industry, what

is to be done with them? Machinery is taking their places to a great extent. All the home industries in which women used to engage have disappeared. The manufacture of various things by women in the home is no longer carried on. If girls are just to be put out of their jobs and sent to their homes, things will become worse than they have been up to date.

Mr. Sampson: We will not do that.

Miss HOLMAN: I have received numerous letters from domestic workers, who assure me that many improvements could be made in their working conditions. Here is an example—

I think that if the domestic workers had their wages increased and hours lessened, it would in a small way improve the State. Also, what time have we for recreation or hobbies that we have been taught at school to develop—half a day per week, or rather three hours? There are many domestic servants who work more than twelve hours per day for a very small wage.

The member for Pingelly (Mr. Seward) by interjection asked me what I meant by a decent wage. This country is far behind many other countries of the world in regard to the position of domestic workers. Australia is one of the countries which have not proper conditions for those workers. Elsewhere there are contracts describing hours, time for rest, meal times, free afternoons, and after one year's employment an annual holiday of 14 days, with full wages and an allowance for board. That is in Switzerland. In Austria the conditions laid down by the law are much the same. In Denmark, Iceland, Mexico, Germany, and Soviet Russia hours must be arranged so as to permit household workers to attend continuation classes. Further, in Germany and Russia they must be arranged so as to permit those workers to share in the communal life, and take part in youth activities and so forth.

Mr. North: Will you oppose the motion if you lose your amendment?

Miss HOLMAN: I will consider that. I am not anticipating that my amendment will be lost.

Members: Hear, hear!

Miss HOLMAN: It is interesting to learn that we who think ourselves such leaders in social progress, who consider ourselves the salt of the earth with regard to industrial conditions, are absolutely only a little full-stop at the end of the line, not even the last

letter, when conditions here are compared with conditions obtaining in other countries. Let me quote Bulgaria. There the Minister for the Interior and Public Health issued an order regulating the conditions of employment of household employees with special reference to young country girls seeking employment in the towns.

Under this order a public office for the supervision, placing, and education of household employees was to be opened by the competent authorities. The services of the office were to be free to the workers, but a fee was to be charged to employers. Under the order, all private servants' registry offices were to be closed down.

That was in Bulgaria in 1924, and here we are still suffering under some private registry offices. There is just one suggestion I wish to make with regard to household workers or employees—I dislike the term "servant." The Y.W.C.A. has conducted a wide investigation into the conditions of household employees, and they have drawn up a standard form of contract which I desire to read to the House—

(1) A written contract should be made embodying the conditions agreed upon at the time of engagement.

(2) Hours of actual work should not exceed ten a day or 60 a week. Two hours on call should be considered as equivalent to one hour of working time.

(3) Overtime should be compensated either by extra time off during the month, or by a money payment.

(4) Regular free time and annual holidays should be arranged for at the time of the engagement. Two afternoons or one whole day a week should be allowed. There should be an annual holiday of 14 days after one year's service. Full wages and an allowance for board, or else railway fare, should be given.

(5) There should be an uninterrupted rest period of at least nine hours at night, save in exceptional circumstances.

(6) Wages should be in accordance with the prevailing wage for the occupation as indicated by the local employment exchange, or in relation to the official minimum wage for the district.

(7) Living conditions should include sufficient and nourishing food, a well-ventilated private room where practicable, or in any case a separate bed if the room is shared with another employee; the use of a bath; and some facilities for entertaining friends. These provisions should be recognised by both sides as part of the wages paid.

(8) There should be a trial period of two weeks, after which the engagement becomes permanent. Where wages are paid weekly, at least one week's notice should be given by either side wishing to terminate the agreement. Where wages are paid monthly, one month's notice should be given.

(9) A written reference should be compulsory, giving such definite information as length of service and nature of duties. Remarks as to the quality of the work should only be added if desired by the employee.

(10) Where there is no State scheme, some form of accident and health insurance should be contracted, the cost to be shared by employer and employee.

Those are just some of the suggestions that the worldwide organisation have found it necessary to place before the people. I wish to point out to hon. members that girls are expected to quit factories where they stop work at 5 o'clock or half-past five, where they have the week-end from Saturday mid-day till Monday morning free. According to the motion girls will be expected to leave that form of employment and also office work, in order to make room for the males. They will be expected to accept domestic work, the conditions of which cannot be called by any means attractive. During the depression women in good positions, who could not have been pressed by want, actually endeavoured through advertisements in the newspapers and application to the unemployed girls' committee to get girls for just their board and lodging. You can find girls today working for 10s. or even as low as 7s. 6d. a week. I should say that part of the work of this committee or board, if it should be established, should be to bring in a recommendation that the wages and conditions of domestic workers should be improved and made attractive so that girls who feel they would like to do that particular kind of work should not be penalised for their desire. I wondered when I heard some of the remarks passed about women in industry where we were coming to. I feel that some of the members in this Chamber would like to take a little hint from Hitler and put women back where they consider they belong. I have here a quotation from an article by Professor Beard, formerly professor of chemistry at Columbia University. The article is entitled "Education under the Nazis," and the extract is as follows:—

As an inescapable corollary to the exaltation of force and the army is the condemnation of everything associated with the advancement of women in civilisation and the advancement of civilisation through feminine interests and activities. The supreme function of woman, Hitler asserts, is the function of bearing and rearing children—especially soldiers. Equality of opportunity for women in education, the professions, and in public life, cannot be endured in the man's state; it is a sign of de-

generation, of liberal urbanity. Women are to be taught "their place" by men, and kept there. As a result the number of women admitted to higher education has been drastically curtailed. Exclusion by law has not come yet, but the result is being achieved by administration. Women are the servants of men; men are the soldiers of the State; and Adolf Hitler is the State. This doctrine controls the formulation of curricula for the schools.

Mr. Sampson: Who said that?

Miss HOLMAN: Professor Beard, talking about Germany, and I think some of the members here would like to see us go that far, and put women right out of public life and work. I feel that I have said sufficient to put my case for a general inquiry. The question of the employment or unemployment of youth in our State is a very serious one, and it is not only a problem in the metropolitan area, but one which perhaps falls even more heavily on country districts. I have quoted some of the numbers of unemployed youths in my own electorate. Those children have very few opportunities. In the first place they have not the opportunity for technical education which exists in the metropolitan area. In the second place they generally have one teacher teaching a whole school, or a teacher perhaps with one or two assistants according to the number of pupils. Each teacher so placed has so many classes and the children are dependent on the kindness of the teacher to do extra work in order to take them to the higher grades. There is little opening for boys, except in the timber industry, and less for the girls for whom there is only the mill boarding house or a position with somebody who might want an assistant of some sort. I know there are numbers of unemployed children in the metropolitan area, but the disability falls more heavily on the country youths than on those of the town. I consider that some special attention should be given to that, if there is an inquiry. Country children should be provided for, especially if they wish to come to town to study. There should be some system of hostels with proper supervision. If they wish to come to town to work there should still be hostels under supervision, while the children are on the very small wages which youths invariably receive. The question of youth unemployment is very serious. It is not a question of a few here and a few there. There are five or six thousand children leaving school every year looking for work. The fact that it is impossible to get a proper

census of unemployed youth does not make the problem any the less. The unemployed youths are there, and I am sure that if the Government should appoint a board to make a general inquiry the results could not be anything but good. I move an amendment—

That the word "male" in line 5 be struck out.

MR. SAMPSON (Swan—on amendment) [5.38]: I support the amendment. I appreciate the fact that the problem faced by the youths of the State is also the problem faced by girls. The problem is a very old one and a very difficult one to solve. I think that in discussing this I will be in order in dealing with apprenticeship generally.

Mr. SPEAKER: You will not. The amendment is to strike out the word "male."

Mr. SAMPSON: Then I will support the amendment moved by the member for Forrest, and at a later stage dilate in a more comprehensive way on apprenticeship.

MRS. CARDELL-OLIVER (Subiaco—on amendment) [5.39]: The amendment seems to me to be a direct negative to the motion. The point of the inquiry would be lost if the amendment were carried. I wish to see an inquiry take place. If the motion is carried it will do what the mover wishes, and that is to ascertain whether girls are taking men's jobs. I consider that that is the point of the motion. Are girls taking men's jobs or boys' jobs? Some interesting matter has been brought forward in this connection. If the amendment carried yesterday, relating to equal pay for equal work, becomes law, I feel that the spice will be taken out of even the proposed inquiry. I support the inquiry. As I said when speaking to the motion three remedies lie in the innovations of—

Mr. SPEAKER: Order! The honourable member can only speak to the amendment for the deletion of the word "male."

Mrs. CARDELL-OLIVER: I am doing that. I was saying that the proposed inquiry would accomplish a good purpose if three innovations were made as a result: firstly, the training of youths; secondly, equal pay for equal work and thirdly, careers for married women. The member for Forrest said that during the depression girls were forced to take—

Mr. SPEAKER: Order! I cannot allow the member for Subiaco to reply to the member for Forrest on an amendment to delete the one word "male."

Mrs. CARDELL-OLIVER: Well, I am against the amendment, because I think it is the direct antithesis of the motion.

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

Ayes	21
Noes	17

Majority for .. .	4
-------------------	---

AYES.

Mr. Coverley	Mr. Nulsen
Mr. Cross	Mr. Rodoreda
Mr. Doust	Mr. Sampson
Mr. Fox	Mr. Sleeman
Mr. Hawke	Mr. F. C. L. Smith
Mr. Heguey	Mr. Styants
Miss Holman	Mr. Tonkin
Mr. Johnson	Mr. Troy
Mr. Marshall	Mr. Wise
Mr. Millington	Mr. Wilson
Mr. Needham	

(Teller.)

NOES.

Mr. Boyle	Mr. North
Mr. Brockman	Mr. Patrick
Mrs. Cardell-Oliver	Mr. Shearn
Mr. Ferguson	Mr. Thorn
Mr. Hill	Mr. Warner
Mr. Lambert	Mr. Watts
Mr. Latham	Mr. Welsh
Mr. Mann	Mr. Seward
Mr. McLarty	

(Teller.)

Amendment thus passed.

MISS HOLMAN (Forrest) [5.48]: I move an amendment—

That all the words after "non-employment" be struck out.

I should like to reply to the remarks of the member for Subiaco. The object of the amendment is to give the board wider scope than the motion would permit. If the motion were carried and the Government gave effect to it, only one particular point could be dealt with, whereas my further amendment would give the board ample scope to deal with every phase of youth employment. The board should be empowered to inquire not only into the question whether girls are displacing men, but into every phase of youth employment that could be elucidated. We want to know how to get a census of the unemployed youth, how to arrange for further education, what opportunities for employment exist, and all such matters, in addition to the question whether girls are taking men's jobs.

MR. LAMBERT (Yilgarn-Coolgardie—on amendment) [5.50]: I oppose the amendment. I cannot understand why the member for Forrest presupposes that anything contained in the motion would restrict an inquiry into this all-important question. I pay tribute to her eloquent and informative speech on youth employment, which no doubt was a very useful contribution to the debate.

Mr. Thorn: Who made that useful speech?

Mr. LAMBERT: Not the hon. member.

Mr. SPEAKER: Neither has anything to do with the amendment.

Mr. LAMBERT: I suggest to the member for Forrest that the amendment is unnecessary. My desire is to have the matter inquired into regardless of the aspect of male or female unemployment. I shall not waste words by quoting world authorities on the matter.

Miss Holman: I thought there would be a sting in the tail of your compliment.

Mr. LAMBERT: I assure the hon. member there is none. Rather would it be my desire to amplify the compliment I have so justly paid her. Youth unemployment prevails in every country; it is brought home to us in almost every walk of life. Industry has been mechanised to an intensified degree. We have a great system of chain stores absorbing a large amount of female labour which, I think, could find more suitable scope for usefulness. In New Zealand an inquiry was held into the influence of the establishment of chain stores and a similar inquiry is being sought in the Federal sphere. I understand that 13,000 odd employees find work in the chain stores of G. J. Coles & Co. Ltd. The managing director of that concern drew £63,000 by way of director's fees for each of the years 1934-35 and 1935-36, representing 8½ per cent. of the paid-up capital of the company.

Mr. SPEAKER: I presume the hon. member intends to couple his remarks with the amendment.

Mr. LAMBERT: They have a definite bearing on the amendment.

Mr. SPEAKER: I have not been able to see it.

Mr. LAMBERT: The member for Forrest has gone far enough by securing the elimination of one word, but needlessly to amend the motion further would serve no useful

purpose. The Government should arrange for an inquiry into this all-absorbing question. Only sheer political cowardice would cause them to shelve it. To ask people to believe that youth unemployment does not exist is mere hypocrisy. To arrange an inquiry is a duty incumbent upon a Labour Government, and the sooner they tackle the job, the better. Even if we had a committee sitting permanently to deal with the matter of proportioning employment, the few thousand pounds of cost entailed would be money well spent. The broad outline of the problem confronting this State is set out in the motion. If the Government receive a clear direction from the House, they should act and should not stand idly by with their hands in their pockets—

Mr. SPEAKER: The hon. member is distinctly out of order now.

Mr. LAMBERT: If the amendment be carried, the motion will be shorn of the direction it contains to the Government. I want to give the Government a clear direction so that an inquiry may be held that will be at once broad and fruitful of results.

Miss Holman: That would be the effect of my amendment.

Mr. LAMBERT: I regret to have to fall out with a lady. However, ours is only a technical falling out that will not extend beyond the duration of my speech. I hope that Miss Holman—

Mr. SPEAKER: The hon. member is again out of order by referring to an hon. member by name.

