

to estates of insane patients, and so on. In this respect the Bill is regarded as an improvement on any Public Trustee Acts which are in operation in the other States.

Summarised, the measure may be said to provide for an amalgamation of the duties of the Curator of Intestate Estates and the Official Trustee, with extended powers in respect to certain matters, and a desirable change of title. The Bill certainly confers new powers upon the officer to be appointed, in that he will be permitted in certain circumstances to act as trustee and agent in the control of affairs in trust, he being answerable to the Auditor General, the Government, and Parliament. The services rendered will be most beneficial to the people of this State, and will afford facilities which they do not now enjoy from any Government official, but which are available in every other State of the Commonwealth. It can be said, too, that if this Bill is passed—I have no doubt that members will endorse its proposals—a new step will be taken in the opening up of a social service without imposing any added burdens on the State revenue or on the general public.

That, I think, is a very general explanation of the Bill. As I have previously remarked, there are many matters of which some members might perhaps like an explanation, and I admit that there are some points that are somewhat difficult for the layman to understand unless a proper explanation of them has been afforded. However, I think I am in a position to supply information that may be required in connection with the various clauses of the Bill, and I will be only too pleased to furnish whatever details are at my disposal. I trust the House will accept the Bill, or at any rate the principles of the Bill, and I feel sure that by agreeing to it members will confer a benefit on the public generally. I move—

That the Bill be now read a second time.

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

House adjourned at 9.35 p.m.

Legislative Assembly.

Wednesday, 15th October, 1941.

	PAGE
Questions: Parliament, State, as to secret session	1205
Trolley buses, conversion of South Perth Tramway	1205
Drought relief	1206
Railways, as to depreciation	1206
Papers: Tramway employees, as to dismissals	1206
Motions: Economic problems, Commonwealth Bank and national credit	1206
Farmers and pastoralists' debts	1220
Bills: Fire Brigades Act Amendment, 3R.	1206
Money Lenders Act Amendment, 2R.	1208
Wills (Soldiers, Sailors, and Airmen), 2R., Com. report	1213
Death Penalty Abolition, 2R., Com. report	1215
Traffic Act Amendment, Council's amendments	1234
Distress for Rent Abolition Act Amendment, Council's amendment	1234
Potato Growers Licensing, Com.	1235

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

QUESTION—PARLIAMENT, STATE.

As to Secret Session.

Mr. SEWARD asked the Premier: 1, Will the Government arrange to hold a secret session of the State Parliament in order that members—(a) might receive the fullest information possible regarding the conduct of the war; (b) discuss Australia's, and particularly Western Australia's war effort? 2, In the event of the answer to No. 1 being in the affirmative, could arrangements be made for the Minister for Defence or his deputy to attend and address members regarding Australia's and the Empire's war plans, as far as they are known?

The PREMIER replied: 1 and 2, Owing to the change of Federal Government and the necessary arrangements associated therewith, I am afraid that the proposal is not practicable.

QUESTION—TROLLEY BUSES.

Conversion of South Perth Tramway.

Mr. CROSS asked the Minister for Railways: 1, What is the actual length of the South Perth tramline which it is proposed to convert to a trackless trolley bus service? 2, What amount, and approximate value of overhead gear, including trolley wire, span wire, and poles of the existing equipment can be used in the new installation? 3, Has the department any overhead equipment on hand? 4, If so, what is the approximate value? 5, What is the estimated cost of new

equipment (excluding bus chassis) it would be necessary to import to complete the conversion? 6, What is the estimated tonnage and approximate value of the steel rails which will be released by the change-over in South Perth from trams to trackless trolley buses?

The MINISTER FOR RAILWAYS replied: 1, Four miles 38 chains. 2, Nil. 3, No. 4, Answered by No. 3. 5, £1,500. 6, 300 tons valued at £1,800 less recovery costs.

QUESTION—DROUGHT RELIEF.

Mr. BERRY asked the Minister for Lands: 1, Have farmers been supplied with detailed statements of account for drought relief? 2, What prompted the action of the Commissioners in refusing to advance money for fallowing an area greater than 50 per cent. of the present acreage sown, when the Wheat Stabilisation Scheme advised normal operation?

The MINISTER FOR LANDS replied: 1, Settlers are informed by the branch offices of details respecting drought relief advances approved by the Commissioners. Each half year ending the 31st December and the 30th June, settlers are supplied with a statement of account showing totals under each heading under which advances have been made. Settlers are advised of any credits received by branch offices. 2, The reasons which prompted the Commissioners to reduce drought relief advances for fuel for fallowing are fully set out in a statement appearing in the "West Australian" on the 19th June, 1941.

QUESTION—RAILWAYS.

As to Depreciation, etc.

Mr. NORTH asked the Minister for Railways: 1, Is any provision made for writing off railway plant, rolling stock, and other assets? 2, If depreciation is arranged for, is it at a sufficient rate to permit of the system being kept up to date? 3, Is the rolling stock of the W.A.G.R. or any of it, suitable to be connected to standard gauge bogies?

The MINISTER FOR RAILWAYS replied: 1, Except to the extent that replacements and renewals are provided for by current maintenance expenditure, direct provision is not being made for the purpose; but extinguishments of capital assets are re-

corded with expenditure from working expenses under the head of betterments as an offset. 2, Answered by No. 1. 3, No.

BILL—FIRE BRIGADES ACT AMENDMENT.

Read a third time and transmitted to the Council.

PAPERS—TRAMWAY EMPLOYEES.

As to Dismissals.

MR. CROSS (Canning) [4.35]: I move—

That all papers relating to the engagement, employment, and dismissal of Thomas Henry Kenworthy, John Frederick Birss, and James Alan Few from the Western Australian Government Electric Tramway Service be laid on the Table of the House.

Recently a discussion took place in this Chamber concerning the examination of men employed by the Railway and Tramway Department. Most members will recall what was said on that occasion. It appears that an effort was made by certain members to ensure that an examination of men as drivers was undertaken by the Commissioner of Police. I do not know whether that discussion had the effect of smartening up somebody in the Railway and Tramway Department, but there has been what I might term as an extraordinary development since that discussion took place.

I am of the opinion that considerable care has to be exercised in the selection of men as drivers of trams. Now that many "A" class men of the State—young, able-bodied men—have joined the Army, the Navy and the Air Force for military service, the department will soon find few men are left from whom to select employees. I anticipate that the time will come when the department will have to engage men of a slightly lower medical standard as conductors, at least for the duration of the war. But apparently that is not the department's intention.

During the last year quite a number of new men have been engaged to replace those who have enlisted or have retired, and a few weeks ago three more men were taken on. Those men went in the ordinary way to the departmental doctor, Dr. Mackenzie, who examined them. He filled in the usual form.

I know what the examination is like because over 20 years ago I underwent a similar test. There is an exceedingly strict eyesight test, and applicants are tested for deafness and examined bodily from top to toe. The examination is very thorough. In his report the doctor answers a series of questions and the report indicates even minor discrepancies.

A very full report was submitted in respect of the men to whom I have referred, and at the bottom of the statement the doctor said that in his opinion they were fit to be conductors. I do not know much about two of the men, but I am acquainted with one of them whose name is Few. Having thoroughly examined this man the doctor said, "You are O.K.; you have passed." The man was given a certificate to take back to the department. That certificate was sealed in an envelope and was probably handed to Mr. Hullett, the tramway superintendent. The customary procedure since the inception of the tramways has been for the superintendent to take the certificate and, if the men are medically fit, instruct them to commence work. No approval has had to be obtained from anybody else. Inquiries are made into the character of the applicant who produces references, and if everything is satisfactory he is told that he may start.

This man is of a good type. He has a clean character and is medically fit. In fact, he has never had a real illness in his life. He has been sick in bed only twice in his life, once for one day when he was ill with influenza, and then for a period of six days some years ago when he had an attack of mumps. He has never been involved in any accident since the day he was born. The doctor stated at the time of his report concerning him, "In my opinion this man is fit to be a conductor" and the man began work on the trams four or five weeks ago. He progressed satisfactorily. With another conductor, he went through the usual learner's tests and passed with credit. Evidently the department regarded his appointment as permanent because he was sent to the tailor and was measured for the uniform that was subsequently issued to him. To his surprise on Saturday morning last a message was received from the Railway Department to the effect that, due to the nature of the medical report, James Alan Few had to be dismissed.

Mr. Warner: There may have been a few complaints.

Mr. CROSS: No complaint against the man had been received. If the man was not physically fit to carry out the duties of a conductor, why was he given a start at all? He has not developed any physical disability and the departmental medical officer had previously declared him to be medically fit. To me it seems extraordinary that such an action could have been taken by the Railway Department. The man, Few, naturally thought that he had a constant job and that everything was satisfactory. Suddenly this thing happens to him. Probably a junior clerk discovered some discrepancy in the medical report. Certainly the Commissioner of Railways knew nothing about the matter until yesterday.

I have indicated to the House the practice that has been followed for many years past, from the inception of Government control of the tramway service. If this incident arises from the application of dual control, it should be stopped. If a man has passed the medical test and has been allowed to carry out duties as a conductor on the trams for a month, it is nothing less than stupid for a mandate to be issued from another department peremptorily ordering the man to be dismissed in the circumstances I have outlined.

Mr. Marshall: Have not the men the right of appeal?

Mr. CROSS: No. During the first six months a man is employed in the Tramway Department he is termed a probationer, and the department has the right to dismiss him without furnishing any excuse or explanation. Members can readily understand that conductors handle public funds, and should anything unsatisfactory be noticed about a newcomer's actions the department should certainly have the right of dismissal without there being allowed any appeal against such action. In the instances under review, the men have proceeded on the basis of their having permanent positions and have taken up housekeeping with consequent expense to themselves.

In my opinion, in view of the fact that these three men had satisfactorily passed the medical test and been placed on the staff of the Tramway Department, they should be reinstated and the departmental officer responsible for the situation should receive a rap over the knuckles. When the Minister

replies, I would like him to disclose the reason for the departure from the previous practice. I repeat that, from the very inception, when a man has passed the medical test he has always been allowed to start work through the tramway superintendent whose recommendation has been forwarded to the general manager of the Tramway Department, and later on a report has been furnished to the Railway Department notifying that the man had commenced duty. I want to know, in view of the departure from established practice, why these three men mentioned in my motion have been victimised after having passed the medical test. If they were not O.K., why were the men started at all?

Mr. Sampson: Evidently they were tested out.

Mr. CROSS: If the men were not medically fit, they should not have been allowed to commence work. On the other hand, they have carried out their duties for a month. I have explained the position of Few in particular, and the position of the other two men amounts to the same. If the Minister intends to adjourn the debate on my motion, I urge him not to let matters stand in abeyance until the question is again brought before the House. The men are out of work and have homes to maintain. For all I know, they have families. I trust that the Minister will make inquiries forthwith and effect what I regard as necessary adjustments. I trust he will take steps to replace the men in their former positions. That should be his first move.

I tell the Minister that the unions concerned are alarmed at this new line of action. If a peremptory order can emanate from the Railway Department in the circumstances I have outlined, a similar experience may be the lot of an older employee. Periodically both railway and tramway employees have to submit to further examinations particularly in respect of their eyesight. If what I have outlined can happen to newly appointed men, it is possible that the older employees may be confronted with a similar experience.

Mr. Marshall: But the old employees would have the right of appeal.

Mr. CROSS: That is so. I desire to make it clear that I was not asked to move in this matter by any one of the three men concerned. I heard about the action of the

Railway Department and rang one of the men up. In view of what I found out, I decided to adopt the course I am now pursuing. I want to know why there has been this departure from the practice followed for many years past and who has been responsible for the bungle. If the position arises out of the dual system of control, then I think the Railway Department and the Tramway Department should be placed under separate control.

Mr. North: And the Electricity Department should be separated as well.

Mr. CROSS: Yes, each should be under separate control. I want to find out who was responsible for these particular dismissals. In common justice and fair play, I hope the Minister will expedite his inquiry into the issue raised, and take steps to extend proper treatment to men who have no right of appeal against the injustice meted out to them.

On motion by the Minister for Railways, debate adjourned.

BILL—MONEY LENDERS ACT AMENDMENT.

Second Reading.

MR. CROSS (Canning) [4.48] in moving the second reading said: Actually speaking the Bill is not exactly similar to the one I introduced last year, which, because of drastic amending in another place, was so mutilated that it was killed during the final night of last session. More definitely than ever do I feel that the time has arrived when we should fix the maximum rate of interest to be charged by the registered money lenders who operate in Western Australia. In this Chamber we have heard a great deal from time to time of the evils of high rates of interest. I have quoted cases indicating that rapacious money lenders in Perth have inflicted great hardship upon families. Their proclivities in that direction should be curbed. Last year when I introduced a Bill of this kind some members thought that if we fixed a maximum rate of interest that could be charged, hardship would be inflicted upon poor people. The contention was raised that if the rate was fixed at 20 per cent and a person wished to borrow £5 from a money lender, he would not be able to get it.

All the cases I have investigated have proved to me that at no time has it paid a poor person to go to a money lender. In 99 cases out of a hundred people would have been infinitely better off if they had never seen such a person. Money lenders will not lend money except upon security, and are ever anxious to get people into their nets, so long as those people have a job and are likely to be able to pay interest. For those poor people the money lenders extract so many shillings every week in payment of interest. Shylocks of that nature have a happy knack of saying to some unfortunate woman, "Never mind, Mrs. Jones, if you have missed a payment or two," but when she has missed two or three payments, the woman is reminded that under the terms of the contract she is liable immediately to the full payment of the loan. Very often it is the man who borrows money; it is not only the woman who is the offender.

When a person gets into the net of a money lender and finds himself unable to keep up the interest payments the money lender says to him, "That is all right; we will lend you a fresh lot of money at a fresh lot of interest." That sort of thing is going on all the time. I know of the case of a man with whom many members of this Chamber are acquainted. I even have a statement from the money lender in question who has admitted the facts. In 1935 the man borrowed £145. At that time he wished to buy a motor car, and his daughter was going to get married. He thought if he could continue to pay off 32s. 6d. a week he would be all right, and could well manage to repay the loan. He therefore borrowed the money and kept up all his payments, but today he owes more than the original amount he borrowed.

Mr. Thorn: He must have worked it out wrongly.

Mr. CROSS: The money lender did not work it out wrongly. I told that man he could get relief by going to the Supreme Court, on account of the excessive interest that was being charged. He does not, however, want his friends and associates to know what a fool he has been. That is the kind of thing which prevents many people from seeking the redress they would otherwise get. It is time Parliament took a hand in this matter and fixed the maximum rate of interest that can be charged by money

lenders. As things are today, the sky is the limit so far as interest is concerned, and compound interest is also charged. The money lender can charge interest on interest.

The Bill contains only two main provisions. The first is to fix the maximum rate of interest at 20 per cent., and the other is to prevent money lenders from charging interest on interest. If a man borrows £20 and pays off £5 in any month, the passing of the Bill will mean that he cannot be charged interest on that money. On this occasion I am not going to listen to any amendments dealing with short loans or small loans. There will be no such thing as allowing 60 per cent. on small loans. The Bill seeks to limit the rate of interest that can be charged by money lenders to a maximum of 20 per cent., and will, if passed, prevent them from charging interest on interest. I want members to treat the Bill as sympathetically as they treated the previous measure I brought down, and assist me in getting it passed through the Chamber. Particularly in war time is a measure of this kind a necessity. I have pleasure in moving—

That the Bill be now read a second time.

On motion by the Minister for Justice, debate adjourned.

MOTION—ECONOMIC PROBLEMS.

Commonwealth Bank and National Credit.

Debate resumed from the 1st October on the following motion by Mr. Marshall (Murchison):—

That in view of the fact that the Federal Government has persistently declined—although four Governments have passed resolutions indicating that the Commonwealth Bank should be used to supply all money necessary for a full and vigorous war effort, national works and social services without debt or any charge, and, further, that as the orthodox method now used by the Commonwealth Government to finance the nation's requirements at present and in the future must inevitably lead to such a colossal burden of debt, interest and taxation that a state of debt slavery must ultimately be reached—this House is therefore of opinion that the Premier of Western Australia should again approach the Prime Minister with a view to having the resolution carried by this Assembly last session given effect to, and, further, that the Government should take steps to ascertain the feeling of taxpayers of Western Australia upon this question.

MR. J. H. SMITH (Nelson) [4.55]: I support the motion, which is practically on the same lines as one that was carried in this House last session, with the addition of the reference to obtaining an expression of opinion from the people on this question. It would not be a bad idea to get such an expression of opinion. A referendum could easily be taken during the general elections next year. If the people were asked to express an opinion as to the desirability of altering the existing monetary system, I feel sure that 90 per cent. would vote in favour of such change. It is not my intention to cover the ground already covered by the member for Murchison. He quoted many world-famous authorities but I imagine that every member is conversant with the views expressed by those people, seeing that nearly every member voted in favour of a motion similar to this last year. I regret that the Premier did not make as much use of the previous motion as many of us desired.

It is remarkable that four Houses of Assembly in Australia agreed to practically the same motion that was moved by the member for Murchison. We know it is impossible to carry on under present conditions. The country generally is becoming more stagnant every day because of the burden of taxation. People are becoming poorer and poorer and will continue to become poorer under present conditions. Their energy is being sapped for the reason that over a period of years they have been bearing the burden of taxation, which is a curse upon the community. At the finish we shall never be able to pay that which we are said to owe. The community will be so loaded with debt that it will never be able to live under the yoke about its neck. Australia at the moment is being asked to provide a war loan of £100,000,000. Of that sum £70,000,000 will be represented by the conversion of existing loans, and the remaining £30,000,000 will constitute new loan money. It is foolish to borrow money when we realise that the Commonwealth Government could carry on by creating its own credit.

I have no doubt that we could carry on the war effort by creating our own credits. The feasibility of that has been proved by all the authorities in the world. Such a principle was followed by the Bank of England during the last war, and there was no inflation. The Old Country is carrying on

today under its own credit system. It is only a question of utilising those facilities we now possess. If we go to a bank in order to borrow money, the institution will only advance funds against the assets we possess. Then there is the stagnation in our own State. Our industries are languishing notwithstanding that the Treasurer is doing his utmost to assist them. He is bound by the present monetary system; if he could obtain credits, money would be available for additional schools in our country districts and for our railways and public works. Country people are crying out for schools; our railways are in a disgraceful condition; our public works are being held up and our primary producers are requiring additional assistance. We cannot do anything, however, because the Money God is preventing us.

Some alteration must be made. Surely Parliament in its wisdom can devise ways and means. I hope the motion will be carried unanimously, because there has been a change of Government in the Federal sphere. The present Prime Minister may take steps to put the motion into effect and I hope the Premier will be able to present him with a unanimous resolution on this subject. I cannot otherwise see any hope of an alteration in our present system. It is no use taxing the people. I know what taxation means to me. I am now forced to neglect my electorate to a great extent, as it is impossible for me to travel to every part of it on the salary I am at present receiving. My electorate is an enormous one and has 54 polling places. I am supposed to visit every part of it, but taxation is taking so much out of my pocket that I find it impossible to do so. We must grapple with this curse of interest. The member for Canning (Mr. Cross) is introducing an amending moneylenders Bill, but that problem is as nothing compared with the burden of taxation our people are carrying today, a burden which will be passed on to our children. A man obtaining a loan from a moneylender is generally forced to do so through his own fault.

We have a remedy and I believe, if the motion is carried and the Government will agree to refer the question to the people, we shall find 90 per cent. in favour of scrapping the old system and establishing a new order. As sure as I am standing

here, and as sure as members are sitting in this Chamber, that new order must come in. In the meantime we must prepare for reconstruction after the war and we must have the means to prosecute it to a successful conclusion. That cannot be done merely by taxing the people. We have to feed, clothe and maintain our soldiers in the field; we have to provide them with munitions. We cannot do all this by taxing and borrowing money from the people; the war must be financed on the credit of Australia. I believe that it can be done in that way, and this House should express a unanimous opinion that it insists upon the Federal Government financing the war in that manner. I trust the motion will be successful.

MR. McDONALD (West Perth) [5.4]: No one will deny that there is room for vast improvements in our monetary system; but, as I have said before on these occasions, the trouble is to know exactly what they should be and how to accomplish them. The member for Murchison (Mr. Marshall) sees beyond the horizon that golden city to which we desire that people should come. He is like a pilgrim. He beckons the people behind him and says, "I know a short cut across these mountains. Follow me and do not follow those people who are trying to find another way towards the golden city."

Those of us who are more cautious—perhaps less wise—are trying to get to the same golden city, but we are testing the way, our steps are slow, and sometimes we seem to get further away than nearer. I feel rather like the old man in Longfellow's poem "Excelsior" when he said, as I say to the member for Murchison—

"Try not the pass," the old man said,
"Dark lowers the tempest overhead."

But we all remember the climax of that poem; I hope it will never be the fate of the member for Murchison. I hope that if he does scale those mountains towards the Millenium, and leads the people behind him, he will not meet the fate of the youth in Longfellow's poem, when at break of day—

Lifeless but beautiful he lay.

Those words might—I do not say they will—apply to the member for Murchison in his eager attempts to scale those heights which he thinks might form a direct path to the golden city.

The Minister for Mines: You will have to leave the word "beautiful" out.

Mr. Marshall: Leave it in!

Mr. McDONALD: We are all pilgrims, like the member for Murchison. I give him credit for an earnest, passionate desire to see our conditions made better through the reform of the monetary system. I give him credit for using all his eloquence, all his study, to persuade people to follow the course which he is taking. But the trouble is to convince ourselves that it is the right course. We also are pilgrims. We desire to see the people follow the path to better things, and we all agree that there will be changes in our monetary system, changes for the better, changes that will make for a fuller and happier life for all. But exactly how all this is to be accomplished is a subject upon which the most learned and accomplished monetary experts still differ.

We are asked by the motion, which deals with one of the most intricate problems of finance and economics, to say to the people, "You are to decide." On this subject books and books and books have been written. There has been an inexhaustible debate upon it, not only by people like ourselves, who do not claim to be professional experts in economics, but by students and people throughout the land. In spite of all that debate, there is still no absolute certainty that the course recommended by the member for Murchison in his motion is going to be the right way for the people to follow. There is no certainty that it may not lead to difficulties even greater than those with which we are faced today. We are to ask the people to decide a question which experts find the greatest difficulty in deciding. We are going to ask them to endorse a monetary policy which experts, taking them as a general body, are not prepared to endorse.

I do not think any Parliament should place that responsibility upon the people. It is the responsibility of the elected representatives of the people. It is their function and their responsibility to arrive at a decision after taking the best expert advice they can obtain. It is unfair that we should refuse to accept this responsibility as a Parliament and put it on the people, who have not the same opportunities to study all these things. Should we delegate the decision on this fundamental and vital problem to boys and girls of 21, to busy people

and housewives who are occupied by their cares? No! If there is a decision to be come to, it must be come to by this Parliament; it is our responsibility and our duty. Therefore, I cannot support the idea of a referendum. If a decision is to be taken by this House, I for one am not prepared to support the motion as it stands. I am not prepared to commit myself to a course as to which—although there is some authority for it—there is no such general agreement by experts, those of vast experience of financial matters, as would in my opinion justify me in voting for something the effects of which we are not able to determine.