Mr. LAMBERT: I hope that the member for Forrest will not press the amendment, but that the motion as already amended will be passed.

MR. NORTH (Claremont—on amendment) [5.58]: I support the remarks of the member for Yilgarn-Coolgardie. It seems to me that the member for Forrest has achieved her objective. She has secured an amendment making the motion cover the whole of youth. Now, however, she would include such cases as that we read of in the Press—a gentleman of 70 who had to get his son out of bed at 4 a.m. to help him across the street to his job, and the son did no work at all. Many people question whether women are displacing men or preventing them from getting employment. The motion, as already amended, certainly embraces the youth problem as well as

social and economic conditions, and surely is wide enough for anybody. Then there is a general direction to the Government to include the piquant question whether women are displacing men, including the obvious deduction from that situation which, in 20 years time, will bring Australia to a dead halt because its population will be declining. Therefore I have much pleasure in supporting the remarks of the member for Yilgarn-Coolgardie, and opposing the amendment.

Amendment put and passed.

MR. SAMPSON (Swan) [6.1]: I move—
That the debate be adjourned.

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

Ayes	..	..	..	..	15
Noes	..	..	..	..	24

Majority against .. 9

AYES.

Mr. Boyle	Mr. Patrick
Mr. Brockman	Mr. Sampson
Mr. Ferguson	Mr. Thorn
Mr. Fox	Mr. Warner
Mr. Latham	Mr. Watts
Mr. Mann	Mr. Welsh
Mr. McLarty	Mr. Seward
Mr. Nulsen	

(Teller.)

NOES.

Mrs. Cardell-Oliver	Mr. Needham
Mr. Coverley	Mr. North
Mr. Croes	Mr. Rodoreda
Mr. Doust	Mr. Shearo
Mr. Hawke	Mr. Sleeman
Mr. Heguey	Mr. F. C. L. Smith
Mr. Hill	Mr. Styant
Miss Holman	Mr. Tonkitt
Mr. Johnson	Mr. Troy
Mr. Lambert	Mr. Willcock
Mr. Marshall	Mr. Wise
Mr. Millington	Mr. Wilson

(Teller.)

Motion thus negatived.

MR. THORN (Toodyay) [6.5]: I move—
That the House do now divide.

Motion put and passed.

Question, as amended, put and negatived.

MOTION—TRAFFIC ACT.

To Disallow Trailer Regulations.

Debate resumed from the 30th September, on the following motion moved by Mr. Watts (Katanning), as amended on motion by Mr. Doney (Williams-Narrogin):—

That the new regulations to be numbered 41 and 46 of the Traffic Regulations, 1936, as published in the "Government Gazette" of the 26th August, 1936, and laid upon the Table

of the House on the 8th September, 1936, be and are hereby disallowed.

MR. WATTS (Kataunung—in reply) [6.8]: When the Minister was speaking on this motion a few sittings ago, he made the suggestion that trailers of a capacity not exceeding 25 cwt. should be excluded from the provisions of the regulations, and that, he considered, would be satisfactory. He further stated that it had been arranged that the traffic authorities in the metropolitan area should not enforce the regulation against the light trailers used for camping and other such purposes. I do not know of what value the second portion of this observation is, but it seems to me that if a regulation is made it should be enforced.

The Minister for Works: I did not say it would not be observed.

Mr. WATTS: The Minister said there was no need to worry about the regulation in regard to the smaller trailers. If a regulation is made, I repeat, it should be enforced against every trailer, or else satisfactorily amended; otherwise, what in the name of fortune is the use of introducing a regulation? Because the regulation proposes that brakes should be attached to every trailer is the main reason why I moved for its disallowance. With regard to the possibility of trailers not exceeding 25 cwt. being excluded from the terms of the regulation, that to my mind is not satisfactory. The type of trailer used in country districts very often weighs considerably more than that, because the load on it is possibly a trifle more than a ton—something like 14 bags of wheat—and in consequence, with the added weight of the trailer, the figure would exceed the 25 cwt. Moreover, the regulation is only required where there are very heavy loads of five tons and upwards being carried; and I submit that to amend the regulations so that they shall not apply to trailers of 25 cwt. is not satisfactory. If the regulations are disallowed and the Minister is prepared to bring down a new regulation of a reasonable character that will apply to trailers licensed in the metropolitan area, and exclude the North-West division of the State as well as making allowance for trailers in the agricultural districts—say, two tons laden—I am prepared to undertake that I will not submit a motion for the disallowance of such regulations. In the circumstances, regarding the regulation we are

now discussing, the only alternative in the interests of the people concerned, and in order to obviate in many instances unnecessary expenses which will be incurred, is to press the motion for disallowance. I repeat that I hope a new regulation will be brought down which will give effect to the desires of the department as well as give reasonable protection to those vehicles that are used outside the metropolitan area.

Question, as amended, put and passed.

BILL—DISTRESS FOR RENT ABOLITION.

Second Reading.

MR. CROSS (Canning) [6.12] in moving the second reading said: The law of distress is one of the most important parts of the law which deals with landlord and tenant. It enables the landlord, without legal process, to secure payment of rent by selling goods and chattels found on premises in respect of which the rent or other obligation may be due. Actually this remedy came into existence so early that we have no authentic record of its origin. It has been described as a creature of the common law, and definitely it has existed since the time of the Norman conquest. It could be said that distress is one of the most ancient remedies for the recovery of rent; it appears to have come down from feudal times, and to have been substituted for the forfeiture of the tenant's estate. One historian has recorded that after the conquest by William the Conqueror, some very drastic changes took place. The whole of the land in the Kingdom of England was confiscated by the Crown, and the Conqueror then made gifts of the land and property to certain of his followers in return for services rendered.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. CROSS: Before the dinner adjournment I was explaining that, after the Norman Conquest, the whole of the land throughout the English Kingdom was vested in the Crown, and all the great landed estates were granted as fiefs by the Sovereign, and the holders were obliged to render military service proportionate to the extent and population of their holdings.

Mr. Thorn: Why can you not be more modern?

Mr. Raphael: Just you wait an hour or two!

Mr. CROSS: The great vassals were usually endowed with civil and criminal jurisdiction over the inhabitants of their lands, and altogether were more in the position of subordinate rulers than of mere landlords, in the modern accepted sense of the term. They were given power to charge their tenants rent, and when the tenants did not pay their rent, the landholders were empowered to seize the cattle, goods and chattels of the delinquents and impound them in another place until the rent was paid.

Mr. Brockman: Why, that is worse than the Agricultural Bank Act!

Mr. CROSS: As the landlords had semi-military powers, the unfortunate tenants were helpless. Although the right to distrain has a common law origin, it was subject at common law to many exceptions. It has since undergone many statutory alterations and has been extended by additional statutory powers. The exceptions and additions are so many that scarcely an absolute statement can be made in regard to the law of distress as affecting landlord and tenant. The law of distress, as it stood before the statutory alterations, was probably simple and easy of application, but to-day, by reason of those statutory alterations, it demands more knowledge of the law and various branches of the law than any other common law authority that is as frequently exercised. As a matter of fact, it requires a full knowledge of the laws relating to trespass, to fixtures, and to property in goods. It requires a full knowledge of the law of specific performance and of execution and fraud.

Hon. C. G. Latham: There is such a thing as killing your own Bill by stonewalling it.

Mr. CROSS: Last, but not least, it requires a full knowledge of the obligations arising out of the sale of goods distrained. Originally, and until the passing of a law in the reign of William and Mary, distress was not so much a remedy as a means of securing one.

Mr. Thorn: You have no right to call them "William and Mary."

Mr. CROSS: In those days they would not have given the hon. member the right to do anything.

Mr. Thorn: Your reference was altogether too familiar.

Mr. Marshall: At any rate, it was better than referring to them as "Bill and his old girl"!

Mr. CROSS: Up to that time the law was regarded as a remedy for the redress of injury or satisfaction of a demand, which consisted of taking, without any legal process, the goods and chattels of the defaulter, and impounding them until the rent was paid.

Hon. C. G. Latham: Who released the goods after the impounding?

Mr. Thorn: The poundkeeper, of course!

Mr. CROSS: That is probably the reason why tenants' fixtures and the flesh of animals, freshly slaughtered, could not, and even to-day cannot be distrained upon. The right to sell distress was first given in the reign of the two people I have referred to, and in respect of which the member for Toodyay objected to my reference.

Mr. Thorn: I said you should address them properly.

Mr. CROSS: That was in 1689. I want to draw attention to the fact that that followed almost immediately the time of a great depression in England. The country had experienced the Great Plague and also the Fire of London. By that time the city landlords had become a power in the land. Prior to 1689, the landlords only possessed the power to seize goods, and had to impound them in another place within a reasonable distance. History records that one landlord had impounded such a large quantity of property belonging to hundreds of these unfortunate tenants that he was unable to find any more space where he could store further property. In consequence, he started an agitation to procure the right to sell such goods. The position was that his tenants could not pay their rents and this particular landlord had an enormous quantity of goods impounded and could not sell them. As a result, in 1689 legislation was introduced.

Mr. Thorn: Anyhow, we all know our history, so why do you not deal with the Bill?

Mr. Wilson: You just listen!

Mr. CROSS: What the member for Toodyay knows would not fill as many volumes as I have in front of me, but what he does not know would fill a library.

Mr. Thorn: That is quite original!

Mr. CROSS: The Title of the Bill that was introduced in 1689 was a long one and explained the reason why it was introduced. The Title set out that it was "a Bill for an Act to enable the sale of goods distrained for rent in case the rent could not be paid in a reasonable time." Subsequent alterations have further affected the law. In fact, there have been a great number of alterations to the law relating to distress, and they commenced with the Statute of Marlborough, which was passed in 1267.

Mr. Thorn: Why do you not quote from the Domesday Book?

Mr. CROSS: There is plenty of authority to determine when the Statute of Marlborough was introduced.

Mr. Hegney: Was that affected by the signing of Magna Charta?

Mr. CROSS: We are still governed by the Statute of Marlborough in regard to the law of distress.

Hon. C. G. Latham: It must have been a good law to remain operative all that time.

Mr. CROSS: That law was enacted during the reign of Henry III. and, incidentally, it was one of the first laws ever carried in England. Even in those days it was found necessary to curb the aspirations of the bailiffs and barons. I propose to read some extracts from the Statute of Marlborough.

Mr. Thorn: Yes, do; it will help you considerably with your speech.

Mr. CROSS: I want to show that even in those days it became necessary to curb the powers of the rapacious barons and landlords. The Statute sets out—

In the year of grace, one thousand two hundred sixty-seven, the two and fiftieth year of the reign of King Henry—

The Statute sets out particulars regarding his pedigree, but I do not propose to read all that, but I shall quote from the body of the Bill.

Hon. C. G. Latham: What about the preamble?

Mr. SPEAKER: Order!

Mr. CROSS: The Statute includes the following:—

Whereas at the time of a commotion late stirred up within this realm, and also sithence—

Members: What does "sithence" mean?

Mr. CROSS: I do not want members to ask the meaning of some of these words that were contained in the ancient English

statutes, because they were in use until the fourteenth and fifteenth centuries.

Mr. Thorn: You have no right to speak about things you do not understand.

Mr. CROSS: There is no record of many of these words in the very old English dictionary I have looked through, and probably no one can explain the meaning of the words in that statute, although that law still applies in this State.

Hon. C. G. Latham: You have no right to bring that in and modernise "Hansard."

Mr. Marshall: He has a right to modernise anything.

Mr. CROSS: The Statute reads:—

... many great men, and divers other (refusing to be justified, by the King and his court, like as they ought and were wont in time of the King's noble progenitors, and also in his time; but took great revenges and distresses of their neighbours and of other until they had amends and fines at their own pleasure; some of these distresses could not be justified.

It goes on to threaten dire penalties to those men that would proceed without the authority of the King or his officers to do this. On page 8 of the statute it is written—

Moreover distress shall be reasonable and not too great, and he that taketh great and unreasonable distresses shall be grievously amerced for the excess of such distresses.