In the last few weeks there has been a change in the Federal Government, which is the Government that controls our monetary system. The Federal Government now in power I believe regards the possibilities of the expansion of central bank credit as being greater than those possibilities were regarded by its predecessor. The hon. member might well leave it to that Government to come to a decision itself, in the light of the expert advice which it can obtain from the Commonwealth Bank, and from the economists attached to the Government to advise it upon such matters.

The Premier: The Prime Minister does not intend to raise credit in that way.

[Mr. Withers took the Chair.]

Mr. McDONALD: But he does intend partly to finance our war effort in that way! He said he would use the central bank credit to a greater extent than it had hitherto been used. But I also observe from recent statements made by the Prime Minister that it is apparently his conviction that the war effort must be helped by large contributions from the people themselves out of their own funds, otherwise I am sure he would not have called upon the whole nation, including small income-earners and people owning small property, to put their all, or as much as they can, into the loan proposition now before Australia. He must have thought that that was the proper course for him to follow in the interests of the nation. So I suggest to the hon. member that the matter be left to the discretion and the responsible action of the Commonwealth Government, the members of which are in

possession of the facts and can obtain the best possible expert advice to enable them to reach a decision. As to a referendum of the people, I cannot support that; and as for voting in this Parliament on a fundamental revolution in our monetary policy as proposed by the member for Murchison, that also for the time being I feel myself unable to support, however much I—and I am sure all members of the House—may be in sympathy with him in his intention that we should explore every possible means to improve our monetary system and so ease the burden which at present is pressing so heavily upon the country.

Question put.

The DEPUTY SPEAKER: I give my decision in favour of the "Ayes."

Mr. MARSHALL: Divide!

The Premier: The member for Murchison cannot now call for a division.

Hon. N. Keenan: If he does he will have to vote for the "Noes."

Mr. MARSHALL: I want a division, and I call for a division.

The Minister for Mines: Has the mover of the motion the right to call for a division?

Hon. N. Keenan: Yes, but he must vote with the "Noes."

Mr. MARSHALL: Do you propose, Mr. Deputy Speaker, to allow the division?

The DEPUTY SPEAKER: No! The motion was carried in favour of the "Ayes."

Mr. MARSHALL: There is nothing to prevent me from calling for a division in order to have it recorded in "Hansard." There was more than one voice for the "Ayes" and more than one for the "Noes." I now call for a division.

The DEPUTY SPEAKER: According to the Standing Orders, if the hon. member insists on this division he will have to vote with the "Noes."

Mr. Hughes: He has called for it.

Mr. MARSHALL: What standing order are you, Mr. Deputy Speaker, quoting?

The DEPUTY SPEAKER: Standing Order No. 195 which states—

A member calling for a division shall not leave the House, and shall vote with those who, in the opinion of the Speaker, were in the minority.

I think the member for Murchison would be wise to let the matter rest. Does he wish to proceed?

Mr. Marshall: No!

Question thus passed.

[The Speaker resumed the Chair.]

BILL—WILLS (SOLDIERS, SAILORS AND AIRMEN).

Second Reading.

MR. McDONALD (West Perth) [5.18] in moving the second reading said: The law relating to wills in this State is taken from the English law. The English statute is the Wills Act, 1837. Within a year or two of that Act being passed in England it was adopted and made the law of this State. As regards wills, therefore, the law of this State is the same, with the exception I am about to mention, as the law of England. The Wills Act deals with the formalities for making wills and other matters affecting wills, but in the Wills Act of England, and of course the same Act applies in this State, an exception has always been made relating to the wills of soldiers on actual military service and wills made by sailors at sea. For a very long time, and even prior to the English Wills Act of 1837, this exception has always existed.

These exceptions in the case of soldiers and sailors amount to this: In the first place they are able to make a will, although under 21 years of age; in the second place they may make a will even though it is by word of mouth only; in the third place if they make a will in writing it is an effective will, although not witnessed. These special privileges or exceptions have always been provided by English law in the case of soldiers on active military service and in the case of sailors at sea; and the reasons are fairly obvious. These exceptional provisions were preserved in the Wills Act of 1837 in England, and therefore in this State too when we adopted the same Act.

At the end of the last war doubts were expressed in England as to whether the term "soldier" would cover airman, and as a result the Imperial Parliament in 1918 passed an Act to provide that airmen should, in effect, be deemed to be soldiers, and that the same special provision relating to the wills

of soldiers and sailors should apply to the wills of airmen. It is now proposed by this measure to apply the same law to Western Australia.

The short main purpose of this Bill is to put the wills of airmen who go from this State in the same position as at present obtains in the case of soldiers and sailors who are in, or go from Western Australia. It might be thought there would be room for abuses where wills are made by word of mouth or by a writing which is not witnessed. I may say, however, that over a long period of years the courts have established very stringent rules as to the proof of all wills not made in accordance with the ordinary formalities. There has been found to be very little danger of abuse from the exceptional provisions applying to the wills of soldiers and sailors.

The Premier: How would nurses be affected?

Mr. McDONALD: So far they are not covered by the Bill. I will say a word or two about them presently. The main object of the Bill is to provide that airmen shall be subject, or entitled to, the benefit of the same provisions respecting wills as already apply in this State to soldiers and sailors.

The measure moreover contains provisions designed to remove doubts, and is copied verbatim, except as altered to comply with circumstances in this State, from the English Act of 1918. The first provision to remove doubts states that a sailor—a man who is in the Australian Navy or the Royal Navy—shall be deemed to be brought within the terms of the Wills Act although he may be ashore. Some doubt was expressed as to whether the sailor would come within the terms of the Act if he were not actually on his ship. The English Act provided, in effect, that the sailor would still be deemed to come within the terms of the Act, although not actually on his ship, or at sea. It would apply to him if he were in port prior to the commencement of a voyage. I have, therefore, incorporated in this measure the same provision as is contained in the English Act to make sure that the sailor retains the privileges, although in port.

The Premier: What if he is a marine taking part in land attacks?

Mr. McDONALD: I think he would still be within the Act. He would be a sailor at sea within the terms of the Act. In addition to that, under the old law, the privilege of

making a will in the case of soldiers and sailors under 21 years of age applied only to personal estate such as stocks and shares, money in the bank and goods and chattels. It did not apply to land. The English Act of 1918 provided that the soldier, sailor or airman who makes a will in accordance with the special conditions applicable to him may make a will of land in the same way as of personal estate. I have incorporated that provision.

To remove a further doubt the English Act provided that a soldier, sailor or airman could by his will appoint a guardian of his infant child. There had been a doubt as to whether he had that power. I have incorporated a similar provision in this measure.

The main part of the Bill is, in fact, the last clause. It states that for the purpose of Section 11 of the Wills Act, 1837, and this Act, the expression "soldier" includes a member of His Majesty's air force—that is the Royal Air Force—and a member of the air force of the Commonwealth of Australia as constituted under the Defence Act, 1903-1939, and the Air Force Act, 1923-1941. That is the main part of the Bill and includes airmen together with soldiers and sailors in the special terms of the Wills Act. In addition to that the term used in the Wills Act in relation to soldier, is a "soldier in actual military service." In England this has been construed as meaning a soldier who is engaged, or about to engage, on an expedition. That, no doubt, is due to the fact that in the old days people hardly thought of soldiers fighting in England, but always thought of them as about to go oversea to engage in some war. In consequence the expression "soldier in actual military service" has received the rather narrow interpretation I have mentioned. That has not been altered in England, but in this Bill I have thought it desirable to remove any doubts as to the meaning of "soldier in actual military service," and I have provided that the expression means "such service whether in Australia or elsewhere." I hope that will cover soldiers, sailors and airmen both while serving in Australia and outside Australia. The policy of the defence forces—army, navy and air—is to encourage all soldiers, sailors and airmen to make wills, and they have legal advisers to assist in the making of the wills and afterwards to look them through in order to ensure that they have been made in proper form.

In all cases the wills are witnessed by two persons in the same way as is the will of a civilian. Therefore, 99 per cent. of the wills of soldiers, sailors and airmen who go from Western Australia will be in writing and will be witnessed just as anyone else's will is witnessed. What will happen is that, of those wills a percentage will be made by men who are under 21 years of age, and that is where the provisions of the Wills Act plus this Bill come in and make valid the wills of men under the age of 21 years. In consequence of the considerable number of wills made by airmen under 21 years of age, it was represented to me that this Bill should be introduced in order to remove any possible doubt as to their validity. In Victoria, New South Wales and South Australia, the law has been altered to include airmen with soldiers and sailors in this privileged position regarding the making of wills.

The Premier referred to the question of nurses. I have not included nurses or women in the terms of this Bill, and they are not so included in the terms of the parent Wills Act. I am quite prepared to entertain an amendment to include in the special provisions nurses or women serving with the forces. I omitted reference to women serving with the forces for two reasons. The first was that I thought very few women would be attached for service with the forces of the Commonwealth unless they were over 21 years of age. I think the Minister for Health will correct me if I am wrong in saying that very few women qualify as nurses before reaching the age of 21 years.

The Minister for Health: They have to be 19 to 21 years of age before starting their three years' training.

Mr. McDONALD: Then we may take it that all nurses—and they would be the considerable body of the women serving with the forces—would be 21 years of age.

The Minister for Health: They average about 25 or 26 years.

Mr. McDONALD: There was a further consideration. If we accept the fact that very few women under 21 years of age would be accepted by the military authorities for war service, from the point of view not only of training but also of policy, we can also say that as regards the making of wills, women would nearly always be in a position to make a will without serious difficulty. They would almost always be in base hospi-

tals or places well behind the firing line where they would have an opportunity to get witnesses, where they might receive some assistance in making the will and where they would have a supply of pens, paper and other requirements to enable them to make a will in comparative safety and also the opportunity of taking as much time as they wished in performing the duty. For these reasons I have not included women, but if members think they should be included I am prepared to accept an amendment for that purpose.

This Bill, briefly stated, is to put airmen in the same position as soldiers and sailors by enabling them, when under 21 years of age, to make wills as they are doing now and as soldiers and sailors are entitled by law to do. It will also enable them to dispose, by will, of land as well as personal property, and it includes other clauses to remove doubts which have arisen regarding such wills, which points have been covered by provisions in the English Act and incorporated in this Bill. I move—

That the Bill be now read a second time.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Kanowna) [5.36]: I have considered the Bill and concur in everything the member for West Perth has said. I also commend him for introducing the Bill. It is copied from the English statute passed in 1918 and will clarify the position here. In 1839 we adopted the Imperial Act of 1837 *holus bolus*, and there has been only a slight amendment to it which was made in 1855. As members are aware, the provisions of the Wills Act are very rigid. They require a person to be over the age of 21 years before he may make a will. The will must be witnessed by two adults and signed in the presence of the testator, and the testator must sign in the presence of the witnesses.

Members will appreciate that, in the case of airmen, it would be almost impossible to comply with the Act. There are instances of people who, though over 21 years of age, do not make a will, but there was provision for making a nuncupative will, in other words, an oral will. I believe that before the Wills Act was passed in England in 1837, one could make a will orally so long as there were seven witnesses. That number was deemed to afford sufficient proof of the validity of the will. Since the passing of the Wills Act, as I have pointed out, the

duties of a person making a will are very rigid. This Bill will not only clarify the position here but will also ensure that men of the Air Force under 21 years of age are provided for. I concur fully in the measure and hope it will be passed.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—DEATH PENALTY ABOLITION.

Second Reading.

Debate resumed from the 1st October.

MRS. CARDELL-OLIVER (Subiaco—in reply) [5.41]: I wish to compliment those members who have done me the favour of supporting the Bill and also thank those who have spoken against it. During the early part of the debate the member for Brown Hill-Ivanhoe (Mr. F. C. L. Smith) was chided with being an idealist. I consider that that was a great compliment, although it was not intended as such. But for the idealist, we would still be in a state of savagery and there would have been no evolution towards a better race. It has been the idealist who has been able to put before the people an ideal and help them to strive to attain it. So I thank God that we have an idealist in the Chamber.