Prior to 1689 the landlord could not sell the goods and, as members can understand, the tenants who had their goods and chattels seized were put to an enormous inconvenience. One of the reasons put up for that Act of 1689 was that the landlords under the new law would be able to extend further consideration to the tenants. But after the passing of that Act the landlords adopted different tactics. The landlords or their bailiffs entered upon premises, dwelling houses, from which they intended to distrain, and instead of removing the goods they pretended to be more considerate to their victims. So they took an inventory of the goods on the premises from which they desired to distrain, and handed a copy of the inventory to the tenant, and then placed a man in possession. The bailiff remained in possession for the five days which had to elapse before the goods were sold, failing the payment of the rent. A very similar practice obtains to-day, except that the landlords pretend to be even more considerate. But this is only a pretence, and I desire if possible to unmask this cruel pretence. I

might point out that these old English statutes were adopted by this State very early in the history of the State, and they were adopted with amendments. In the reign of George III., in 1817, statute No. 6 of George III., page 155, shows that for a bailiff levying distress the fee was fixed at 3s., and the man in possession had a fee of 2s. 6d., and for all other expenses, including advertisements the fee was 10s. When, on the 7th December, 1888, this State adopted the English statutes regarding the law of distress, our Parliament fixed a scale of fees. And because frequently today bailiffs charge considerably higher than they are permitted to do, I propose to read that scale of charges to the Chamber. For levying distress there was allowed 3s., and for the man in possession per day, 6s., and for all expenses of advertising, if any, not exceeding catalogues, sales and commission, 10s. When the bailiff's fee for being in possession was fixed by our Parliament at 6s. a day the average rate of wage in Western Australia was less than 6s. per day, but today the average rate of wage in this State is over 12s. a day. So it is obvious that it would be a very unprofitable pastime for a bailiff to remain in possession for 24 hours a day for a fee of 6s. per day. Therefore, pretending to be more considerate to his unfortunate victim, the bailiff is actually seeking to avoid remaining in possession for the low fee for his unsavoury job. To avoid this, a practice has developed whereby the bailiff in almost every instance seeks to appoint either the tenant or his wife to be his or her own bailiff as the agent for the bailiff. Because of prevailing interest in the community, I propose to remind members of the extraordinary powers possessed by the bailiffs and the landlords even at the present time under antiquated and out-of-date statutes. There is very little room for argument in regard to a tenancy, because a tenancy at a fixed rental can be implied from very slight circumstances. It is true that certain conditions must exist. The rent must be payable at a certain time, otherwise recourse cannot be had to distress to recover it. But when that condition is fulfilled, it makes no difference whether the rent be payable at the end of a specific term or whether it is payable in advance. That does not destroy the landlord's right. It may be stated generally that when rent is in arrear nothing, except actual payment or its equivalent, can take away the land-

lord's right. The mere acceptance of a security, such as a promissory note, or of interest on the rent, does not take away the landlord's right. Again, if the rent is tendered it must be of the correct amount due, and it must be tendered to the right person, that is to say either to the bailiff or to the landlord. I noticed in the Press last week-end that the secretary of the Carlisle branch of the R.S.L. had sought to redeem certain rent by offering a couple of pounds to the landlord. But because he did not tender the correct amount, that offer did not take away the landlord's right. Further, when an attempt is made to distrain, the amount must be paid either to the landlord or to the bailiff, not to any agents. Generally speaking, any rent reserved in arrears can be distrained for by distress, and the goods and chattels can be distrained without any previous demand. Let me give an illustration of the suddenness with which this process can be put into effect. We will assume that payment for rent falls due on a Monday. Unless it is paid in full the landlord can instruct a bailiff to distrain one minute after sunrise on the Tuesday, without any warning, without any previous demand, and without any legal process.

The Minister for Employment: You have silenced the member for Toodyay.

Mr. CROSS: There is only one bright side to this: The bailiff can distrain only between sunrise and sunset, and cannot distrain on a Sunday at all. Quite a number of people have the idea that a bailiff can break into premises and distrain. That is not true. A distraint on any premises can be made only by a legal entry into the premises. The bailiff must not break down the outer doors, but if the door is locked and the key left on the outside of the lock, he can turn the key and walk in.

Hon. P. D. Ferguson: What if he used a duplicate key?

Mr. CROSS: He would be breaking the law.

Hon. P. D. Ferguson: No, he would not. You do not know the law.

Mr. CROSS: The bailiff can climb through a window—

Hon. P. D. Ferguson: It depends upon how big the window is.

Mr. CROSS: —but must not open the catch. The usual practice of bailiffs is to go on to premises in the same way that

tradesmen do. They knock at the door, and if the door is answered by the lady of the house they will place one foot inside it. After that they can do anything. What they usually do is to take an inventory of the goods to be distrained, and then seek by persuasion or threats, usually by threats, to obtain the signature of the lady of the house to become her own bailiff, as his agent. When he obtains that signature she becomes responsible for the safety of the goods distrained for the five days which must pass before they can be sold, or until the rent is paid. The time for impounding the goods before sale can be extended from five to 15 days on the written request of the tenant to the bailiff. That is true, despite what has been said by some bum-bailiffs operating in Perth. Considerable ignorance exists as to the powers of the bailiffs and the penalties involved when goods are removed from distrained premises. By that I mean goods that are removed clandestinely, removed to defeat the execution and the completion of the distress. These goods can be followed anywhere, and seized within the next 30 days, but they must have been removed after the time when the rents became due. If a tenant tenders the correct amount of rent before the bailiff has entered the premises, he need not pay the cost of the distress. Two weeks ago to-day I came into contact with a bailiff who broke a dozen sections of the distress laws. In this instance the lady of the house locked the door against the bailiff and barred the window. The husband owed five weeks' rent. He had explained to the landlord that the money would be paid on the Friday. The wife communicated with the husband who made arrangements to pay the £5 17s. 6d. due. He tendered the rent, but the bailiff insisted on his fee, although in the circumstances he had no right to it. That case occurred in Waugh-street, North Perth. Once an entry has been made into the premises, even before the goods are impounded, the tenant must pay the cost of the distress. When a bailiff enters the premises he must take an inventory of the goods that are to be distrained. When the victim has signed up, the tenant is responsible for the safety of the goods until they are sold. Primarily all goods found upon distrained premises can be distrained. Certain things, however, are privileged. In the reign of Victoria, accord-

ing to Chapter 21 of the Statutes, an Act was passed which conferred an absolute privilege on the wearing apparel of the tenant and his family. Tools or implements of trade are also privileged. Even if the tools of trade are used by the wife of the tenant, the privilege exists. There may be a sewing machine on the premises, one which the wife uses to help maintain the home. That is privileged. An axe is a privileged article and cannot be distrained.

Mr. Wilson: It is handy to use.

Mr. CROSS: It is privileged because it is handy to use, and it may lead to a breach of the peace. Loose money is privileged because it cannot be identified. If it is tied up in a bag it can be distrained. The bailiff need not impound the goods upon the premises, but may impound them somewhere else, though it must be within three miles. When he distrains for rent he can immediately remove the chattels from the tenant. If the goods are impounded on the premises, the bailiff can after five days take them to an auction mart for sale to the highest bidder. He can also auction them on the premises.

Mr. Wilson: Have bailiffs done that?

Mr. CROSS: They have done both. Usually the goods are auctioned on the premises. If the tenant desires they may be sold in an auction mart provided the tenant gives written notice to that effect. The bailiff need not sell the goods by auction. He can offer them for sale, but he must accept the highest offer available in the place where they are sold. There have been instances of collusion between bailiffs and auctioneers in the sale of goods. At a sale distrained goods rarely realise a high price. If the sale does not realise sufficient to pay the landlord, the unfortunate tenant can be taken to court just as other debtors can be. This cruel, brutal and outrageous privilege on the part of landlords comes down from the Middle Ages. It applies even when the rent is payable in advance. It is governed by statutes hundreds of years old. When it is abused it is inhuman and cruel, and I have seen many instances of that. It is a cause of desperation and misery to many of the poorer sections of the community. I could give many illustrations from the statutes, but merely because a statute is old, it is no criterion of its value. In the statutes governing the distress laws, there are numerous words which cannot be explained to-day. I propose to read an extract from the

law regarding distress because some of the main principles of the distress laws are based on a statute carried in the reign of Philip and Mary.

Mr. Thorn: Do not work yourself into a fury.

Mr. CROSS: It was passed in 1554.

Mr. Patrick: Is that the English King Philip?

Mr. CROSS: I do not know whether he was English or Spanish, but it was in the reign of Philip and Mary that this distress law was passed. I hope the hon. member does not want to know the meaning of the words. No one could understand them. The extract is as follows:—

An Act touching thimpounding of Distresses: For thavoiding of grevous vexations exacons troubles and disorder in taking of distresses and impounding of cattayle: Be it enacted by thauthorite of this pnte Pliamt, that from and after the first daye of Aprill next coming, no distres of cattell shall bee dryven out of the hundrede rape wapentake or lathe where such (distresses) ys or shalbe taken, exepte it bee to a pownde overte within the said shyre—

I read that to show the stupidity of our being governed by a statute containing words to which no reference is found in modern dictionaries.

Hon. C. G. Latham: That is sufficient argument to defeat the Bill.

Mr. CROSS: I hope even the Leader of the Opposition will support it.

Hon. C. G. Latham: If you will sit down now, probably I will.

Mr. CROSS: We are a long way behind other countries in regard to distraint. New Zealand, for instance, in 1908 passed a consolidation Act including a provision which makes a good deal of difference to the places in which and the people upon whom distraint for rent is levied. The New Zealand Act makes it compulsory for the bailiff to leave £25 worth of goods and chattels on the premises. Here the maximum to be left on the premises is £5, including bedding and tools of trade; but if there is more than £5 worth on the premises, the surplus can be taken. Queensland too has made some alterations. In Western Australia the landlord can distraint for rent without legal process, without demand and without warning. The Queensland law provides that the tenant must first be warned. Section 5 of the Queensland Act provides, by Subsection (2), that the landlord, before proceeding to distraint, shall give to the person on whose premises the goods and chattels are intended to

be distrained, notice of his intention to do so. The tenant has 14 days during which he can go before a magistrate; and if he then makes some reasonable offer the landlord cannot get an order to distraint, which order he needs before proceeding to levy.

Hon. C. G. Latham: That is very fair, is it not?

Mr. CROSS: It cannot be said that there is anything fair about what obtains here in that respect.

Hon. C. G. Latham: But that which you quoted is a fair thing.

Mr. CROSS: It is fairer than what exists in Western Australia.

Hon. C. G. Latham: I can see that you want to argue with me instead of agreeing with me.

Mr. CROSS: In Queensland, if after notice of intention has been given, the tenant does not apply to the court for relief, the landlord can distraint. When the case is heard by a magistrate, all the circumstances are taken into consideration—the circumstances of the landlord as well as those of the tenant. The Bill I am introducing follows closely the lines of a measure introduced into the New South Wales Parliament in 1930. In my opinion, New South Wales did the right thing. The measure abolished distraint for rent and afforded relief to tenants in other respects. The Bill was passed. Some members may say it was passed by Jack Lang. Well, it has been in operation for six years, and although the Stevens Government have been in power for a considerable time, they have made no attempt to repeal that Act, nor is there any demand in New South Wales for the re-introduction of the system of distraint for rent. This Bill seeks to abolish distraint for rent. Let me point out that it does not affect distraint for interest under the Land Act of 1903 as between mortgagor and mortgagee; but it does prevent distraint on a tenant for rent. I have seen some sad cases due to the outrageous privilege of the landlord. I may say that the practice of distraint for rent is slowly but surely passing out. Decent landlords nowadays do not exercise that privilege at all. In the hands of unscrupulous landlords, however, the power can operate most cruelly. I see no reason why we should allow rapacious and selfish landlords to inflict misery on women and children through the process of distraint. Why should the landlord have a greater privilege than the baker, the grocer or the

butcher has? Those tradesmen have to sue for their debts in the ordinary way. The Bill does not seek to prevent the landlord from collecting his pound of flesh, but it places him on the same level as all other creditors. In the past the unscrupulous section of the landlords have had their pound of flesh, and did not always refrain from spilling blood. I could quote some very hard cases indeed, in which cruel things were done. I actually possess a cringeing letter from a landlord apologising for a rotten action he had taken.

Mr. Raphael: Read it out.

Mr. CROSS: I have not got it here.

Hon. C. G. Latham: What is the use of threatening us with letters you have not got?

Mr. CROSS: I shall show the Leader of the Opposition that letter on another occasion. I assure hon. members I honestly believe that if there is any one reform that needs bringing about in Western Australia more than all other reforms, it is the abolition of the law of distraint for rent. The Bill is not a party measure at all. I hope to obtain for it the support of every member of the Chamber.

Mr. Sleeman: You are an optimist if you expect the support of the Opposition.

Mr. CROSS: Even on the other side of the Chamber there are men who do not stand for the present practice of distraint.

Mrs. Cardell-Oliver: I will support you.

Mr. CROSS: I believe I shall also get support in another place. I see no reason why we should be governed by statutes 600 and 700 years old, when conditions were entirely different. I appeal to hon. members to support the Bill. If it passes, it will effect one of the greatest reforms in the history of Western Australia. I have much pleasure in moving—

That the Bill be now read a second time.

On motion by Mr. North, debate adjourned.

BILL—BETTING CONTROL.

Second Reading.

MR. MARSHALL (Murchison) [8.27] in moving the second reading said: I am not going to be quite so optimistic as the member for Canning (Mr. Cross) showed himself in introducing his Bill. I feel confident that my measure is bound to meet with a deal of hostility in certain quarters, princi-

pally because some members of Parliament believe a policy of "hush" to be preferable to one of deciding whether betting, as we know it to-day, should be left untouched, or should be legalised and regulated. There is also an influential section of the community who will be hostile to the passage of the measure. I refer to the section holding vested interests in horse-racing. No doubt they will use all their influence to defeat the Bill, because they believe that its successful passage might mean decreased profits to them. There is yet another section—let me add, a very small section—now illegally practising betting on horse-races off the course. They will likewise oppose the measure. I frankly own that if I found myself in the same position as a few members of that section, I too would oppose the Bill, since it will largely restrict their profits and will put an end to the practical monopoly they would hold of large investments. It may even force them to pay an annual premium for the right to bet. Undoubtedly they will be opposed to the measure. On this occasion I do not desire to detain the Chamber at any great length on the measure. This Bill is word for word the same as the one I introduced last session. Hon. members then present heard me read out the history of attempts made in the Old Country and in various Australian States to prevent by legislation what is known as starting-price betting. I refer new members, for their edification, and in order that the business may be transacted speedily, to the second volume of "Hansard" for the year 1935. Beginning on page 1417 and continuing to page 1429 they will find a full report of the second-reading speech I made on the self-same Bill in the last session of Parliament. On that occasion I showed that in England over a period of years many laws were introduced, and for a time remained effective. But as one obstacle or one objectionable feature was overcome, another worse feature grew up in its stead, and in 1932 or 1933 the last Commission appointed recommended to the Imperial Government that there was no solution to the difficulty other than by legalising and controlling betting. This was the unanimous decision, and I would draw the attention of the member for Subiaco to the fact that there were two ladies on that Commission.

Mrs. Cardell-Oliver: I am not going to support the Bill.

Mr. MARSHALL: I did not expect the hon. member would. She will not be travelling alone, either. The hon. member will not support it because she does not see as much of the evils of the present system as I have seen. It is very convenient to say that if the Government legalised and controlled betting, in order to obviate the existing evils, they would be condoning betting; that by giving it legal sanction they would encourage it. Would the hon. member say the same of the liquor traffic? Did Parliament sanction the present liquor laws with a view to condoning the consumption of liquor? Positively no! The evils of excessive drinking were apparent to the Parliament of the time, and legislation was introduced to control the business, and thus eradicate many of those evils. I confess that drastic though the laws are in that connection, there is a section of the community that finds it simple to get through those laws. But I am dealing with the argument that will be advanced by members, that we would be condoning gambling or betting if we legalised betting on horse-racing. Whether we would be condoning it or not, however, the fact remains that other countries have found it intolerable to allow to be carried on the system which we have in our midst to-day, and they have legalised control.

Hon. P. D. Ferguson: Has betting increased as a result?

Mr. MARSHALL: It is not possible to say whether it has or not. I do not want to go into those details at the moment. The fact is that, gradually but surely, betting has been increasing all over the Commonwealth and all over the world. The rapid increase of interest taken in horse-racing is credited mainly to the facilities offered through the intervention of wireless. The South Australian board argued that the broadcasting of running descriptions of horse-racing, and the announcements of results over the air, had encouraged the taking of interest in horse-racing by people who had never done so before. The position reached a most scandalous state in South Australia, even though they had amended various Acts in an attempt to stamp it out. It was shown eventually that there were, roughly speaking, 600 pimps employed by bookmakers, who had a reserve fund of many thousands of pounds for bribing police, and utilisation in other directions, with a view to evading

the law. There were known to the police no fewer than 30 homes in which betting was carried out and children were sent out in the streets to play and watch for the police. That was nice tuition! They were breeding an army of people who held the law in contempt. The police could not do anything in the way of reducing betting. It went on under objectionable conditions and the State finished up by legalising it. No one who has known anything of those legalised betting shops can find anything but praise for them.

Mr. Patrick: Is this Bill the same as that of South Australia?

Mr. MARSHALL: This Bill differs materially from the South Australian Act, but most of the provisions are embodied in the South Australian law. There are two evils evident in this State on every day on which racing takes place. One is that a big section of the community which takes an interest in horse-racing, and bets, is unfortunately, under our laws, compelled to leave betting premises if they wish to hear a description of a race on the wireless. Naturally, they visit the nearest hotel, where they become semi-intoxicated or quite inebriated. I contend that, under such conditions, men will bet beyond their means. If men remain sober, they are likely to bet within their means. Again, there is the deplorable fact that youths may take part in the betting and even young women with perambulators, which they leave on the sidewalks in order to make a bet. Those people who see evil in legalising betting that would stamp out these objectionable features are only adopting a policy of hush, when they know well that there is no law that has been tried by means of which the present evils can be overcome.

Hon. C. G. Latham: This Bill would not stop women betting.

Mr. MARSHALL: But it will stop juveniles from betting. At present a woman is able to leave her baby outside while she enters the building to bet. If the betting shop were legalised, all those now found outside of it would have to be inside and the lady would not be able to find anyone to mind her child. Nor would a person under the influence of liquor be allowed on the premises, nor a person under 21. I want people who will oppose this measure on the score that it will en-

courage betting to tell me where there is any restriction upon betting to-day. Let them point out where there is one suburb or one town in the State where it is impossible to have a wager on a horse-race. If there is no restriction on betting taking place to-day, how could this Bill encourage it?

Mr. Seward: There is always the fear of being caught doing it.

Mr. MARSHALL: The fear of being caught is one of the troubles. That causes all the objectionable aspects. The view I take is that, out of fear of being caught, the man who makes bets will not remain on the premises, but goes outside in case a raid should take place. He goes to a hotel to get a running description of the race, imbibes too much liquor, and returns to the precincts of the betting shop in a state of inebriation. It is on this account that there is congestion, bad language is to be heard, and all the objectionable aspects of this business are to be witnessed. Under a properly legalised system, these things could not take place. I would defy anyone to show me a betting shop in operation in South Australia if he did not really know where it was. There is only one sign reading "Controlled by the B.C.B." You could see nothing and hear nothing to suggest that anyone was making a bet within a hundred miles.

Hon. C. G. Latham: I suppose there are Neon signs?

Mr. MARSHALL: No. There are just ordinary wooden slabs. A number of people argue that betting is immoral. If it is immoral to make a wager on a horse race it will have to be admitted that there is a large section of otherwise respectable people to be deemed immoral, for I know but very few men who do not from time to time make a wager on a horse race. Even many members of the opposite sex pick their fancies on occasions. When people claim that betting is immoral, they are charging a very large proportion of the respectable community. My view is that betting is not immoral unless people indulge in it to excess or beyond their means. That applies to anything else indulged in to excess. The person who drinks to excess becomes immoral; the person who eats to excess might be said to be immoral. A person who bets in moderation and lives a respectable life, in my view, cannot be stigmatised as im-

moral. Still I hold that it is immoral to allow children to bet, and the Bill would have the effect of preventing that. In South Australia 12 months ago I asked the Betting Board of Control whether there had been any material shifting of bets from the racecourse to the betting -shops. I thought that information would be of value to members, because some might argue that the sport was being injured in that way. Since the law has been in operation in South Australia, about 4 per cent. of the total bets made have shifted from the course to the shops. I asked the board if they could explain that, and was told the explanation was simple. In South Australia, until the shops were legalised, no betting by bookmakers was allowed on the course any more than on premises, and the board required considerable time to get provision made in the city and suburbs for licensed premises. No provision was made in a large section of South Australia for betting off the course until a considerable time after betting by bookmakers was permitted on the course. Quite a number of people went to the racecourse and were fascinated by the operations of the bookmakers. There were no convenient facilities off the course for making a bet. The shifting of bets from the course to the shops has been infinitesimal as compared with the number of bets as a whole, and therefore any fear on that score is not justified. While I was conversing with the secretary of the Onkaparinga Jockey Club, who is also secretary of the Port Adelaide Jockey Club, two of the biggest courses in the metropolitan area, a cheque of £400 was presented to him. He threw it across to me and said, "There is my club's profit from the last race meeting. I confess that I might have got a little more out of the tote betting and probably a little more from attendances, perhaps to the extent of £100, but my club is still benefiting to the extent of £300." Members who fear for the future of the sport if betting shops are legalised should ponder the fact that in the first 18 months after the legalisation of betting in South Australia, the seven metropolitan clubs increased their stakes to the extent of £8,000. To do that would be impossible on a declining income.

Hon. C. G. Latham: They get a percentage of the profits.

Mr. MARSHALL: Under my Bill they will not.

Hon. C. G. Latham: Then you will discourage them.

Mr. MARSHALL: If the Bill becomes law the Government can subject all bets to tax, but I am not in a position to propose a tax. My argument stands that the clubs cannot contend that legislation of this kind will interfere with their attendances, the obvious reason being that at the present time people can bet anywhere. Those people who like a "fly" on a horse will not remain away from a racecourse if they can afford to attend. Goldfields people work all the year in order to come to Perth and get on the racecourses for a bet. To attend the course is a failing of those people who have a love for horseracing. From what I can understand, Mr. Speaker—you may know more than I do about it—people claim that on the racecourse they get the "oil from the horse's mouth." That encourages them to go to the racecourse. I am told that one can always get better information on the racecourse. At any rate I am convinced that no man with a love for racing would remain in the city and bet in a shop, and run the risks attendant on so betting if he could afford to go to the racecourse. By preventing people from having a 2s. bet off the course, we are forcing them to spend more than they can afford in order to go to the course.

Mr. Patrick: Already attendances are low.

Mr. MARSHALL: But what have the race clubs done to encourage larger attendances? All they do is to sit back and wail at the smallness of attendances. Has there been any improvement in the conduct of the meetings? A few months ago I noticed in the daily paper an account of a race meeting on one of the suburban courses—Helena Vale, I think—where ladies had been admitted free and the attendance had been a record. See how easy it is to get a large attendance when some encouragement is given. I suggest that if admission were free, there would be no betting shops in the city.

Mr. Patrick: That is done in the United States, and money is made out of the tote.

Mr. MARSHALL: For the information of members who have not given the matter much consideration let me mention that, apart from England, Ireland in 1926 legalised betting, South Africa has legalised it, and also South Australia and Tasmania. On the other hand there have been inquiries in two of the largest States into alleged corruption in the police force, all due to illegal

starting price betting. There is evidently much underground engineering verging on corruption ever in our midst, and it is time we took control of betting. This Bill differs from the South Australian law on two vital points. As I am a private member I could not provide for a tax. I say frankly that I consider the sport in South Australia is overtaxed. That State imposes a 2 per cent. tax on the gross turnover, 1d. tax on bets under 10s., and 3d. tax on all bets over 10s. Thus betting taxation is fairly heavy in South Australia, and I consider the Government are taking too much altogether out of the ring. Another departure is made in this Bill. Under the South Australian law all race clubs beyond a radius of 25 miles of the G.P.O., are classed as country clubs. Whenever a country race meeting is held, no registered premises or licensed bookmakers may operate within 10 miles of the racecourse. My Bill does not embody that provision. South Australia has no large industrial towns outside the metropolitan area such as we have.

Mr. Patrick: Onkaparinga would be outside.

Mr. MARSHALL: No, that is within 25 miles of Adelaide. It is classed as one of the metropolitan courses.

Mr. Patrick: I think it is outside. Only one race meeting is held there each year.

Mr. MARSHALL: My information is that it was classed as a metropolitan course. We could not very well operate under a similar provision, because we have large towns like Kalgoorlie, Boulder and Wiluna, and so that departure has been made in this Bill. If the measure passes the second reading, I shall be able to give the latest figures and other information obtained from South Australia. The Bill proposes to license bookmakers and premises. It provides that no person shall be permitted to get a license for more than one shop. That is why I say there are a few fairly big men operating in this State who are in possession of more than one shop. Under the Bill this will not be allowed, and an individual will have to confine his operations to one set of premises only.

Hon. C. G. Latham: You will find they will do exactly as they are doing to-day.

Mr. MARSHALL: That may be so, but the hon. member will realise that the board to be appointed under the Bill will have unfettered rights, and any person who does

not comply with the law will stand a chance of losing his license. In that event, he will find himself completely out of the game. The constitution of the board to control the measure will be similar to that of South Australia. Its personnel will include representatives of the racing and trotting clubs who will each nominate one member. The country clubs will nominate another and the other two will be nominated by the Governor, one of the latter being the chairman. There is also provision for the payment of the board in the event of there being any hostility shown towards the creating of the board by the clubs having the right to nominate a member. The board will be required to find the whole of the revenue they will need from the fees they will charge the bookmaker, his agents, and his clerk, plus that which would come from the registration fee of the premises. In South Australia the Commissioner of Police is on the board and no business is done unless that gentleman is present. It is advisable that he should be there and should know all that is going on with regard to betting on and off the course. If any hon. member spoke to Commissioner Leane of South Australia as I did and asked for information on the subject of betting, that is to say, if we were asked to compare the position to-day with what it was before betting was legalised, the Commissioner would reply that it would be almost impossible to appreciate the great difference the legalisation of betting had made. Mr. Leane told me that he never had so much trouble as when he was trying to control street betting. He had to reorganise the police force as the result of the inquiry made into the alleged corruption of members of the force. Therefore, he was delighted when the State legalised betting. When I was in Adelaide I never heard a single complaint from anyone inclined to be fair and honest about betting.

Hon. C. G. Latham: Business people complained.

Mr. MARSHALL: They will complain anywhere.

Hon. C. G. Latham: Did you not hear complaints when you were in Adelaide?

Mr. MARSHALL: I said that business people will always complain. But the community as a whole had no complaint to make about the conduct and control of betting. The business people really think that all the working class has to do is to labour for them over a period of eight hours every day so

as to enable them to acquire sufficient money to live in luxury. Reverting to the Bill again, the board will have power to make rules and there will be no appeal from the board's decision. Power is also given the board to make regulations which will be necessary in the circumstances. The very best that can be said of the Bill, if it becomes law, is that it will be experimental in character and the board will have much to do at the outset. Consequently it is necessary that power should be given to make regulations.

Hon. C. G. Latham: Who was the foreigner who advised you to put the foreign papers in?