It surprised me to find that the chief opposition came from members of the legal profession and from an ex-member of the police force. Both are interested parties. It is the first duty of the police to secure convictions for crime—I will not say at any cost, but at least to secure convictions for crime. The duty of the others is either to snatch from or send to gaol, or perhaps to the gallows, the accused person. That is according to whether the hon. gentleman concerned is prosecuting or defending the accused. I am not worrying about the fate of the Bill because, if we are still at that stage of mentality and morality in which the leaders are convinced that an act of vengeance is a correct punishment for a crime, all I can say is, "So be it." But with time will come enlightenment; it

will be realised that, as the member for Mt. Marshall (Mr. Warner) said—

The mills of God grind slowly,
But they grind exceeding small.

The hon. member might also have quoted another closely relevant observation—

“Vengeance is Mine,” saith the Lord.

I feel certain that man must and will find out for himself that he cannot usurp God’s prerogative. It is only when man has had many personal knocks and suffered considerable hardships that he is willing to accept the Christian law. Our puny efforts to prevent the realisation of this law are as futile as would be endeavours to prevent the wind from blowing.

I was surprised that the Leader of the Country Party and the Deputy Leader of the National Party had decided to vote against the Bill before they had heard the full evidence in its favour. In defending the right of the Executive Council to be the final judge in a question of life and death the Leader of the Opposition quoted the Fremantle case where a man had murdered his little child to whom he was greatly attached. “He must have been insane,” said the Leader of the Opposition, “for I could see no reason for the act.” But there were at the time numbers of people in Western Australia who saw a glaring motive, in their opinion, for the act. I feel that it is impossible for any one of us to reason out exactly what is in the mind of a man when he commits murder. I do not think any human being can really tell what is in the murderer’s mind! No human being can do more than make a guess.

It has been said by a judge that 90 per cent. of murderers did not know in the morning when they were shaving that by night they would commit murder. The other 10 per cent. are those of feeble minds who, when they commit an act of murder, commit it almost automatically because they have for so long had in their subconscious minds the thought of vengeance and murder. Therefore when the deed is done it becomes an automatic act. Such was the act of the boy who shot the French statesman Monsieur Laval. He no doubt for a long time thought and dreamt of shooting a betrayer of France, until the overwrought brain, in desperation, seized the opportunity. When the opportunity presented itself to the boy his act became automatic.

By the by, I would like to ask is there one member of this Chamber who would hang the boy if the shot had proved fatal? No, Mr. Speaker, not one! Rather would we have applauded the deed, although there are many in France who regard Monsieur Laval as a hero and the boy as a murderer. It was Laval himself who had the boy’s life saved. That is an act of mercy which will allay much of the bitter feeling against Monsieur Laval. Had he, on the other hand, yielded to a desire for revenge, the hate would have continued.

Mr. SPEAKER: I think the hon. member is getting away from the reply now. Nothing like that was brought up in the course of the debate.

Mrs. CARDELL-OLIVER: I am only trying to show that if members are as sincere—

Mr. SPEAKER: The hon. member is only permitted to reply to matters that were raised in debate.

Mrs. CARDELL-OLIVER: I wish for a few moments, then, to enlarge on one or two points raised by the member for Brownhill-Ivanhoe (Mr. F. C. L. Smith). I trust that when I have concluded, those members who are now decided to vote against the Bill, if they see any reason in my reasoning to change their minds, will vote for it. I propose now to refer to the factors of environment and heredity. These are the most vital, most illuminating and all-embracing factors when dealing with questions of crime. The greatest author upon this subject has said, “Like begets like.” That results both from somatic and from environmental sources. These are two forces bound up in the creation of a better or a worse race. They are in themselves distinct.

It has been pointed out that the fertilised egg cell contains, in some way that we cannot imagine, the potentiality of a living thing—a tree, a flower, or a man; and that if this rudiment is to be realised, there must be appropriate environment, a sufficient supply of food and oxygen, and liberating stimuli of many kinds. This may seem elementary to many members, but if I am to make myself clear I must start at the beginning. I am sure we are all agreed that living creatures arise from parents more or less like themselves. There may be variation and modification, but authorities are not agreed as to how these come about. They are, however, agreed that life in man

has similar matter with which to start, and similar conditions under which to develop, and that the germ plasm is not used up in the construction of the body of the offspring but is reserved unchanged for the formation of future generations. Authorities agree that the germ plasm which gives continuity to the chain of transient generations is immortal, that no somatic modification is transferred from parent to child, but that the parent is more the trustee or guardian of the germ plasm than he is the producer of the child. The credit for the working-out of the theory of germinal continuity has been given to Weismann, whose books are in the Parliamentary Library available to anyone who wishes to verify my statements.

Galton, another famous man who has already been mentioned by the member for Brown Hill-Ivanhoe, says that the child is as old as the father. But one may go further and say, "As old as the oldest ancestor." If the theory of the germ plasm is true, then, to put it crudely, we seem to be built up out of a host of minute particles of whose nature we know nothing, and any one of which may be derived from any progenitor. Again, Galton averred that man is a slowly varying organism and is liable to have his inborn nature concealed by a veneer due to nurture, "but," he continued, "the fact cannot be ignored that there are great differences in quality and quantity of hereditary endowment."

The point I wish to make is that as we are agreed the somatic modifications are not transferred from parent to child, we are bound to conclude that evolution towards a better race must come from nurture and environment. We know that the unfit multiply at a considerably greater rate than do the fit. Some time ago Professor Karl Pearson pointed out that 25 per cent. of the married couples in Britain produced 50 per cent. of the next generation, and that the ratio of defectives, deaf and dumb, epileptics, paralytics, unities, crippled, debilitated and infirm increased by 5.4 per thousand to 11.6 during the 15 years over which his study of the relevant statistics extended.

Many members will have read of the record of the Jukes family—the 709 descendants of a woman who cost their State a quarter of a million sterling. The woman and her parents were alcoholics. It is well known that there is a high rate of

criminals from the illegitimate class, due to many causes, such as the adverse influence of the mother, to the condemnation of society upon her condition, to the grudge of the child against society when knowledge of its illegitimate birth is brought home to it. It is, however, an undisputed fact that evil characters have a power of persistence beyond the third and fourth generations. I hope to prove that in the same manner weak intellect and criminal tendencies are transmitted. The member for Brownhill-Ivanhoe has passed me a little note to which he had intended to refer, but which was not referred to by him.

Mr. SPEAKER: It cannot be referred to now if it has not been referred to in debate.

Mrs. CARDELL-OLIVER: But it does deal with the subject.

Mr. SPEAKER: Unless it has been used in debate, it cannot be used now.

Mrs. CARDELL-OLIVER: Then I shall not use it, Mr. Speaker. I shall go on with my argument. It will be remembered that during the last war an examination was made of American soldiers to decide who were fit and who were unfit, and it was found that out of 1,700,000 examined, 10 per cent. were absolutely unfit for any sort of service overseas; that 15 per cent. had only the mental level of 11-year-old children; so that, in other words, 25 per cent. were of distinctly inferior intelligence. The report of the examiners states—

Roughly speaking, it may be said that based upon these carefully made psychological army tests, 25 per cent. of our population have the necessary ability for some sort of leadership, and that of this proportion only about 5 per cent. possess superior intelligence; that 50 per cent. are mediocre, and that 25 per cent. are inferior—the lowest of this 25 per cent. representing the actual feeble-minded and including a number not far from that of those who have superior intelligence.

I might make myself a little clearer if I were to quote a few extracts from a report on this subject by Dr. Atkinson our Public Health Commissioner—

In animals and man . . . the young obtain half their inheritance from the family which produced each parent, and for this reason a child may not greatly resemble either parent, but may inherit characteristics that did not appear in either parent but were present in their germ-plasm only, the characteristics having been actually present in a grandparent or perhaps a remote ancestor. In this way a good constitution or mental capacity may be handed on to the child, or on the other hand family de-

fects physical or mental be perpetuated in the offspring. The distribution of some characteristics, such as temperament for example, are difficult to study from the point of view of heredity. . . . It is the enormous number of combinations in heredity that make the subject so difficult, but certain traits appear so regularly that they may be classed as unit characteristics.

It is quite generally thought that the degree of intelligence of individuals is hereditary. Again, certain forms of feeble-mindedness appear with great regularity in certain families. There are certain bodily traits and peculiarities that also appear with much regularity, whilst in other families a high degree of intelligence predominates.

Amongst these recurring characteristics are some which constitute actual disease, mental or physical, which may be perpetuated in the offspring. . . . The marriage of close relatives may give the offspring a double chance of inheriting undesirable characteristics because both parents have the same inheritance, but on the other hand if the heredity is good there may be a reinforcement of desirable characteristics by such a union.

It must also be borne in mind that although an individual does not show a given trait that is prevalent in a family, his children may do so.

Mr. SPEAKER: I think the hon. member had better resume her reply to the debate. I have given her considerable latitude.

Mrs. CARDELL-OLIVER: Very well, Sir! I wish to point out that I am seeking to connect those remarks with the prevalence of crime, indicating that Dr. Atkinson considers that both heredity and environment are great factors—

Mr. SPEAKER: Reference may not be made to Dr. Atkinson. A reply can be made only to what has been said during the debate.

Mrs. CARDELL-OLIVER: The Commissioner does make clear that heredity and environment are vital causes of disease and crime. Farmers know what has been achieved in regard to horses, cattle, pigeons and poultry as a result of understanding the laws of heredity, coupled with a knowledge of the importance of nurture and environment. Those who have travelled through northern countries have seen the small Icelandic plants which, when taken from the country of their origin and placed in fertile soil in temperate zones, grow luxuriously. When the seeds of the improved plants are sown in the original country, the resultant plants once more take on their original dwarf appearance. That is an illus-

tration of the importance of environment which I have stressed. The Labour Party has on its platform—

Mr. SPEAKER: The hon. member must make no reference to the platform of the Labour Party.

Mrs. CARDELL-OLIVER: It was mentioned by the member for Nedlands (Hon. N. Keenan).

Mr. SPEAKER: I am sorry. If the matter was mentioned during the debate, the hon. member may reply.

Mrs. CARDELL-OLIVER: It was definitely mentioned, and the member for Victoria Park (Mr. Raphael)—

Mr. SPEAKER: The hon. member may proceed.

Mrs. CARDELL-OLIVER: The Labour Party has on its platform—

The Minister for Works: You do not know how they get there.

Mrs. CARDELL-OLIVER: They sometimes get there by the votes of intelligent people, but that may be by mistake.

Mr. Raphael: Thanks very much!

Mrs. CARDELL-OLIVER: However, the abolition of capital punishment is a plank of the Labour Party's platform. I do not suppose it was included in that platform as a result of a ponderous study of heredity, but I am sure it was included as a result of a study of environment, because nobody knows better than do members of the Labour Party what environment means to a nation. They are not using revenge to effect reform but are endeavouring to bring about a change by the lifting of the masses and creating an environment that will prevent the exploitation of labour and the crimes that result from such exploitation. I feel that it is just plain murder to take a man's life in cold blood for an act over which he had little control owing to the influence of heredity and environment. We have given very little consideration in this House to the question of healthy inheritance.

The Minister for Lands: Blatchford wrote an interesting book about the bottom dog.

Mrs. CARDELL-OLIVER: I did not catch the interjection.

Mr. SPEAKER: The hon. member should address the Chair and disregard interjections.

Mrs. CARDELL-OLIVER: We have given a good deal of thought to many other subjects, but very little to creating healthy contented human beings, who will not have

criminal tendencies. We have but to look over the hill from this House to see undernourished children and slums, and to know that we are there breeding potential criminals. With the consent of those in this House who believe in capital punishment, some of those children may one day suffer the supreme penalty, but the responsibility for the commission of the crimes for which they pay will be ours rather than theirs. The member for North Perth (Mr. Abbott) commiserated with the bereaved relatives of murdered people. I think we all do so, but does the taking of another life help them? Is it any help if another family is injured, if innocent people are affected for all time?