Mr. MARSHALL: He is not a foreigner; he is a Western Australian. The currency of the license to be granted by the board will be 12 months, and so that there may be no friction between bookmakers licensed by the board, and the racing clubs, the Bill provides that anyone may operate on a race-course provided a permit is obtained from the race club concerned. The race clubs will have power to impose their own charges for the privilege of betting on the course. The Bill will not in any way interfere with the racing clubs. If the board should find that more money is necessary for the administration of the Act, power will be given to strike a levy. If, on the other hand, the board finds itself in possession of excessive revenue, it will be in its power to make a refund, and in that way matters will be equalised. Returns are to be furnished by every bookmaker with respect to every race, interstate and local, and it will not be possible to make a bet without a ticket being issued. There is provision for a heavy penalty in the event of a bet being made without the issue of a ticket. The board must also keep accounts and furnish a report to the Minister administering the Act. Hon. members will see that there is a fairly heavy penalty for all offences under the Act, particularly in respect of betting with minors. Any person under the age of 21 years will not be permitted to enter licensed premises, and the keeper of the premises must take every reasonable precaution to be certain that the person with whom he is betting is not under 21 years of age.

Hon. C. G. Latham: You could also provide for a penalty to be imposed on a person who acts as an agent for a minor.

Mr. MARSHALL: If the hon. member can improve the Bill in any shape or form

I shall be only too glad to accept any amendment he may suggest. Again, any person affected by liquor will not be permitted to enter licensed premises. There will also be a penalty for the making of false returns. Again, if the Bill becomes law, it will be possible for the Government to gather in some revenue in respect of penalties to be imposed for the making of false returns. Generally, the Bill will improve the position, and betting will not be carried on in the hypocritical fashion that exists today. Permission is also given to cancel the license of any person for various offences against the Act, and the cancellation of the license will mean that he will be entirely out of the business. Further, to curtail as much as possible the encroachment of betting, the board will have control of all forms of advertising and the giving of information by individuals either through the Press, by wireless, over the telephone, or in any other way. The police will be empowered to enter premises and make any investigation they may think necessary to give effect to the provisions of the Bill. They will be able to seize documents, and do anything in fact, to ensure the proper administration of the law. The members of the board will have power to go to a race-course and see that the betting in all its spheres there is being properly conducted. Those are the principal features of the Bill, and I remind members that if they require more information they have merely to refer to "Hansard" of the previous session wherein I gave details that it is not necessary for me to repeat tonight. I have no personal concern in this matter. I never bet or gamble, and I only wish to God the whole community were like me. I have a lot of vices, but this is one that I have not, though I do not know that it is a vice because many people get a lot of pleasure out of it. To my idea we will get better results from the passing of this Bill, and there will be less immorality by legalising betting. The passing of this legislation will have the effect of decreasing the number of betting premises, and also the number of youths who have no respect for the law. This is a very important matter because, where a law does not find public favour, it is flouted, and that encourages a section of the community to regard such laws as worthy of being flouted. Looked at in any way, it will be impossible to eradicate

betting on horse racing. We may drive it into by-ways, but the public will insist on having their gamble, and will not respect any law that will interfere with their rights. I suggest the Bill will have the desired effect of increasing respect for the law. It will also increase the number in lawful employment and the number of those who will have an ascertainable income for taxation purposes. To-day there is little check upon many of those people, and they pay little in taxation. The Bill will eliminate the undesirable element inseparable from illegal betting. It is almost impossible for members to imagine the state of affairs in Adelaide a few years ago. The Bill will result in dissociating betting from drink, which is also a desirable reform. The youth will no longer be encouraged to resort to undesirable places, such as can be witnessed from day to day under existing conditions. The Bill will tend to remove the incentive to influence the police, for that will vanish with the legalisation and regulation of the control of betting. I suggest that is what will happen. I am of opinion that each and all of those very desirable reforms are urgent in the interests of the community, and I have pleasure in moving—

That the Bill be now read a second time.

On motion by the Minister for Police, debate adjourned.

MOTION—EAST-WEST RAILWAY, PERTH-KALGOORLIE SECTION.

Debate resumed from the 14th October on the following motion moved by Mr. North (Claremont):—

That in the opinion of this House, the Government should take up the question of the completion of the East-West railway through to Fremantle by the most useful route and ascertain whether the Federal authorities are prepared to co-operate on a suitable basis financially.

Question put and passed.

MOTION—ECONOMIC SURVEY.

Debate resumed from the 14th October, on the following motion moved by Mr. North (Claremont):—

That, in the opinion of this House, the time is opportune for a survey—(1) of our unused resources of labour, plant, and material; (2)

of the unsatisfied needs of the people; and (3) how best to bring (1) and (2) together.

Question put and passed.

BILL—AGRICULTURAL BANK ACT AMENDMENT.

Second Reading—Withdrawal directed.

Order of the Day read for the resumption of the debate from the 14th October.

Mr. SPEAKER: There are one or two observations I desire to make regarding the Bill, particularly with reference to Clause 6. Before dealing with that clause, I would remark that it may be said by members that the Speaker should give a decision on such matters when the second reading of the Bill is moved. That is a fallacy because, as hon. members know, until such time as the second reading of a Bill is moved, the Speaker knows no more about it than other members of the House. Having had an opportunity to peruse the Bill, I noticed that in the proposed new Section 51A., which appears in Clause 6, there are the following words:—

The borrower shall be entitled to retain for his own use and benefit out of the moneys which otherwise would be payable to the Commissioners by reason of the charge the sum of one hundred pounds or one-half of such proceeds, whichever amount shall be less in value, and, if the proceeds are in the hands of the Commissioners, the amount to which the borrower is entitled shall be payable to him forthwith on demand in writing.

Having considered that portion of the proposed new section, I do not think there is any doubt that the provision constitutes an appropriation from Consolidated Revenue. If I understand the clause correctly, and I think I do, the Commissioners of the Agricultural Bank are there given a direct instruction to permit a borrower to retain the sum of £100 or a lesser amount from money that he would otherwise have handed over to the Commissioners, and from the Commissioners to Consolidated Revenue. In their wisdom the Commissioners may, under the terms of the present Act, permit a borrower to retain some portion of the amount that may be due to the Bank. Under the wording of the proposed new section, however, they must do so and by so doing they will deprive Consolidated Revenue of that amount. To that extent the provision constitutes a charge on revenue. Therefore, I have no alternative but to direct that the Bill be withdrawn.

Hon. C. G. LATHAM: Your ruling, Mr. Speaker, is most extraordinary. Surely the first thing that has to be proved is that the money referred to goes into Consolidated Revenue. So far as I can see, there is nothing to indicate that it is as you have suggested.

Mr. SPEAKER: I presume that the hon. member intends to move to disagree with my ruling.

Dissent from Speaker's Ruling.

Hon. C. G. Latham: Yes, I shall do so. Let me read portion of the proposed new section, to which you, Mr. Speaker, have drawn attention. It reads—

Whenever the proceeds of the borrower's butter-fat produce (when affected by the charge created by Section 51), crops, wool or wool clips, resulting from his farming operations during any period of 12 months ending on the 31st day of December in any year shall not exceed by the sum of at least £100 . . .

I contend that that refers to money the borrower has himself earned through the disposal of his produce. At no time has that money been the property of the Crown. All we say is that before the Agricultural Bank Commissioners shall enforce certain provisions under Section 51, the borrower shall have the right to retain this money. If the House upholds your ruling, it will mean that in future the body and soul of every client of the Bank will belong to the Commissioners. The ruling is most extraordinary, and I hope the Government do not stand for it.

The Minister for Lands: Yes, we do.

Hon. C. G. Latham: Then I claim that is an absolutely wrong stand altogether. It is not a reasonable attitude to adopt.

Mr Stubbs: It will not make men honest.

Hon. C. G. Latham: It may not make them dishonest. To-night we have heard something about the harsh treatment indulged in by landlords, but that is not the position in this instance. This will mean taking away from a borrower money that he has already earned. I had hoped that we might discuss the Bill on its merits, and certainly did not anticipate such a ruling. I appeal to the Minister to be at least reasonable and fair. If he does not support the motion to disagree with Mr. Speaker's ruling, the Minister will take an unfair advantage of the clients of the Agricultural Bank. I have never heard of such a ruling

from the Chair, and I hope the House will at least give the producers the right to retain the money that they have earned. We do not ask the Government to do anything. If the farmer sat down and did nothing at all, there would be no revenue for the Agricultural Bank Commissioners. I am sorry we have not had an opportunity to secure legal advice on this point. Had we known it was to be raised, we might have adopted an altogether different attitude. I hope the House will not uphold the ruling, and I move—

That the House dissents from Mr. Speaker's ruling.

The Minister for Lands: The Leader of the Opposition is not very logical. In fact, he never was.

Mr. Raphael: And never will be.

Hon. C. G. Latham: We will take it up on that point.

Mr. Speaker: Order! I hope hon. members will discuss the Speaker's ruling without indulging in personalities.

Hon. C. G. Latham: I omitted that sort of thing.

Mr. Speaker: Order! That is making it worse, interjecting when the Speaker is on his feet. The ruling I have given is mine, not that of the Minister or of anyone else. I want members to discuss it dispassionately, without personalities and without any heat.

The Minister for Lands: My remarks were perfectly Parliamentary.

Hon. C. G. Latham: They were most extraordinary if they were.

The Minister for Lands: The Leader of the Opposition must have known, and I am sure he did know, the position. I feel sure that the member for Greenough (Mr. Patrick) and the member for Katanning (Mr. Watts) knew, because the latter is supposed to have collaborated in the drawing up of the Bill. He must have known that the Bill was out of order.

Mr. Patrick: Nothing of the kind; our advice was to the contrary.

The Minister for Lands: The Leader of the Opposition stated that the money referred to was something that the farmer possessed; but the money represents something that, by the law of the land, is owing to the Agricultural Bank. The clause makes provision when the "proceeds are in the hands of the Commissioners." The law says that that is money belonging to the Commissioners. They will have to refund it

under the provisions of the proposed new Section 51A, although it is not the borrower's money but that of the Bank. The money belongs to the State and under Clause 6 that money has to be handed back. Is that not an appropriation?

Hon. C. G. Latham: Of course not. You cannot stretch it to that extent.

The Minister for Lands: If members of Parliament were allowed to introduce measures of this description, they could destroy the whole revenue of the country and the Government would have no control over it. Members could introduce numberless Bills and take control out of the hands of Ministers. There is not only Clause 6, but throughout the Bill its provisions affect revenue. All this sophistry about what might be the position is of no value, because that is not the fact of the position. The fact is that the settlers are not entitled to the money which belongs to the bank. That money is paid into the bank according to the law of the land, and it is the revenue of the State. That is the logic of the position. In my opinion your ruling, Mr. Speaker, was quite proper. The Leader of the Opposition appealed to the Minister to be fair. I say that they all knew the Bill was out of order.

Hon. C. G. Latham: I will challenge you to put that to the test.

Mr. Patrick: You must think we like to work hard for nothing at all.

The Minister for Lands: I have had to work hard for nothing at all. However, I have felt all along that the Bill could not be accepted in this House, and I am sure that members opposite, who have been in the House for years, and who know the forms and the procedure, must have known that the Bill was out of order. So the cruel thing about it is that it is kite-flying.

Hon. C. G. Latham: You give us a chance to do some kite-flying!

The Minister for Lands: Those are the facts.

Hon. C. G. Latham: They are not facts at all, and you know it.

The Minister for Lands: I am assuming that members opposite have ordinary intelligence.

Mr. Patrick: Which you did not display when you went to all the work of analysing the Bill.

The Minister for Lands: I am not the Speaker, and I did not take the point.

Hon. C. G. Latham: Why are you taking it now?

The Minister for Lands: Because the Speaker has given his ruling and in that he must be supported or opposed. What would happen if the House were against the Speaker when he was in the right, merely because his ruling was inexpedient? The Speaker has his duty to perform and, when he carries out that duty the House must support him, must not let him down when he does his duty. This Bill represents a tax on the country, not only in this clause, but right through the clauses. The money in the hands of the Commissioners is public revenue. So the Speaker is absolutely right, and could not have ruled otherwise than he did.

Hon. W. D. Johnson: Had you, Sir, not ruled in the way you did, I would certainly have challenged the Bill, because I realised its danger.

Mr. Patrick: Of course you would have had the support of all those on your side.

Hon. W. D. Johnson: I did not like the Bill when it was introduced.

Hon. C. G. Latham: We did not expect you to.

Hon. W. D. Johnson: And I appealed to members not to pass it. We all have to realise that the Act was passed to enable the Commissioners to protect the revenue of the country and to collect revenue in certain ways. Members opposite and others who drew my attention to the Bill cannot do for those they represent anything of the nature that is proposed in the Bill, unless they place an impost on somebody else. They cannot run relief without arranging that relief from some source, and the source from which they are going to arrange this relief for those they represent, will be general revenue. The principal Act makes it clear that the money raised by the Commissioners is general revenue. The Commissioners are acting for the Treasury. The parliamentary appropriation says—

The funds of the Commissioners for the purpose of the administration of this Act shall be such moneys as are from time to time appropriated by Parliament for that purpose.

Hon. C. G. Latham: You know what that means. They cannot take the funds from the Bank, but have to come to Parliament for them.

Hon. W. D. Johnson: The funds handled by the Commissioners are funds appropriated by Parliament. That is Section 10 of the principal Act, but portion of Section 9 of the same Act reads—

All moneys received by the Commissioners for or in administration of this Act shall be

paid to a special fund of the Commissioners to be kept at the Treasury, and from that account the Commissioners shall draw all funds needed for the conduct of the operations of the Commissioners from time to time.

They get their money and it has to be paid into the Treasury. The Bill will reduce the amount of money that they will pay into the Treasury. And immediately they have reduced the amount of money paid into the Treasury, the Treasury will have to make up that amount in some other way; they will have to draw on general revenue to make up the deficiency that would be caused by the proposals in the Bill. If we were to pass the Bill, where would it end? If a private member can come along and introduce a Bill that is to provide for a relief in revenue, that is going to reduce the amount of earnings of the Commissioners, automatically reduce the amount of moneys paid into the Treasury, and also reduce the products upon which the Commissioners can levy, where will it end? Right through the Bill, clause after clause, there is imposed an impost on the revenue of the country. Then the main outstanding clause, that must have been clear to all members without the Standing Orders at all, is the clause that provides that £100 shall be appropriated by the individual from his liability to the State before he is called upon to pay; with the result that the Commissioners will draw from that individual £100 less than they could draw under the principal Act. In other words, they are to give to the primary producer in effect a gift of £100, and that is to be made from the general revenue. Members must realise the danger of attempting anything of that kind. The parliamentary practice is quite clear, and "May" deals with it clearly.

Hon. C. G. Latham: You are a miserable lot. You have been looking up all this.

Hon. W. D. Johnson: I admit it. It is a member's duty to see that we have nothing inadmissible.

Hon. C. G. Latham: I suppose all this was fixed at the party meeting.

Hon. W. D. Johnson: It was not. I refuse to allow private members to interfere with the ruling of the country when the interference is not provided for in the Standing Orders, and is directly against parliamentary practice. We are here to maintain the correct procedure, and we have to be particularly careful in regard to the handling of the State's revenue. In all my experience of Parliament I have never

before known a Bill of this kind to be introduced. The hon. member who introduced it must have known when it was drafted that the Bill would be a violation of the Standing Orders, and so would have to be ruled out.

Hon. P. D. Ferguson: These amendments were discussed in the House last year—and you know it.

Hon. W. D. Johnson: Still, a Bill of this kind is distinctly out of order, and the fact that it was discussed previously does not make the Bill any better. Just see what "May" says—

The Commons have faithfully maintained the duty and responsibility of the sovereign, and their own, regarding the custody of public money and the imposition of charges upon the people, by standing orders framed especially for that purpose. Three of these standing orders, Nos. 66 to 68, were the first, and, for more than a century, were the only standing orders ordained by the Commons for their self-government; and the regulations prescribed by these standing orders have been from time to time extended and applied. Under the practice thus established, every motion which in any way creates a charge upon the public revenue, or upon the revenues of India, must receive the recommendation of the Crown, before it can be entertained by the House.

It is very clear that this is a definite charge upon the public revenue. The £100 is part of the public revenue today. If it were not being paid today, they would be asking for the payment of the £100 not to be insisted upon. So when they propose that the farmer shall retain £100, they are making a definite charge on revenue, and the Bill is, consequently, out of order. Again, Blackmore deals with it as follows:—

It is not competent for a private member to introduce a Bill providing for an appropriation of the revenue. Such a measure should be initiated by the Government.

This is a definite appropriation of revenue.

Hon. C. G. Latham: Nothing of the sort.

Hon. W. D. Johnson: You are appropriating £100 of the Commissioner's money, and the Commissioner's money is Treasury money; you propose relieving the farmer from paying that amount, and are saying it is not an appropriation. You are appropriating £100 to give it to the individual farmer. How can it be anything else but an appropriation? It is a distinct appropriation. I looked into the Bill very carefully, but I discussed it with no one. I was aware that the hon. member had had diffi-

culty in framing the Bill, and so I took home a copy and looked carefully into it to see if there was any way by which he could get round the difficulty. Thus I have no hesitation in supporting the Speaker's ruling, not only in regard to the clause referred to, but in regard to other clauses which are against parliamentary practice, and so make the Bill definitely out of order.

Mr. Watts: I regret to have to disagree with your ruling, Mr. Speaker. In doing so I wish to refer to the remark of the Minister for Lands that the Opposition are kite-flying. There has been no kite-flying on this side of the House.

Mr. Thorn: The Minister is a past master at that himself.

Mr. Watts: The Bill was brought down in an attempt to improve the conditions of those whose interests it affects. It was brought down only after careful consideration. I had nothing to do with the drafting of it, for that was attended to by the Crown Law officer appointed to do that work. The observations of the Minister were quite improper. I am surprised that at this juncture and in these circumstances he should have had the temerity to make them concerning members who are definitely engaged in doing what they think is right and proper in the best interests of those they represent. So far as I can see the Bill does not appropriate any revenue. It is a far fetched argument to say that, because a farmer having produced his crops and received the proceeds is in certain circumstances obliged to pay the money to the bank under statutory lien, a provision of this nature savours of an appropriation of revenue. I find from the Annual Estimates that there is no appropriation of revenue for the Agricultural Bank other than for administrative expenses. A blank space is all that is to be found on the Revenue Estimates concerning the Bank. It is a far-fetched argument to suppose that a proposition of this nature is an appropriation of revenue which it is beyond the powers of a private member to bring down. On the 27th November, 1934, when the Agricultural Bank Bill was being discussed in the House (at which time under Section 37a of the Agricultural Bank Act, which had been passed before, provision was made for a statutory lien in favour of the bank for certain articles of farm produce), the follow-

ing amendment was moved by the member for Mt. Marshall to Clause 51:—

Provided that the commissioners shall however before making such provision for the payment of interest, make the sum of £150 payable from the farmer's proceeds to the farmers so as to ensure to him sustenance for the coming year; this charge to have priority over all other charges against the proceeds of the farmer.

I venture to say there is very little if any difference between that amendment and the provisions of this Bill.

The Minister for Lands: Who introduced that Bill?

Hon. C. G. Latham: You introduced it.

Mr. Watts: I am referring to the amendment moved by the member for Mt. Marshall.

Mr. Patrick: That was not ruled out of order.

Mr. Watts: No exception was taken to that amendment.

Mr. Patrick: The Minister did not object to it.

The Minister for Lands: It was not in the Bill; there was nothing to object to.

Hon. C. G. Latham: You did not have a party meeting then.

Mr. Watts: No exception was taken to an amendment which is in similar terms to the provisions in this Bill.

Hon. W. D. Johnson: That would not make this Bill right.

Mr. Watts: I do not say that it would. Why has objection been taken now?

Hon. W. D. Johnson: Because it is sound.

Mr. Patrick: Why was it not taken then?

Hon. C. G. Latham: You are sitting where you are now because of that sort of quibble.

Mr. Watts: Why has an objection been taken up by the Minister for Lands now?

The Minister for Lands: I did not take it up.

Mr. Watts: He said he had no idea this was out of order.

The Minister for Lands: No, I did not.

Mr. Watts: You said so in the hearing of members of the House. The member for Greenough interjected twice, "You say you have no idea and you expect us to have one."

The Minister for Lands: I never raised the point, although I had some idea.

Mr. Watts: The Minister did make that statement. The member for Greenough reminded him of it twice. The Minister had

no idea this was out of order, any more than the member who brought down the Bill had any idea that it was. When the opportunity offered, the Minister naturally grasped it as a suitable one for getting rid of a Bill which has been occasioning him, I have no doubt, a great deal of concern.

The Minister for Lands: Only as to the drafting.

Hon. C. G. Latham: You do not want to be fair to the farmer.

The Minister for Lands: You were in favour of Section 37A.

Hon. C. G. Latham: Nothing like that; starving them out.

Mr. Patrick: That is quite different from this Bill.

Mr. Speaker: Order! The hon. member is speaking to my ruling.

Mr. Watts: I cannot see any appropriation of revenue to which any exception can be taken.

Hon. C. G. Latham: It is the most despicable thing that has ever been done.

Mr. Watts: The Bill provides an opportunity for the farmer to obtain a portion of his proceeds, which may or may not belong to the Commissioners.

Mr. Seward: They are simply holding the proceeds as agents.

Mr. Watts: The farming conditions in this State have been so much Sovietised that they can have nothing which does not first go into the hands of the Commissioners. Every item is liable to go into their hands, all the proceeds of the farm, wool clips, sales of stock, and everything else. The only place from which it is possible for them to get it back is from the hands of the Commissioners, and not from Consolidated Revenue. I feel sure that the Minister is grasping this excellent opportunity of refusing a discussion on a Bill which is of vital importance to the farming community, but the absence of the discussion will do nothing to calm and ease a feeling of great disturbance amongst the farmers, and to avoid all the trouble that will arise if this Bill is not discussed.

Mr. Boyle: I do not wish to impugn your ruling, Mr. Speaker, but I rise to disagree with it. I was struck by the alacrity with which the Minister for Lands and the member for Guildford-Midland rose to support your ruling. I resent the statement of the Minister that members of the Opposition, including myself, knew that this Bill was out of order.

Hon. W. D. Johnson: You should have known.

Mr. Boyle: I do not know it yet, and never will know it.

Hon. C. G. Latham: If I played a dirty trick I would say what you told me privately, but I do not play dirty tricks.

Mr. Boyle: For five years I have fought to get our farmers at least some semblance of comforts and the retention of some of the fruits of their labours. For a responsible Minister to say that I and other members on this side of the House are so deceptive and cruel towards those people we represent as to put up something concerning which there is no possibility of having it accepted, is to say something which I must throw back in his teeth. The statement is unworthy of him.

The Premier: You did not think the Government would accept it, did you?

Hon. C. G. Latham: You might allow Parliament to decide the point.

The Premier: Let it be so.

Hon. C. G. Latham: Let it be decided on its merits.

Mr. Boyle: It is not a question of Government revenue, or of any member on this side of the House supporting the Bill wishing to take something which does not belong to the community concerned. It is a matter of the retention of a miserably inadequate amount of £100 a year from the farmer's own proceeds. That is money which belongs to no one else but the farmers.

Mr. Stubbs: And to their families.

Mr. Boyle: My organisation and I were amongst those who insisted on a new Agricultural Bank Act. We objected in the first place to Section 37A, though that was a minor circumstance compared with Section 51.

Mr. Speaker: The hon. member is not entitled to make a speech on the Bill generally; he must deal with my ruling.

Mr. Boyle: It is very hard.

Mr. Speaker: I realise that, but the hon. member cannot make a speech on the Bill.

Mr. Boyle: It is a hard thing to curb one's feelings when we are callously accused of making capital out of the miseries of the farmers.

Mr. Speaker: The discussion is upon what I said and not upon what the Minister said.

Mr. Boyle: I will conclude by saying that I regret having to disagree with your ruling.

Mr. Seward: I too Mr. Speaker, must disagree with your ruling. I point out to the Minister that under this Bill the money which is to be returned to the Bank clients is not money which has gone into Consolidated Revenue.

The Minister for Lands: Into their pockets I suppose.

Mr. Seward: I will tell the Minister where it has gone. It has not gone into Consolidated Revenue. It is money representing the proceeds of the farmer's labour, which has gone into the hands of the Commissioners and is held by them in trust. As members well know, a farmer, working under the Agricultural Bank, does not handle the proceeds of the sale of his produce. The produce merchants are instructed that the proceeds must be handed to the Commissioners; they do not go to the client, and therefore the money does not go into Consolidated Revenue at that time.

Hon. C. G. Latham: And a lot of the money belongs to outside people.

Mr. Seward: It is held temporarily by the Commissioners as agents for the farmers. The Bill provides that of this money, which has not gone into Consolidated Revenue, £100 shall be repaid to the farmer, or half the farm proceeds, whichever is the lesser amount.

Hon. W. D. Johnson: It is the farmer's payment to the Commissioners, and they must deposit the money with the Treasury.

Mr. Patrick: It is not money which belongs to the Commissioners.

Mr. Seward: They may do that eventually, but at that stage it has not gone into general revenue.

The Minister for Lands: It is in their pockets?

Mr. Seward: The Minister has been insulting enough, and there is no reason why he should be silly. The Commissioners have given instructions that all the proceeds shall be paid to them. Before the money is paid into Consolidated Revenue the Commissioners are handling the farmers' money. If the Bill is passed they would return £100 of that money to the farmers, and the rest of the payments resulting from the proceeds would go into Consolidated Revenue up to the time of the Bank's Claim. As the money has not at that time been paid into Consolidated Revenue the Bill cannot

be regarded as taking money out of the funds of the State.

Mr. Patrick: I too disagree with your ruling, Mr. Speaker, largely on the lines taken by the member for Pingelly. If the money in the hands of the Commissioners is to be regarded as Consolidated Revenue, then they are handling a great deal of money which does not belong to them. Under the Bill they could take the whole of the proceeds of the farm and could retain the portion which belongs to them. According to your ruling, Mr. Speaker, the money they handle is Consolidated Revenue money. The statement made by the Minister for Lands is utterly false.

The Minister for Lands: Do not say "false."

Mr. Patrick: It is false in that he said we had put up this Bill merely for the sake of kite-flying when we knew well we were bringing down a measure which would be ruled out of order. The hon. gentleman well knows that there is a legal gentleman allotted to us for drafting our Bills, whose duty it is to tell us whether anything we request him to draft is out of order.

The Minister for Lands: Not necessarily.

Mr. Patrick: If not, what is he there for? In any case, we accepted his advice to the effect that the Bill was quite in order. The Minister for Lands has prepared a big bundle of notes with which to reply to the case for this Bill. Why has the Minister gone to all that trouble?

The Minister for Lands: Because it is a matter for the Speaker, and not for me.

Mr. Patrick: We know all about that. We do know that the ruling is highly convenient to a large number of members opposite, including the Premier himself.

The Minister for Lands: On a point of order. That is a direct reflection on the Chair. "This ruling is very convenient for members opposite."

Opposition members: So it is.

Mr. Speaker: Order!

The Minister for Lands: The allegation is that the Speaker has given a ruling convenient to the Ministry.