Surely in our vengeance we lose our sense of proportion! The member for Wagin (Mr. Stubbs) is convinced that when a sentence is pronounced by a judge, it should be carried out. He does not hide behind the Executive Council as do some members who oppose the Bill. He is convinced that when the judge decrees a hanging, the decree should be given effect to. But suppose the murderer happened to be his own son! Would he not use all his influence to save that boy from the gallows? Of course he would! Would any of us commit another person's son to a death to which we would not commit our own? The fact is we feel sure that as a result of our breeding and position no such circumstances will be likely to arise in our families. We really feel that we are not as other people. We are consciously arrogant in our unconscious ignorance. We seem to forget that what we are is due largely to the influence of our ancestors and our environment.

The truth is, however, that the murderer in this country is seldom hanged; not even when the murder occasions righteous indignation throughout the State; not even in a case such as the revolting incident cited by the member for Wagin in which the body of the murdered person was chopped up and disposed of in some horrible manner. If we honestly believe that hanging is a just penalty and a deterrent, why do not we insist on the law being carried out? Are we not showing our impotence or inconsistency by pointing out that a murderer can escape the punishment of death by sanction of the very Council of which we approve? I think that by our inconsistency we expose

the fallacy of our system, which was denounced by an abler voice than mine, that of an ex-member of this House, Mr. Harry Mann. We all know that Western Australia is notorious throughout the Commonwealth for non-enforcement of the law, but if our legislation is not to be rendered a complete farce, why not amend an old-fashioned law that savours of the prehistoric ages? Must we keep such a law on our statute book as a monument to our inefficiency or as a reflection on our integrity?

The criminal knows, because statistics prove, that he has a 40 to one chance of escaping conviction when charged with murder, and a nine to one chance of not being hanged when sentenced to death, and we have to ask ourselves as responsible members of Parliament whether we believe or disbelieve the statements we make. I have explained that in northern countries where the law was being administered as it is being administered here, where executions were not being carried out, Parliament was honest enough to repeal the law. The Labour Party of New South Wales is in the same position as we are. The death penalty is on the statute book of that State, but the party in power has declared that so long as it occupies office the law will not be given effect to. That is dishonest. I do not want our Parliament to sink to the level of bribing electors.

I would like our Government to give the Government of New South Wales a lead which the latter is prepared to follow. New Zealand has abolished capital punishment. When the Minister who introduced the Bill for its abolition in that Dominion was chided for bringing down such a measure at this particular time, as I have been chided, he replied that—

Mr. SPEAKER: There was nothing in the debate about the Minister who introduced the Bill in New Zealand.

Mrs. CARDELL-OLIVER: I think the word "chided" was used. I was chided; so was that man. Can you, Sir, see the resemblance?

Mr. SPEAKER: The hon. member is entitled to reply only to what has been said during the debate.

Mrs. CARDELL-OLIVER: I am honestly replying. The New Zealand Minister replied that the time was the right time, because the basis of the Bill was sound.

He said that the present was always the right time to amend a wrong. The member for Nedlands (Hon. N. Keenan) and the member for Mt. Marshall (Mr. Warner) spoke about the scientific methods now adopted by the police. I think the statement was made that "They cannot now make mistakes." That is sheer nonsense. The only scientific methods the police have recently evolved have been in the direction of adopting a total moral, mental and physical blackout when passing an S.P. shop. Only the other day an old lady came to tell me that she had given wrong evidence in a case of stealing for which a man is now serving 12 months' imprisonment. The police had so confused her that she gave the wrong answers to questions, and the man was convicted.

The horrible and nasty case of the old man and the young child has been mentioned two or three times in this Chamber. This was not the first case of its kind, and hanging has not prevented a repetition. This creature is and was at the time of the act definitely insane. I could quote a similar case that occurred only a few months ago, but the children did not die. The man had held a responsible position amongst children for 30 or 40 years. He had an excellent character, but the harm he did was irreparable because the children will grow up with the filthy knowledge of the outrage. It is obvious to all that the mentality of such men is weak, and hanging will not deter them because at the moment of the commission of the crime they are absolutely irresponsible and mad, and I am quite sure that every member in this Chamber believes that.

Sitting suspended from 6.15 to 7.30 p.m.

Mrs. CARDELL-OLIVER: Before the tea suspension I was pointing out that capital punishment has proved to be no deterrent respecting the abominable crimes that have been mentioned. I contend it is an insult to our system of legislation to use the argument that it is a deterrent against crime. In consequence, I am not appealing to the humanity of members of this Chamber, but to their commonsense. I have endeavoured to show that wherever capital punishment has been abolished, the crime of murder has not increased. The

Leader of the Opposition suggested that lynching had been resorted to in a greater degree following upon the abolition of capital punishment, but that is not correct. I defy any member to prove the contrary. I have shown that in some countries where abolition of the death penalty has been agreed upon, the number of murders committed has greatly decreased.

I have endeavoured to prove to the satisfaction of the House that man's ability to refrain from crime is largely influenced by heredity, education and environment. On the other hand, unsatisfactory social considerations and faulty physical and mental conditions certainly influence human conduct in the committal of crimes. I have shown that the past history of parents and ancestors plays a most important part regarding the crime that the individual commits. Sudden acts, I have shown, are seldom as instantaneously committed as would appear at first to be the position. They are largely the consequence of numerous emotional reactions extending over a long period, and that applies especially with regard to sordid sexual crimes. I have endeavoured to demonstrate that under our present system juries will not convict persons charged with murder, and that it is possible for errors of judgment to occur. Finally, I claim that life is the one thing we cannot replace. If we take life in cold blood it constitutes the most wilful crime of murder that can be committed. In all these circumstances, I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee.

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

MOTION—FARMERS AND PASTORALISTS' DEBTS.

Debate resumed from the 24th September on the following motion (as amended) by Mr. Watts (Katanning):—

That in view of the fact that the secured liabilities of many farmers and pastoralists, and persons, whose difficulties have been occasioned by the same economic factors, engaged in manufacturing, commercial, and industrial

enterprises, and numerous citizens, not so engaged, who are in difficulties substantially through reasons beyond their control, are so great that they are unable to pay their way, and in the interests of the State, it is essential that those engaged in these industries be placed in a solvent position as soon as possible, it is the opinion of this House that the Government should take immediate action to legislate for the adjustment of such secured debts, and their ultimate reduction to not exceeding the fair value of the security.

MR. SEWARD (Pingelly) [7.37]: When the Minister addressed himself to the motion he said that we must all realise the important place that the farmer occupies in our economic structure. It was exactly the consideration of that aspect which, I think, prompted the member for Katanning (Mr. Watts) to move the motion and equally prompts me to offer it my support. First of all we must ask ourselves what is the position of the farming industry today. Since 1931 the Commonwealth Government has provided grants for the purpose of assisting the farming and pastoral industries. Perhaps I should say that the assistance was rendered to our primary industries. Excluding pearling and tobacco industries, the action of the Federal Government meant that £5,579,447 was made available for that purpose. Despite that assistance, one cannot say that the farming industry is in a better position today than it was before the grants were made available. As a matter of fact, I may quote in support of that contention a statement by the Minister himself, during the course of which he furnished one or two instances that lends support to my contention. He stated—

We find with respect to debt adjustment that although in 1937 quite a substantial amount of the debts had in many instances been practically halved, the history of the industry shows that within 2½ years many of the accounts were as bad as before that adjustment was made.

In all too many instances, unfortunately, that outlines the position of the farmers at the present moment. Only today I had a rather illuminating instance brought under my notice, and I shall briefly quote the particulars for the benefit of members. It deals with the case of a farmer concerning whose ability there can be no question. He is held in high regard by his bankers as a capable farmer. He has a property comprising 2,000 acres, of which 621 are first-class, 1,137 second-class and 242 third-class. The

improvements on the property have been valued at about £3,000. About six years ago his debts were adjusted and £300 was written off his secured debts and certain unsecured debts were paid off. That left him with a debt of £3,765 on his 2,000-acre proposition. Now he has written in requesting further debt adjustment or writing down, because he claims he is unable to carry on with his present indebtedness. His crop returns over the last five years were as follows:—

Years.	Aeres Cropped.	Returns (Bushel- ^s).	Average Yie'd per acre.
1936	240	2,871	12
1937	280	3,215	15
1938	350	3,358	15
1939	430	7,030	16
1940	380	2,510	

Unfortunately the season last year was unsatisfactory in that farmer's area as it was in most parts of the State. Considering that the State's average yield per acre is between 11 and 12 bushels, it will be seen that this farmer, over the period of five years, secured a return of five or six bushels to the acre above the average. Unfortunately the price he received for his wheat during that period constitutes the factor that contributed to his present position. His returns were—

Year	Price per bushel.	
	s.	d.
1936	3	4
1937	3	10½
1938	1	10
1939	2	10
1940	2	6

Thus over the five-year period his average return was 2s. 10¼d. per bushel. As members are aware, the Federal Royal Commission that investigated exhaustively the conditions obtaining in the wheat industry a few years ago, estimated 3s. 10½d. as the cost of production for a bushel of wheat. Therefore, over this period the farmer I mention averaged 1s. a bushel less than the actual cost of production.

Mr. Marshall: What do you consider to be the actual cost of production?

Mr. SEWARD: I have already pointed out that the Federal Royal Commission placed the figure at 3s. 10½d. a bushel. Of course it varies from time to time, but that average price is regarded as authoritative. In addition to this farmer's cropping activities he has a flock of about 480 sheep. The position of that man is such that with a total indebtedness of £3,765 he can see no possibility of carrying on and paying off his

debts. In view of such an instance, there is every justification for the moving of a motion calling upon the Government to take action regarding secured debts. As the Minister pointed out during the course of his remarks, the attitude of the Leader of the National Party has been changed. That hon. member is by no means singular in that respect.

During the past six weeks I have spoken to many representative business men in the city to whom the mention of writing down of secured debts would have been anathema some time ago. They would not listen to any suggestion then. Now they agree that it is essential; they are ready for it to take place. In view of that fact, I regard the motion by the member for Katanning as peculiarly apropos at this juncture. Apart from that, we have to view the question from the standpoint of the effect on the morale of those engaged in farming operations. Their morale is becoming so low that they will not be able to carry on much longer. Under existing conditions it means working from before daylight until after dark for practically 365 days in a year, only to find that as a result of the labours for the 12 months, as in the case I have quoted, many farmers find themselves getting in a worse position than they were in at the inception of the year's operations. And that, as I say, is not the case of an incompetent farmer. He is a man who works hard and is held in high esteem by the Bank authorities.

Moreover we have to look at the position of the returning soldier. Unfortunately we do not know when our soldiers will be returned—we all hope it will be soon—but when they return we must have something for them to put their activities into; and no returned soldier who has had any experience on the land is at all likely to go back into farming under any circumstances as farming is at the present time. So we have to do something in order to put the industry on a footing that will make some appeal to those men. The position of the farmers today is that they are, unhappily, worse off than the relief worker who is outside the fence working on the road. That man works his five days a week for a recognised basic wage, or more if he receives a margin for skill, and in addition to that he knows that he has his Saturday and Sunday free. We do not deny those holidays to that particular section of

the community. Those men are entitled to the best conditions we can give them. But surely if they are entitled to those conditions, then the man who has his stake in the country and is helping to pay our oversea indebtedness is at all events entitled to equal conditions.