Mr. Patrick: No; it is not.

Mr. Speaker: I do not think so.

Mr. Patrick: I made no allegation against the Speaker.

Mr. Speaker: I do not think the Minister need go further on that aspect. I am not taking the remark as any reflection. I give my ruling as I think right, and I do not

care whether it suits either side of the House or any member of the House.

Mr. Patrick: I did not make, nor did I intend to make, any reflection on you, Mr. Speaker. I just said that the ruling is very convenient to certain hon. members opposite.

Mr. Speaker: I do not think the hon. member need proceed with that. That is not discussing my ruling at all, but discussing the convenience of other members, and that is out of order.

Mr. Patrick: If the Premier wants me to answer a question which he asked—

Mr. Speaker: The Premier will not be allowed to get an answer to his question.

Mr. Patrick: I will content myself with saying that I cannot for the life of me see how this money is being taken out of Consolidated Revenue. Therefore I disagree with your ruling, Sir.

Mr. North: In view of the great urgency of the matter, speaking purely as a metropolitan representative I would ask you, Mr. Speaker, whether your ruling deals merely with the fact that you disagree with the particular clause of the measure, or with the aspect that the Bill is out of order by reason of the person who introduced it, and whether any other member of the Chamber who could be named by you could have brought in this Bill.

Mr. Speaker: Not if he is a private member. I would say briefly that I do not know what the Leader of the Opposition meant when he said it was an unfair ruling. I wish to state definitely that it may be a wrong or a bad ruling. That is a matter for the House to decide. But I object to the word "unfair" so far as I am concerned. I think even the Leader of the Opposition will agree that during my occupancy of this position I have always tried to be fair. I am not one whit concerned as to whether the ruling is right or is wrong. That is a point for the House to decide. Certainly I hope that the Leader of the Opposition did not insinuate that I was in any way unfair, though the ruling may appear unfair. The member for Katanning laid a great deal of stress on the amendment moved by the member for Mt. Marshall. For one thing, I was not in the Chair when that amendment was moved; and I think the hon. member will agree with me that even an amendment such as that may easily require a great deal more intelligence than probably I possess in respect of deciding on the spur of the

moment what its real import is. As a matter of fact, it took a good deal of study, in collaboration with the Clerk, Mr. Steere, who is an experienced adviser—

The Premier: Is the Clerk unfair too?

Mr. Speaker: It took a good deal of discussion and a good deal of thought to decide what attitude I was to take on this occasion. For my part, I have endeavoured to do my duty as Speaker. I honestly believe that I am right on this occasion. So far as anything else is concerned, there is not one member of my own party or of any other party who knew what action I was taking this evening. If other hon. members had some idea of what they were going to do, that is not my fault. As a matter of fact, this is not a party measure, and it could not have been discussed at the meeting of the Labour Party to-day. The matter is in the hands of the House. If hon. members say I am wrong, I shall have no hard feelings over it. If the House says I am right, then I shall give rulings on similar lines in future.

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

Ayes	..	..	..	..	19
Noes	..	..	..	..	21

Majority against .. 2

AYES.

Mr. Boyle
Mr. Brockman
Mrs. Cardell-Oliver
Mr. Doust
Mr. Ferguson
Mr. Hill
Mr. Latham
Mr. Mann
Mr. McLarty
Mr. North

Mr. Patrick
Mr. Sampson
Mr. Shearn
Mr. Stubbs
Mr. Thorn
Mr. Warner
Mr. Waits
Mr. Welsh
Mr. Seward

(Teller.)

NOES.

Mr. Coverley
Mr. Cross
Mr. Fox
Mr. Hawke
Mr. Hegney
Miss Holman
Mr. Johnson
Mr. Marshall
Mr. Millington
Mr. Needham
Mr. Nuken

Mr. Raphael
Mr. Rodoreda
Mr. Sleeman
Mr. F. C. L. Smith
Mr. Styants
Mr. Tonkin
Mr. Troy
Mr. Willcock
Mr. Wise
Mr. Wilson

(Teller.)

PAIRS.

AYES.
Mr. Doney
Mr. Keenan
Mr. Lambert

NOES.
Mr. Munro
Mr. Collier
Mr. J. M. Smith

Motion thus negatived; the Bill withdrawn.

BILL—RURAL RELIEF FUND ACT AMENDMENT.

Second Reading.

MR. WATTS (Katanning) [10.11] in moving the second reading said: The reasons underlying the introduction of the Bill are

that it has been felt in certain quarters that the operations of the Rural Relief Fund Act, 1935, have been deficient in three particulars. The first of these has been the failure to take advantage of the section in the Act that provides that district debt adjustment officers shall be appointed. The second is the obvious disinclination of the trustees appointed under the Act to take action under the power of suspension that is given them by the Act. The third is the absence of any actual provision for the writing down of secured debts in any circumstances. It is the intention of the Bill that advantage shall be taken of the district debt adjustment officers who were supposed to have been appointed under the Act of 1935, and to give them certain powers. It will be remembered that the amendment that is now in the Act providing for the appointment of district debt adjustment officers was moved in one form by the member for Avon (Mr. Boyle) and was subsequently moved in an altered form by, I think, the Minister for Lands. It is provided that the trustees, for the purpose of assisting and advising farmers and of arranging compositions, schemes and arrangements, shall appoint certain officers to be called "district debt adjustment officers for the South-West land division." It thus appears that the law of the State has been that these district debt adjustment officers shall be appointed, and I believe I am correct in saying that no definite appointments of such officers have been made. It is also intended to endeavour to indicate to the trustees means by which they shall exercise powers that have been conferred upon them. I have mentioned that there has been an absence of activity on the part of the trustees to take advantage of the powers of suspension conferred upon them by the Act. It is hoped, if the Bill is passed, that it will at least indicate to the trustees that Parliament intends something shall be done in the exercise of powers of that description. It is also proposed to make provision in certain cases under certain circumstances, for the writing down of debts after the period of suspension as provided in the Bill. I would like again to refer to the position regarding district debt adjustment officers. When that provision was inserted in the original Act, it was considered that the appointment of such officers and the subsequent applications that were expected to be lodged by the farmers to

such officers, would have the effect of saving expense to the farmers concerned in that their affairs would be dealt with at a reasonable distance from their farms. On the other hand, the position has been that all such applications have been dealt with in Perth. It is a generally recognised fact that the average farmer to seek assistance under the provisions of the Farmers' Debts Adjustment Act and the Rural Relief Fund Act will be in impoverished circumstances; otherwise it would not be necessary for him to make any such application. But, although in those impoverished circumstances, it is expected of him that he shall proceed to the metropolitan area and remain here for a period at considerable expense to himself. It is contended that that is not reasonable, and that such applications should be dealt with, as far as is possible, within a reasonable distance of the farmer's own property. It is anticipated that the amplification of the provision of district debt adjustment officers will enable all creditors, but particularly unsecured creditors, to be represented at meetings of the farmers' creditors, and discuss the position as it affects them, and be able to do so close to their homes. Furthermore, it is reasonable to suppose that the trustees will find the provisions advantageous in that they will have every assistance in conducting negotiations in these matters. The services of officers, who will presumably reside in or near the districts where the farmer carries on his operations, will be able to provide a considerable amount of local knowledge and information to assist the trustees in arriving at a determination. I believe, in reference to the second of those items, the absence of any district debt adjustment officer has been the major cause of a great number of complaints, particularly from unsecured creditors who are country storekeepers. I believe they have been in much the same position as the farmer himself, only to a worse extent. It will be realised that the country storekeepers have a number of farmer-debtors in their own areas whose meetings of creditors are held in Perth, one being held this week, one next week, one the week after, and so forth, over a considerable period. If they are to be represented and take any active interest for their own and for the farmer's benefit, it is essential, I think, that they shall be personally represented. While, under certain circumstances, prov-

ies may serve a very useful purpose, there is no doubt in my mind that collaboration between the farmer and his country storekeeper creditor, between whom there is rarely any enmity but frequently cordial friendship, would enable them better to come together, particularly if the meetings were held within a reasonable distance of the farm and the business place respectively. In those circumstances they could meet conveniently to themselves. With reference to the powers of suspension, these were undoubtedly conferred upon trustees to be used, and I think it will be conceded by those who have interested themselves even if only to a small extent in the question of rural relief adjustment that these powers have not been taken advantage of. Properly used in my opinion they would have a very great effect and be invaluable in placing the affairs of the farmer in such a shape as would enable him to carry on his farming property successfully. But there was no provision in the Act for any action to follow upon the suspension in the direction of writing off any portion of the indebtedness, however urgent or proper such action might be. I would point out that this is not such a revolutionary proposal as it might appear to some people at first sight. The Agricultural Bank, per medium of the Agricultural Bank Act, has been empowered to write down and has written down quite a considerable number of debts owing to them, the basis of the writing down being the value of the property. The value of the property having been found, in the opinion of the Commissioners, to be less than the debt they have rightly and in accordance with the powers conferred upon them by the Agricultural Bank Act, written down the debt to the approximate value of the property. That evidences so far as I can see the view of the Government in regard to the proposition I am now referring to. Dealing with the question of writing down debts generally in such circumstances as these, I think we can all agree that the Farmers' Debts Adjustment Act which is closely allied to the Rural Relief Fund Act was introduced, subsequently amended, and improved almost solely for the purpose of preventing the obvious alternative. That alternative was proceedings in bankruptcy. In order that I may make this position clear, I will refer to the fact that in 1930-31—the first year of what has been called the financial

depression—there were between 20 and 30 meetings of creditors under the Bankruptcy Act in the Katanning district alone. There was at that time no Farmers' Debts adjustment Act, and the only relief available was under the Federal Bankruptcy Act. In bankruptcy the secured creditor is frequently placed in the position where he has to realise his security. The estate we will imagine has been assigned to a trustee. The secured creditor is called upon either to realise on or value the security, and to prove for the excess amount of his debt as an unsecured creditor. If the property realises the amount of his debt he is not an unsecured creditor for any sum at all. There comes a time however when, if we are going to have unlimited bankruptcy, the value of the properties must of necessity fall, because there will be many more on the market than there would be a demand for, and had the farmers' debt adjustment legislation not been passed, there is no doubt there would have been as many bankruptcies throughout the farming districts of Western Australia as there have been applications under the Farmers' Debts Adjustment Act and the Rural Relief Act. Had that taken place the position of the secured creditor would have become very difficult. Such sales as would have been made—and I venture to suggest they would have been few in number—would have been made at such figures that there would have been no prospect of the secured creditor's debts being paid, and he would have been obliged to take a dividend on the excess, depending on what might be obtained from unencumbered assets of the farm. The difficulty was very great until there was some fund provided for the adjustment of the debts of farmers. Inadequate as that amount may be regarded in some quarters, it has been provided by the Federal Government, and it has enabled dividends to be paid to unsecured creditors in circumstances where, in the ordinary way, there would have been no surplus of assets over liabilities, seeing that most of the farmers have all their assets encumbered now one way or the other. It has provided funds from which dividends can be paid to unsecured creditors where otherwise no dividends would have been possible. As the alternative to the position that a great number of farms would have been sold by those who had security for losses, we should have had an

even worse position in regard to abandoned properties than at the present time. If it was impossible to find a buyer for the properties it would have been equally impossible for the farmers to remain upon them, and in consequence they would have been obliged to leave, and the properties would have become abandoned. In consequence a greater number of persons would have been thrown upon the unemployed relief and sustenance department. So the Farmers' Debts Adjustment Acts, while they may not have been as satisfactory as we desired, were sufficiently satisfactory to hold up the proceedings of the creditors for the time being. But they did not reach a stage when there was actually any proper adjustment of the position which would enable the farmer at least to a reasonable extent to get back on his feet again. And one of the endeavours of this Bill is to insert in the legislation the necessary opportunity to give the trustees power to deal with the matter. It having been shown that had actual bankruptcy taken place the secured creditor, having arrived at the value of his security, either by realisation or estimation, would have had to write off and prove as an unsecured creditor for the balance; so it is reasonable for us, in view of the intervening legislation under the Farmers' Debts Adjustment Act, to assume that the bankruptcy that would have taken place has taken place in fact. When we realise the burden of principal and compound interest, coupled with low prices and difficult seasons, and the burden of debt that is daily being added to, I think this House will be prepared to agree that a great number of bankruptcies would have taken place in actual fact, and the word "bankruptcy" may be assumed now to represent the true position of the farmers concerned. While one can look with equanimity on an isolated bankruptcy here and there, one cannot look with equanimity on a number of bankruptcies in the farming districts in this State. One must, I think, come to the conclusion that it is essential for the welfare of Western Australia that primary production should not dwindle below its present level. If we do not do something to remedy the present position, we shall find that the wholesale evacuation of the farming areas that has been going on will continue, to the great detriment not only of trade in other portions of the State, particularly in the city of Perth, but to the great detriment of

the Consolidated Revenue of the State. Let me tell the House that in the year ended the 30th June, 1932, there were 274 farms under the Agricultural Bank only, abandoned; in 1933 the number increased for the year to 310; in 1934 the number increased for the year to 689; in 1935 it had increased for the year to 1,041. That is to say, at the present moment there are 2,791 farms abandoned, according to the report of the Agricultural Bank for the year ended the 30th June, 1936. I do not think we need stress the point that that rate of abandonment if it is not arrested will be a very great detriment to Western Australia. I and those who I hope will support me in this Bill, conscientiously believe it is essential to pay due regard to that matter in considering the Bill, in addition to the other matters I have already mentioned. Having outlined the reasons which underlie the introduction of the proposals in this Bill, having explained so far as I can in regard particularly to the proposals for the secured debts, it is as well to presume, in fact, that there is a state of bankruptcy in a great number of these cases. In order that we may look dispassionately and fairly on the proposals contained in the Bill itself, I propose to deal with some of the provisions in the Bill seriatim. First of all, the powers of the trustees under Section 6 of the Act are reviewed and further on in the Bill they are instructed to take certain action concerning the suspension and writing-down of secured debts.