There is another aspect of secured debts to which it is desired to draw attention. The member for Katanning (Mr. Watts) during his remarks stated that land settlement in Australia had been founded on borrowed money. I shall not quarrel with that statement, but I remind members that so far as eastern Australia is concerned, land settlement was established mainly by banks and stock firms who loaned money but who kept a fairly tight rein on the financial side of the activities of our settlers. However, Western Australia made a bold experiment. Through the Agricultural Bank we launched out upon the policy of settling on the land people who had no capital. That was a very bold step to take, and I will not say that the experiment would not have proved successful had the Agricultural Bank not departed from the policy that it adopted upon its establishment.

When the Agricultural Bank was established, it made money available after improvements had been effected on the farm. But later that principle was departed from, and money was made more readily available and probably without proper inspection and before improvements had been carried out. That, unfortunately, gave another impetus or incentive to many of the banks. I remember that only about 10 or 12 years ago there was considerable activity amongst the banks. One bank, I recall, practically forced money on the farmers—got them to borrow it, and within 12 months was trying to call it in. Everybody knows that if a farmer borrows money and puts it into clearing his property or something of that description, he is not in a position to repay that money next year or probably for a series of years. That competitive activity by the financial institutions—and the activity of one institution in particular—was the means of bringing the farmers, or many of them, into the position they occupy today. The Minister for Lands also quoted findings of the 1931 inquiry into the farming industry. Those findings I will briefly run through—

(a) The false prosperity created by banks and over-easy borrowing.

(b) The unlimited extension of credit.

(c) The overtrading by merchants in competition for business, particularly since mechanical farming came into existence.

(d) The mounting interest rates.

(e) The effect of steady increase in tariff.

(f) The belief that the strong world prices for wool and wheat would continue.

(g) The competition by the Associated Banks for business.

(h) The more than forward policy of the Agricultural Bank.

(i) The purchase of estates for soldier settlement at high prices.

(j) The period of high prices for produce; such prices were discontinued by the diminishing purchasing power of the Australians but gave farmers a false idea of their prosperity.

None of those reasons for the unfortunate position of the farming industry today attributes that position to any deficiency or any blame attachable to the farmer. They are all by-happenings outside the farmer's control. But it is the farmer, and practically the farmer alone, who is made to pay for his position today—a position which was brought about by the collapse of prices. From that aspect I say we should take a view of the position and take some action that will put the farmers back in a solvent position.

The Minister, when replying to the motion, made the statement that he thought it necessary that the motion should be accompanied by a plan. If the lack of any plan accompanying this motion is the fault of anybody, it certainly is not the fault of any member on this side of the House. I have only to remind members, as did my colleague the member for Katanning (Mr. Watts) that on three occasions a plan has been presented to the Chamber through a Bill to amend the Rural Relief Act. It was within the province of members to amend that plan in any way they thought desirable, but that was not done. The Bill was simply thrown out here except on the last occasion, when it was defeated in the Legislative Council. But that plan was presented, and it was in the full discretion of the House to amend it in any way members desired. Therefore any responsibility for not having a plan available cannot be placed on any member on this side.

Again, as mentioned by my colleague, last year there was a further opportunity to formulate a plan when a motion was moved for the appointment of a joint select committee, so that any deficiency in the motion already presented could be investigated by that committee. The committee could

have drawn up any plan that its members thought desirable to put into operation for the purpose of relieving the farming industry of Western Australia. The motion was defeated in this House. Consequently I say that the Government must accept the responsibility for the lack of a plan if it considers a plan necessary. An opportunity for formulating such a plan has been afforded to the Government on four different occasions.

The Minister in the course of his remarks also drew attention to the fact that had there not been a seven-years' drought in the pastoral industry, there would have been no necessity for a Royal Commission. That statement cannot be refuted, but I also want to draw the Minister's attention to the fact that had there not been an eleven-years' drought in the farming industry, there would have been no demand for reduction of the burden of debts such as this motion calls for. It is entirely due to the fall in prices, as I have just pointed out in the case I gave to members, that the industry finds itself in its present position.

I have a further case that I would like to place before members, of another farmer who finds himself in difficulties, and again the position is not brought about by any deficiency of the farmer but by falling prices and the unfortunate seasons to which the industry has been subjected. The return I have covers a period of 11 years, from 1931 to 1941. During those years the average yield of crops sown on the property has been 12.48 bushels to the acre. The State average for the same term of years was 11.18 bushels. The return shows that in this instance the prices received fluctuated from 3s. 10½d. in 1937-38, down to 1s. 9d. in 1930-31, whereas the average cost of production was 3s. 10½d. In the course of that man's operations he received in 1937-38 3s. 10¼d. per bushel for his wheat, and that is the only year during that term of 11 years when he was able to pay his commitments and have any surplus for his 12 months' operations. In all the other years he had a deficit, and today he is no longer able to carry on a property on which he has been over a period of 27 years.

I do not want to detain the House longer, because there is not very much more to say on the matter, and because I am well aware, as the mover stated, that it has so often

been brought forward here. There is nothing to be gained by repetition. The Minister for Lands, I notice, has stated—

The Government has a clear understanding of the difficulties of pastoralists and farmers, and I have endeavoured to give sympathetic and practical consideration to both.

Well, sympathetic consideration, and the limited amount of practical consideration they may have received, will not achieve the desire of the motion. Something much stronger must be done. The time for doing it is more favourable now than it has ever been during the last ten years. The business section of the community has realised that the position has to be faced. I remember calling on a banker, a particular friend of mine, in 1930-31, when the economic trouble first arose. I asked him, "What on earth are you going to do?" He said, "The losses we will have to write off will be tremendous." Those losses have not been written off, by reason of the fact that by legislation and by co-operation between creditor and debtor the farmer has been enabled to carry on. But in spite of the fact that over 5½ millions has been put into the industry by way of Commonwealth grant to enable it to carry on in Western Australia, it is in a worse position now than it was ever in before.

This is the time to take some steps to improve the position of the man on the land and to protect the primary industries, because, without entering into figures, I may point out that an enormous amount of wealth has been produced in Western Australia by the agricultural industry. I shall not enter into an argument as to the relative value of the goldmining industry and the farming industry. I can assert without fear of contradiction that but for the farming industry Western Australia would not have achieved the position it has achieved. It was the agricultural industry that brought about Western Australia's recovery when the goldmining industry had declined.

We have only tapped our resources. During the discussion on a Bill which was before the House last night, an hon. member said that over here we had not the land that was to be found in the Eastern States growing prolific crops. We have not the quality of land, perhaps, but we can obtain from the soil of this State with its rainfall better results than are obtained in the Eastern State under similar rainfalls. I remem-

ber an occasion when a scientific man came over here to investigate the soil. On seeing the crops we were getting and acquainting himself with the rainfall under which they were produced, he simply could not understand it. He said, "We cannot do that in the Eastern States." Therefore I say this country is capable of considerable development in the primary industries; but action must be taken in regard to the debt question so as to enable the farmer to make a reasonable living for himself and his family and have a reasonable chance to make a home which can be passed on to the generations to come. I commend the motion to the House, and I hope the House will carry it.

MR. MARSHALL (Murchison) [8.0]: The motion has been considerably altered since it was introduced by amendments which the House has thought wise to adopt. I feel that I must give it my support in its present form, not that I would have opposed it had it remained in its original form. Members who have supported the motion are under the impression that the trials and tribulations of our primary producers only arose in recent times, that up to some few years ago they were in a flourishing financial position. I have always held the opinion, however—and I have yet to be convinced otherwise by members who have had a lengthy experience of farming—that never at any given period did the farmer who pioneered the country receive full value for his labour and the long hours involved in the development of his property. Farmers have always been forced, and in the majority of cases have been willing to labour from sunrise to sunset and even later. Years ago that was considered to be his lot and the idea seems to have continued until the present time.

We are dealing with no new proposition in this motion. Members might just as well know that there is little hope of rehabilitating the farmer until we have some definite and drastic change in our monetary system. We cannot do much under the present monetary order. Until members appreciate that fact and understand that there has been, and still is, a scheme to entrap the tiller of the soil and hold him in a state of bondage, they must realise that no matter how we may struggle, we cannot release him. Those who control the price level of the product

of the farmer also hold power over us, and by virtue of that power can prevent or destroy any legislative action we may take. There can be no doubt about that. The organisation controlling the prices of primary products also controls the primary producer. We might as well bear that fact in mind. In order to show that this is nothing new, I shall quote from a work by A. N. Field, who has something to say of the position of the New Zealand farmers. He shows quite conclusively that the trouble we are attempting to redress in this motion was in existence many years ago; the same trials and tribulations have accompanied the development of the land throughout the ages. In his book, "The Truth about the Slump," Mr. Field says, at page 176—

If the people live in freedom on the land they will still be secure even though the money-changers have turned the temple into a den of thieves. It is thus of vital importance to the money power to entrap the tiller of the soil and the husbandman in the toils of debt. This has been very completely achieved in New Zealand. Half a century ago a Conservative Minister of Lands told Parliament that the only alternative he could see before the farmers of New Zealand was to be either the tenants of the moneylenders or the tenants of Crown.

Fifty years ago a conservative Minister for Lands told that to the New Zealand Parliament. Today we have members representing primary producers telling us the same thing, that our primary producers are so greatly involved in debt that their lot is almost intolerable. And it is true! What are we to do? The motion suggests that we should legislate. If we do and make it compulsory for creditors to write down the capital cost of property to an amount equal to its productive value—if we succeed in doing that—would the farmer then be saved? Would he be secure? From my study of the subject I am very doubtful. The matter we are dealing with has been the subject of discussion in all Parliaments of the civilised world. America has experienced the same trouble. The Old Land has experienced it, and new lands like Australia are experiencing it. That such should be the case surely implies there is something wrong with our economic system.

I remind members opposite that for many years the party in the Federal Parliament which has the same political cloak as they themselves wear kept in power a Government that had the authority and power to

alter the position. Only by the co-operation of the Country Party was the National Party able to rule supreme in the Federal sphere. Under Section 51A of the Constitution that Government had full power and authority over the economic life of the Commonwealth. It is to the Federal Government that these pleadings should be made, for it is the only authority that can alter the present system and definitely prevent a repetition of the present debt position of our primary producers and the other sections of the community mentioned in the motion. I warn members that unless something along those lines is done no relief will be afforded to these people. We may obtain some redress by motions of this character, but how the State Government can accomplish it, goodness only knows! I am willing to assist the Country Party in forcing our Government to realise its responsibilities and endeavour to induce the Federal Government to take legislative action to emancipate this particular section of the community.

We are all too prone, Mr. Speaker, to use opportunities such as this for publicity and propaganda, to mislead the people into the belief that we can accomplish something, or alternatively that we are doing all we can to make ourselves secure in the confidence of our electors. By so doing we are misleading the people. Members must realise that we have to tackle this proposition from another angle altogether, and until we do so not much redress can come our way. As members opposite have stated, we have on our goldfields today strong young men who have migrated from the healthy life of farming to the very unhealthy and precarious life of mining. I know of many such instances myself. They have gone to the goldfields because they found it impossible to earn a living at farming. They cannot earn a living by engaging in primary production. Yet there are thousands of people anxious to consume the products which the primary producer cannot raise at a profit. It sounds fallacious, but nevertheless it is true. The reason is that the purchasing power of the poorer people is insufficient to buy these primary products. We heard it stated this evening during the debate on a Bill to abolish capital punishment—

MR. SPEAKER: The hon. member is not in order in discussing a Bill not before the Chamber.

Mr. MARSHALL: That is quite true, but I am making a comparison to support my argument. During that discussion it was stated that malnutrition was in evidence, and that it was due to the inability of the poorer people to purchase goods containing vitamins necessary to their health. So we have this position: A ready market available on the one hand for the produce and on the other hand the impossibility of people being able to purchase it. I want to make another quotation. It is most informative and gives a good idea as to what actually goes on behind the scenes in politics, not only in Australia but in other countries. I have a cutting dated the 18th May, 1920, and it comes from the Congressional Records of the United States of America of the 2nd May, 1933. This is what was stated by that particular member when dealing with the subject of the deplorable nature or condition of the farmers of the United States of America. The quotation is as follows:—

On the 18th May, 1920, a secret meeting was held by members of the Federal Reserve Board, the Federal Advisory Council, and 36 Class A directors of Federal Reserve Banks. In this meeting, after an all-day session, it was decided to contract the nation's currency and credit. This meeting was kept secret for two years, eight months and four days. It only became public knowledge through an exposure in the "Manufacturers' Record" of Baltimore.