Hon. W. D. Johnson: There you are again: you are going close to interfering with the State's funds.

Mr. WATTS: There is no interference with State funds there. But it is felt there may be cases where the trustees consider that relief would be insufficient. Therefore I think the interjection is not altogether pertinent.

Hon. C. G. Latham: He would stretch out the facts at any time.

Mr. WATTS: Instead, therefore, of taking away from the trustees the general power contained in Section 6, it is proposed that this power should be still exercisable by them if they are satisfied that they are not given sufficient authority by the succeeding clauses of the Bill to enable them to do justice in any particular case. It will be remembered that Section 6 of the Act of last year gave them very strong power of suspension, which they have not used very

much. It is intended to give the debt adjustment officers to be appointed something to do. In that connection it is proposed in the Bill to delete the first seven lines of Section 9, which provides that an application shall be made in Perth, and substitute a provision that application shall be made to the debt adjustment officer at the place nearest to the farmer. It is not intended that advantage will be taken of Section 9 of the Act to appoint debt adjustment officers in every centre, and, in consequence, if there be any dispute as to which officer shall attend to an application, it will be for the director to decide. And the debt adjustment officer is authorised to issue a stay order, but he has the right to report to the trustees if the application be considered frivolous. The farmer is entitled to make his own valuation. If the debt adjustment officer thinks his valuation is satisfactory, he may adopt it, but if he does not think it is satisfactory, he is himself to amend it or prepare another valuation. It is provided in the Bill that no valuation shall be considered satisfactory that does not take into consideration the productive capacity of the property, to be arrived at as far as possible on the formula provided by the wheat commission. The adjustment officer calls a meeting of creditors and suggests what amount should be paid by the trustees to the creditors, and if a majority of the creditors agree, it is referred to the trustees for confirmation. They may either confirm or reject the scheme. If they reject it, or if there is no proposition carried at the meeting of creditors, they are themselves to formulate a scheme for transmission to the debt adjustment officers. In dealing with this scheme which they are to formulate, the trustees of course will have to consider what is necessary to give the farmer a reasonable prospect of carrying on his farming operations successfully. They are directed to consider also, (a) the interests of all parties concerned, (b) a reasonable estimate of the expenses likely to be incurred in the efficient carrying on of the farm by the farmer, (c) the nature and value of the farmer's assets, (d) the manner in which he has managed his farm, (e) a reasonable living standard for the farmer and his dependants, (f) any adjustment already made by any creditor, and (g) any other relevant circumstances. The trustees are not directed to formulate a scheme if they consider that they should adopt further action for the re-

lief of the farmer under Section 6, or unless they consider such scheme to be necessary to ensure a reasonable prospect of successful farming operations. It is considered essential that serious consideration should be given by the trustees to the allowance of a reasonable proportion of the estimated earnings of the farm, not for the service of debts only but for the purchase and acquisition of supplies necessary for the carrying on of the farm and for the maintenance of the farmer and his family.

Hon. W. D. Johnson: There, again, you are on dangerous ground. This is quite a new development in this Parliament.

Mr. WATTS: This cannot possibly affect the question of public revenue, because it is purely a matter of estimating what is the value of the farm from the point of view of paying interest on secured debts. It is not going to cause the payment of any money. It is only a question of estimation and the Act does not deal with Crown debts. It is very easy to lose sight of those annual expenses to which I have referred in endeavouring to estimate the capacity of a farm to pay. The amount required for super., bags, spare parts and the like might, in the anxiety of the moment and the desire to make a suitable scheme, be lost sight of or be under-estimated. So it is proposed that those things, when the trustees come to consider what proposal they shall make to the creditors, shall very definitely be taken into consideration. The Bill stipulates that the scheme shall provide for the payment by the trustees to creditors in consideration of their agreeing to the adjustment of the farmers' debts, and when the trustees have prepared the scheme, which is only prepared when there has been no scheme definitely agreed to by all parties at the first meeting and confirmed by the trustees, the creditors are to be called together again, each having been furnished with a copy of the proposal. If at such meeting a modified scheme is agreed to by all the creditors, it shall be binding on all; if it is not agreed to by all the creditors, it is to be adjourned over a period not exceeding 21 days, and the trustees may then amend it or refuse to amend it, and whatever they do, the result will be sent to an adjourned meeting. If it is not then agreed to by the creditors present, but is agreed to by a majority in number and value of the unsecured creditors and confirmed by the trustees, it shall be binding on all the unsecured creditors and

on all the secured creditors who have agreed to it. Every effort has been made to enable a voluntary and friendly arrangement to be arrived at. It is admitted that such arrangements are more satisfactory than any other, wherever it is possible to obtain them, but unfortunately there will be cases where they cannot be obtained. In that event, the trustees are directed, if considered necessary for the successful carrying on of the farm, to suspend all the rights of the secured creditors in regard to the amount by which they believe his debts exceed the value of the property as ascertained by them. In suspending his rights, they suspend his remedies, but they are not to suspend those remedies for more than seven years or for less than three years from the date of their determination. The determination will coincide with the continuance of the stay order. It will be noticed that the use of the term "not less than three or more than seven years" is intended to coincide with the provision in the Rural Relief Fund Act, which provides for a stay order for three years, with power to extend it for four more years. The trustees are directed to say that no interest shall be payable during the period of suspension on the amount of the debt that has been suspended, and on the balance they are directed to specify the interest that shall be payable within the limits laid down in the Bill. The amount having been suspended on the method indicated, it is possible that during the period of suspension the creditors and the farmer might come to an agreement as to what portion, if any, of the debt shall be written off. If they do so, the trustees will take advantage of the agreement; if they do not, then at the end of the period of suspension, whether it be three, four, five, six, or seven years, they will make a revaluation of the property. If they are still of the opinion that the valuation of the property is less than the amount of the debt, they are directed to write off the surplus. It will thus be seen that while the trustees have power to extinguish the surplus, due regard will be paid to the secured creditors' position, and it will be only in cases where it has been definitely shown to the trustees that bankruptcy would supervene and the loss consequent on bankruptcy would supervene and the security would not be worth the debt when the writing down actually took place. I mentioned that it was obvious that the Federal fund had been pro-

vided to enable dividends to be paid where there was no asset wherewith to pay them. In order that the trustees may not come to a conclusion contrary to that, a provision has been inserted that, in determining the amount of the advance, the trustees shall make available an amount such as they consider fair and equitable. Those are the major provisions of the Bill in regard to the adjustment of debts, but there are other provisions to which I must make some reference. By Sections 11 and 12 of the Rural Relief Fund Act, 1935, a charge was created in favour of the trustees for all amounts advanced over all the assets of the farmer both present and after acquired. The Bill proposes to delete the words having reference to "after acquired assets," leaving the security to the trustees for what it is worth over the assets that the farmer possessed at the time the advance was made. I think it has been stated by the Minister himself that not much advantage was proposed to be taken of the security offered by Sections 11 and 12 of the Act, but I think that in actual practice it has occasioned considerable difficulty amongst the farmers insofar as it takes security over assets after acquired. I should like to read a letter received by a farmer of the wheat belt from Messrs. Goldsbrough, Mort & Co. Ltd. in response to an effort made by him to buy 10 sheep for 17s. each at a sale on the 5th August last. The farmer had borrowed under the Rural Relief Fund Act a sum of £60 or thereabouts from the trustees and naturally had a charge created by the Act over his property. If he was to acquire the sheep on credit, as was his intention, believing that he could turn them over, as he had done before, at a profit, they became part of his assets and naturally were subject to the charge. He approached Goldsbrough, Mort & Co. to buy the sheep on the 5th August and on the 24th August he received a letter as follows:—

To complete the deal of ten wethers at 17s., it is necessary for us to have written consent from both the Director of the Rural Relief Fund and the Agricultural Bank. As soon as we obtain permission, this deal will be completed.

I think it is obvious that, in addition to all the other hamperings which are affecting the farming community, it is quite unnecessary to add this one in connection with after-acquired assets. In such circumstances as I have just mentioned, nobody could hope to make a farm pay and so acquire the sum

necessary to meet his obligations unless he had some opportunity to pick up a bargain when he saw one and turn it over to advantage, without waiting three or four weeks for a reply to a request for permission. That explains why it is proposed to strike out the reference to "after-acquired assets." The instalments that are payable under the Rural Relief Fund Act will continue for 20 years. It would be extraordinary if we were to continue the security for the assets as they are acquired over that period while the debt over the same period is being substantially reduced each year. Originally the Rural Relief Fund Act made no provision for it not to operate in connection with debts which were incurred after the passing of the Act. For two reasons it is proposed to insert a provision of that nature in the Bill. The first reason is that these applications are coming forward over a long period. Debts are being incurred during that period by farmers who at first sight did not appear to be likely to come under the Act. Their circumstances became such that they had to do so, and a debt which has been incurred comparatively recently, since the passing of the legislation, on terms as between the farmer and his creditor, and has to be paid within a reasonable time, comes under the Act. It is obvious for the second reason that if the Act is to continue in operation, as appears likely, for some considerable period, transactions between the farmer and any creditor are likely to become very difficult unless it is clearly understood that debts incurred after the passing of this Bill are not to be governed by its provisions. It must be agreed that the position would become extremely difficult over the intervening period if we did not make some provision of the kind. Therefore while it is to a certain extent in the interests of the creditor that this should be inserted in the Bill, it is to a much greater extent for the benefit of farmers. It is possible that efforts may be made to make an old debt look like a new one. I am not at the moment suggesting any method by which that could be done, but I understand it could be done. The Bill provides that if the trustees are of opinion that a new engagement has been entered into to cover an old debt, in order to take it out of the provisions of the Act, and they are asked to give their opinion, that opinion shall be binding. The position of the trustees of deceased estates

has been taken into consideration. It is apparent that some protection is required for a trustee who desires to agree to a voluntary arrangement, or adjustment, or does not wish to oppose one. At present it is likely, in view of the provisions of the Trustees' Act of 1900 and its amendments, that such a trustee would be liable to be charged with a breach of trust. The Bill states that no such trustee shall be chargeable with a breach of trust by reason of his agreement to, or failure to oppose any such proposal put forward by the Trustees and contemplated by the Bill. The last clause makes provision that farmers who, under the existing Act, have had their unsecured debts primarily adjusted, may take advantage of the provisions of the legislation in connection with any debt concerning which they have had no relief, so that as far as possible an opportunity may be given to all concerned in the matter to obtain similar benefits. This proposed legislation follows to an extent the legislation in force in Victoria, but not by any means completely. There is a number of provisions therein which are not to be found in that State, or which have been adapted so far as possible to suit the interests of people in this State, as I see them. The provisions dealing with secured creditors, as proposed by the Bill, are largely in accord with those which have been in existence in Victoria. It is therefore no new departure as far as Australia is concerned. The circumstances referred to by me have only been too evident to the Government of Victoria during the past couple of years. It is apparent that in this direction Western Australia has to an extent been lagging behind.

Hon. W. D. JOHNSON: The trouble is that a private member cannot speed up Government officials.

Mr. WATTS: This measure is of a somewhat difficult nature. It is easy to criticise any proposal of the kind. I ask members to give the measure careful consideration, and not to be inclined to criticise the proposals out of hand. I believe they will do a great deal of good, if properly taken advantage of under the discretionary powers conferred upon trustees, for a large section of the farming community. That community has borne a considerable burden for the last six years. I do not think these provisions will be of advantage only to the farming community. With the prosperity and con-

tinentment of those engaged in the farming industry, is bound up the prosperity of the city of Perth and other portions of the State. No matter how great the losses which have been made as a result of the failure to collect debts due, for example, to the Crown out of agriculture, there has been a very substantial profit to the Crown and the people accruing from the development of agriculture. That profit is quite likely to continue, but I do not think it will be increased by further abandonments of farming property. Unless some action is taken along the lines indicated, I believe there will be further abandonments of farming properties. In order that the matter may at least be considered, I have introduced this Bill, and commend it to the consideration of the House. I move—

That the Bill be now read a second time.

On motion by the Minister for Lands, debate adjourned.

BILL—PEARLING CREWS ACCIDENT ASSURANCE FUND.

Returned from the Council with amendments.

House adjourned at 11 p.m.

Legislative Assembly.

Thursday, 29th October, 1936.

	PAGE
Bills: Forests Act Amendment, 2R. ...	1466
Financial Emergency Tax, point of order, Bill withdrawn ...	1474
Dividend Duties Act Amendment, 2R. ...	1476
West Australian Bush Nursing Trust, 2R. ...	1477
Industrial Arbitration Act Amendment, to refer to Select Committee, negatived ...	1478
Factories and Shops Act Amendment, Com. ...	1483
Loan Estimates, 1936-37, Message, Com. of Supply ...	1486

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

BILL—FORESTS ACT AMENDMENT CONTINUANCE.

Second Reading.

THE PREMIER (Hon. J. C. Willecock—Geraldton) [4.35] in moving the second reading said: The purpose of the Bill is to