In describing the meeting (see Congressional Record of U.S.A., 2nd May, 1933), Hon. Finly H. Grey said: "Mr. John Skelton Williams, then Controller of the Currency, when this contraction of money was proposed, explained his efforts to stop the resolution being drawn." In relating his efforts to the late John A. Simpson, he said, "I told the members of the board, 'Do you know that this is going to ruin a lot of farmers?' and they cold-bloodedly replied to me, 'They ought to be ruined—they are getting so prosperous they will not work.'"

That has been stated in this House. The contracting of currency reduces purchasing power and destroys the farmers' prosperity. That is what is going on here. Now that we have some idea of what is going on we will probably be able to tackle this proposition in a manner which may ultimately bring about some real redress. I take exception to the comparison made between producers of wheat and those we call squatters or pastoralists in the northern portions of this State. It is true that the pastoralists received some assistance from the Government to maintain themselves on their properties,

or to establish themselves. We have, however, to remember when we come to wheat-growing in this State that no industry comes closer to complete socialisation than the production of wheat. We openly boasted some years ago of the fact that a man need not even own a long-handled shovel to be a farmer in this State. The Government found the lot at the start.

The pastoralists, on the other hand, pioneered their own propositions. They did all the experimental and scientific work to discover the right type of animal to produce the high-class wool which has so constantly topped the market in European countries. They provided their own water supplies, made their own roads, and did almost everything to develop their own properties. The wheatgrower cannot say the same. It is a fair comparison, because the wheat farmer has been wonderfully well treated by the Government, and very much relief has been given to him. It is only now, seven or nine years of drought in the pastoral areas, that any endeavour has been made to give the pastoralists relief.

While on this subject, I wish to say that I am not altogether enthusiastic about the arrangements made, and hence it is I propose to support the motion. The proposition, as submitted to us per medium of the daily newspaper, is that so far as the pastoralist is concerned, a committee is to be set up and applications received from pastoralists who find themselves in financial difficulties. This committee will, if after investigation it deems it wise and necessary, give consideration to his actual debt position. The committee is to consist of representatives from the financial institutions concerned in the particular pastoralist's debt, and that very able and competent gentleman, the Surveyor General of Western Australia, Mr. Fyfe, and a representative of the Pastoralists' Association. The committee will consider exactly what ought not and what ought to be done, in a voluntary capacity. It will have no legal status behind it, and there will be no legal obligation upon it to do anything. We find, therefore, the financial institutions concerned realising that the proposition is one of impossibility so far as carrying the present total liability is concerned. They realise that, but for many years they have been getting interest on that liability. I would not say that 100 per cent. pay-

ment of interest has been made, but they have been getting every solitary penny produced by these propositions over and above bare sustenance for the squatter.

Because of the seven years drought the productive capacity of these propositions has been materially reduced. The greatest obstacle confronting these people who have been so acutely and seriously affected by the drought is that the stock which they have today is valueless for multiplication purposes. In other words, the money required to build up his flocks to a productive capacity would more than equal the liability of the debtor. It will be utterly impossible until there is a further addition to the capitalisation of the proposition for him to purchase stud stock. If stock were born at the beginning of the seven years drought they were valueless now. They may be profitable to the extent that they produce a little wool, but they can never build up the flock. The financial institutions realise that. They met in conference with the pastoralists, together with that just and honourable gentleman, Mr. Fyfe. I can conceive, without difficulty, that the financial institutions will accept the writing down of some amount of the capitalisation; but I can also conceive that they will hold hard and fast to as little as possible being written down.

Mr. Berry: They are already doing that.

Mr. MARSHALL: They will, too! There are several factors controlling it.

Mr. Hughes: Why do you take notice of interjections?

Mr. SPEAKER: Order!

Mr. MARSHALL: Several factors will influence them in writing down these propositions. The first is this: Unless they do, having regard to the circumstances I have just mentioned, it will be utterly impossible for them to get interest on the balance. The producer could not pay it. If the financial institution will agree to write down some of the capital, then immediately the responsibility of the balance of the interest, over and above the productive capacity of the proposition, is taken over by the taxpayer for three years. Where is there a banking institution which would refuse that proposition? It shifts the liability for the interest pay-

ment from the debtor to the taxpayer or the Government. It is a proposition that all financial houses are glad to clutch at any time. The other aspect is this: In order to make it possible, over a period of perhaps many years, for the creditor to get his money back, he will have to find fresh capital to restock the properties. If he will agree to write down some of the capital now, and remembering that the taxpayer or the Government is paying 2½ per cent. interest for three years and he has that assured to him, he will be able to advance further capital with some degree of safety. He will place the squatter in the position of being able to earn a greater income by further capitalisation.

That is the only possible way for many of these people to remain on their properties. I think it is a wonderful opportunity for the creditor, but not for the debtor. Just as we would do, what this motion states, for the wheatgrower, so will the other proposition apply to the woolgrower. The factor can be reduced to what is called a fair value, having regard to the productive capacity of the proposition. That means this to me, that so long as we can keep the productive capacity of these properties high enough to pay interest, the welfare of the grower will not be considered and the grower will be kept in a state of subjection for all time. That will apply to the wheatgrower, the woolgrower, the industrialist and the commercial house. All of them will suffer in consequence. Unless we can produce the wealth we are capable of raising in accordance with the full requirements of the people, and take from the individuals concerned the power and authority they exercise to bring about price levels, there can be no permanent readjustment.

Let me take another aspect. According to authoritative figures I have obtained, these securities represent the investments of ordinary individuals to the extent of only about one per cent. of the total. Some people might have investments of £1,000, £2,000 or £3,000, and pastoral holdings are the security. The other 99 per cent. of the debt is bank-created credit—new money made and created by banking institutions, costing them only the price of the labour, ink and paper and the ledgers in which the additions are recorded. The individuals are legi-

timately entitled to interest on their money because, by investing it in these securities, they gave up the use of their money, but the banking institutions created their own money and are not entitled to a return of one penny. Nor are they entitled to a penny of the interest they have been taking from the producers for years! They have been paid in full for anything they have done, and is it any wonder that they would now gladly, as the member for Irwin-Moore (Mr. Berry) said, write down some of the capitalisation?

The unfortunate squatter will be in the position of having to accept whatever terms the financial institutions will give. There will be no alternative. If he does not accede to those terms, his proposition cannot be dealt with. True, Mr. Fyfe will be there and no doubt will do what he considers to be fair and just, but the unfortunate squatter will have no say. Let us try to realise the position of woolgrowers in the eastern goldfields area particularly. Mr. Paterson is well-known to many members. He has the Yandil property near Wiluna. He is, I suppose, one of the most industrious and efficient men in the State. He purchased that proposition, then a cattle property, and improved it to carry sheep. I understand that he destroyed 400 to 500 dingoes in a couple of years before he put sheep on the holding. He struggled along, putting all he had into the property, and in spite of this, and of his many years of labour, for a long time he has had to submit to one of the financial institutions a monthly or quarterly list of everyday sustenance for himself, his wife and family, and frequently anything in the way of luxury is ruled out. That is the damnable condition into which many of our producers have fallen. These men hang on year after year hoping against hope that one day the property will become theirs. What chance have they of ever realising that hope? I trust they will come into possession again, but I fear all they will get will be a reduction of the capitalisation sufficient to make it secure for the creditor so that his interest will be paid regularly. There may be some relief for the grower, but it will be very small indeed.

Unless we take legislative action, no real redress can be secured. I do not know that legislative action such as is contemplated by the motion will bring about this redress. We

must get to the proper authorities, those who control finance, those who have full and complete power over currency and credit. This can be done without involving the State in any debt, and relief can be given in a legitimate way. The producers can be brought back to a state of prosperity without its costing the people of the State very much—certainly not more than a quarter per cent. This is the avenue along which we should be travelling in order to get real and tangible redress for the producer.

I have all possible sympathy for the wheatgrower, but I want members to appreciate that it is useless for us to try to tinker with this problem. We have to face the facts. It is the same in the industrial world. Even industrialists will not awaken to the fact that they cannot retard progress. Progress will beat them in the long run, but they persist in fighting and resisting it all along the line. I am referring now to the mechanisation of industry. Members will recall what a fight was put up in this Chamber against the installation of bulk handling of wheat, but opponents of the scheme were defeated, and it was brought into existence. So it will be in all directions. Our farmers are producing wheat, but many people believe that the farmer should still work from before daylight till after dark in order to live, just as when mother led the ox and father handled the plough. I can remember when my father and others combined to garner a small crop grown by a farmer. Some used a sickle, others tied up and stooked the sheaves, and then used lumps of wood to thresh out the grain.

Mr. Hughes: And you stood by watching.

Mr. MARSHALL: From those primitive methods we progressed to the stripper and winnower, and now we have the harvester. Since the days of which I speak, I suppose the capacity of the individual to produce has been multiplied a thousand times; yet the farmer is in a worse position. We have to be alive to the application of machinery in the farming sphere, as elsewhere. Wheat can be produced in abundance with much less utilisation of manual labour than ever before. It is of no use trying to push out machinery. Progress will continue; science will prevail.

This is not the time to tell the farmer to toil on and never cease toiling, only to find himself at the end of the year still

further in debt. Some people would have him believe that legislation such as is indicated in the motion will relieve him. It never will! The Congressional Records of the United States of America show what can be done. In conclusion I wish to quote some remarks by the American statesman, Thomas Jefferson, of whose works every member will have read something. This passage is so apt that it is worth reading. It puts the case so neatly and precisely that one can only feel amazed at the vision of a man who could so far foresee the dangers ahead. The work is entitled "The Money Power Versus Democracy," by Eric D. Butler, of Melbourne, who quotes Jefferson as follows:—

If the American people ever allow private banks to control the issuance of their currency, first by inflation and then by deflation, the corporations that will grow up around them will deprive the people of all their property until their children will wake up homeless on the continent their fathers conquered.

There is nothing that so aptly expresses the position of the primary producers of Australia and indeed throughout the world as that passage.

MR. WATTS (Katanning—in reply) [8.44]: I feel so overwhelmed by the eloquence of the member for Murchison that I find it extremely hard to collect my thoughts.

Mr. Marshall: Now I will vote against your motion.

Mr. WATTS: My motion has been added to on three occasions. To the amendment moved by the member for East Perth (Mr. Hughes), in conjunction with the amendment by the member for Pingelly (Mr. Seward), I have no objection, for those two amendments together appear to carry on along the same lines as I intended. They have merely brought in other sections of the community who have been affected by the same economic factors. But the amendment later added by the member for North-East Fremantle was not one about which I could be enthusiastic so far as its introduction into this motion was concerned. If the hon. member who moved it were here I would indicate to him, as I now indicate to the House, that it would have been far more advisable to introduce such a topic into another motion. I would suggest that the circumstances which govern the financial

conditions of those to whom he referred are separate to a great degree from those that have affected the rural industries. Nor did the hon. gentleman bring to bear at any length any of the arguments of which he is so capable.

Summing the matter up I am rather drawn to the observation made subsequently by the Minister for Works that the effect of the amendment to which I have just referred, at least in the public eye, would be to make the motion appear of a farcical nature. That, I think, was the remark made by the Minister for Works. It is hardly my opinion that the amended motion is of a farcical nature, but unfortunately I have seen the same observation made in no less than two country newspapers consequent upon the amendment moved by the member for North-East Fremantle. I do not feel disposed here to charge that hon. gentleman with having intended to create that impression, but it is unfortunate that not only in the minds of one of the Ministers, to whom I have referred, but also in the minds of outsiders, that impression has been created.

I submit that the secured creditors of the persons included by the member for North-East Fremantle have securities that have by no means depreciated in value to the extent that farming and pastoral securities have depreciated. Nor, as I have said, ought they to have been dealt with in the same motion. If the hon. member, in the capable manner in which he usually presents his matter to this House, had presented as a separate motion with arguments elaborated to support it, a motion on the lines of the amendment, I should have had no hesitation in expressing my view that it was worthy of careful consideration and support. But I must say that the seriousness of the motion, as I moved it and as it was amended by earlier amendments, makes me wish that it had remained in its previously amended form.

I propose now to refer to the remarks, or some of them, made by the Minister for Lands. He said in the course of his speech—

I submit to the hon. member that of necessity a motion of this character should be accompanied by a plan.

I do not think that the Minister for Lands, in the ordinary way, is a difficult man to please. The difficulty of pleasing him in this instance arises, I presume, simply from

the fact that he does not want to be pleased. He does not want to know anything about a plan so far as I can see, and therefore carefully ignores the plans which he has at least had the opportunity of perusing, had though they may have been, in the course of the last three or four years. I say advisedly that he has had an opportunity of perusing them because, from his observations, I have certainly no guarantee that he did peruse them, for if he had done so I venture the suggestion that he would not have said a great number of the things that he did say in the course of his remarks during this debate.

Now I will turn to one of the proposed laws that were submitted to this House in regard to this matter by myself. I have in my hands Bills introduced during the 1939 session of Parliament. One of the Bills then introduced, based to a considerable extent on the Lessees and Mortgagees' Rehabilitation Act of New Zealand, set out a scheme first for arriving at the value of the property, secondly for a suspension of the debts in excess of the value of the property when arrived at, and lastly for the ultimate writing off of that excess if it was still found to continue, with a proposal combined in it for the regulation of interest so that it could not go beyond a certain figure. Moreover, it was provided that the value of the property should be ascertained by capitalising the net income likely to be derived from the property at average prices of the product of the property which were to be certified by the Government Statistician. In the opinion of a great number of people it may not have been a good plan but it was at least a plan, and the hon. gentleman accused me of having submitted no plan. I submit very strongly that a plan was proposed and is here for all members of this House to read if they wish to do so.

The Minister for Works: You do not consider wholesale writing-off a plan, do you?

Mr. WATTS: It was not a wholesale writing-off. How it was to be done was carefully worked out. The trustees of the Rural Relief Fund, gentlemen appointed by the present Government or the Labour Government that preceded it, were to be in control. They were given specific powers to exempt from the productive capacity calculation any part of the security that did not produce anything and to value it on any basis which chose. It was

unfortunate that we could not prescribe in the Bill for those people to employ and pay competent valuers for the purpose of valuing such land but you, Mr. Speaker, know well that had we sought to appropriate funds for that purpose, your objection would have been instantly forthcoming.

The plan went on to say that in arriving at what the net income of the property was likely to be on the certified figures, the expenses to be deducted from the gross income should include rates and taxes as well as all other expenses required to be incurred in the production of the income, and reasonable remuneration for the work done by the farmer or any other person in the production of the income. I make specific reference to those last words in view of one or two remarks by the member for Murchison (Mr. Marshall) as I wish to indicate to him that we have not lost sight of the fact that it is useless simply to estimate the debt at such a figure for writing-down purposes so that after all charges have been made there is nothing left for a person's living and other expenses.

That plan is similar to the law which is in force in New Zealand, and which was introduced during the regime of the Savage Government in that Dominion. It seems to me to meet the case very suitably so long as the administration of the Act is placed in the hands of people who are knowledgeable and know their duty. I have never had reason to doubt that the gentlemen appointed by our Government here as trustees of the Rural Relief Fund can be included in that category, and therefore have no objection to their being empowered to administer a proposal of this character. Moreover, if this proposal, which has been introduced three or four times to this Legislature, was of such a nature as to be deemed unsuitable, there were ample means of attempting to amend it; but even though at least one of the Bills introduced passed the second reading stage in this House, there was no attempt on the part of the Minister for Lands to insert therein any alterations or improvements whatever. One amendment was moved to the Bill by the member for West Perth (Mr. McDonald) to strike out the words "interest on any secured debt," which I agreed had been inserted on page 6 of the Bill by error. That was the only amendment. The hon. gentleman who wishes me to produce a plan ignores the

plan I did produce in the past and which he made no attempt to amend. I submit that he therefore lays himself open to the charge that he would prefer to believe there was no such plan. He further said—

For the first time in motions of this character mention is made of pastoral debts.

I pointed out to him, and he agreed in his speech, that the definition of rural industries in the Bills I have referred to does include the pastoral industry, but he says that for the first time in motions of this kind reference is made to them. I submit that this is the first time a motion of this character has been moved, and therefore it is quite obvious that this must be the first time that in motions of this kind the words "pastoral debts" have been used. It is not the first time, however, they have been included in attempts that have been made in this connection.

There was a motion, for which I was not responsible, which asked for the appointment of a joint select committee, to which I think the Minister also made reference. That motion came from the Legislative Council. The hon. gentleman, in dealing with the motion, which asked for an inquiry into the debt structure of those engaged in rural industries, made the observation that it was a pinpricking inquiry. If he thinks it was a pinpricking inquiry there must be a very substantial difference between his views and those of his colleagues, and particularly those of my friend the member for Murchison (Mr. Marshall), because that hon. member made it quite plain to us that in his opinion, however bad any proposition was that may have been made, there was ample room for at least an inquiry. I agreed with him at the time and do so now, but it seems to me useless to produce any motion for an inquiry when the Minister for Lands prefers to believe that a motion of that kind is unnecessary inasmuch as he refers to it as a pinpricking inquiry.

I can only suggest once again that the Minister proposed as well as he could to obscure the real issue, and the real issue, so far as I am concerned, is this: Is there a debt burden upon the primary producers that should be dealt with and, if so, can we deal with it? I regret to say that my friend the Minister has carefully skimmed over the latter portion of that question. He also referred in his speech to my attitude in regard to his action in bringing about a voluntary scheme for the pastoral

industry. I did propose to make some considerable comment on that aspect of the case, but I feel that no words of mine are required now after we have heard the thoughtful and careful explanation of the position in which he believes the pastoralists will find themselves (as a consequence of this voluntary scheme) which has been given by the member for Murchison. I can only add this, without taking up the time of the House to submit views of my own on the subject, that I am satisfied the pastoralists under this system have no guarantee whatever that there will be any satisfactory arrangement.

It appears to me that if the secured creditor declines to enter into whatever proposal is made there is no possible means of enforcing it, no matter how just or reasonable it may be, and in that event the pastoralists will be left just as badly off as they are today, because there will be no driving force behind to induce the secured creditor to be more reasonable than otherwise he might have been. As I interjected when the Minister was speaking, if supported by legislation it might be all right, but without it the position would not be at all satisfactory.

The Premier: A written document would be all right.

Mr. WATTS: How any such written document could be regarded as all right I cannot suggest, but at any rate it could not be available unless the secured creditor was prepared to accept its contents. It is not a question of justice or reasonableness but what the secured creditor thinks ought to be his position. Every pastoralist must appreciate that he cannot get any further, and that there is no one who can carry him any further. In referring also to the voluntary scheme and the criticism, though short, I made of it, the Minister said, "He does not like to suggest that in a democratic community 'anything but dictatorship methods should be adopted.'" I think I am justified in taking very strong exception to the Minister's remarks. I fail to understand how a decision arrived at by a majority of freely elected legislators, once given in the form of legislation, could be regarded as evidence of dictatorship methods. If that is an example of dictatorship methods, then all legislation that is in any way restrictive of the rights of any individual or section of the community, of which plenty

is to be found on the statute-book and much of it introduced by the present Government, is all the product of dictatorship. Of course members of this House know it is nothing of the sort.

If we come as freely elected representatives to this Chamber and, after due and considerable debate, conclude that some action should be taken, there is no more dictatorship about that than there is about any other decision reached in a democratic manner. Many other complaints were voiced by the Minister for Lands, which I thought were hardly founded on facts. He said that if I had considered the report of the Royal Commission that inquired into the pastoral industry, I would have been aware that the implementing of the Commissioner's recommendation was dependent upon financial assistance from the Federal Government. Then he went on to say—

The hon. member was either entirely unaware of this recommendation or deliberately overlooked it.

I can only ask members to refer to the report of my speech in "Hansard" in which I briefly said that Mr. Pyfe had made this recommendation. I said what the recommendation was—although at not too great length, I admit. I further pointed out that I was not in a position to know what effort had been made to raise the money to implement the recommendation, and said that if it could not be raised that would not allow the Government of Western Australia to escape from any responsibilities it might have to shoulder. To be told that I was either entirely unaware of the Royal Commissioner's recommendation, or had deliberately overlooked it, in the face of my expressed statement when moving the motion—well, I shall content myself by saying that the Minister's suggestion appears to me somewhat extraordinary.

In the course of his remarks, the Minister made a great point of the support that had been lent to this motion by the member for West Perth (Mr. McDonald) in his capacity as Leader of the National Party. The member for Murchison (Mr. Marshall), in addressing himself to the proposition, also made reference to the fact that those members of the Federal Parliament who belong to the Country Party had insisted upon keeping the Government representative of the National Party in office rather than help

to carry on a Government constituted by the party in which that hon. member occupies so high a place. The Minister set out to prove, in the course of his remarks, the incompatibility, as it were, of the respective temperaments of the National Party and the Country Party to which I belong. He endeavoured to show in fact that oil and water would not mix, and in order to lend point to his story he referred to the Great Southern "Herald" newspaper which is published in the town from which I come but in which I have no interest of any kind. He subsequently quoted from the observations of a gentleman who represents the No. 1 Wool Zone Council of the Primary Producers' Association, which, curiously enough, also has its headquarters in the district which I represent.

Taking these two aspects into consideration, it is my intention to read to the House another article on a similar subject written by the same gentleman on behalf of No. 1 Wool Zone Council and published in the "Great Southern Herald" of the 25th June, 1941—before there was any suggestion made publicly or privately of any interest being taken by the Leader of the National Party in this matter. The article, which I have before me, is published on the authority of No. 1 Wool Zone Council of the Primary Producers' Association, the same organisation to which the Minister referred. The article has its genesis in the observations of one T. G. Davies, acting general secretary of the State Executive of the Australian Labour Party at that time, who asked the writer of these articles why he should not stop whining and support the Labour Party. This gentleman went on to say that the chief reason why he did not support the Labour Party and leave all affiliation with the National and Country Party organisations was (as discussed in the article) his feelings about the State Labour Government. In the course of the article I now refer to, the writer said—

For nearly nine years the farmers of this State have actually experienced what Mr. Davies suggests is the blessing of a Labour Government. How have they fared?

Consider the liberators! Behold the breakers of chains! Study the Agricultural Bank Act as an avenue of escape. Look into the provisions of the Rural Relief Act and see how carefully a Labour Government guarded the interests of that "class to which our politicians have chained us." Recall Mr. Troy raving and ranting upon the floor of the House when

Country Party members tried to soften some of the harshness of the Agricultural Bank Act, that monument of Labour's consideration for the farmer. Remember the Labour Government's attitude to the Growers Charge Bill. Consider the manner in which drought relief has been handled. Look into the terms of the agreement with the Associated Banks, "that class to which, etc." Consider, again, how bulk handling has been delayed and thwarted. Think of the political appointments, and the farmers' representative on the Fremantle Harbour Trust. Do these things indicate any desire on the part of Labour to provide us with an avenue of escape?

No! For nine years Labour has watched unmoved the slow agony of the farming industry. It has made no genuine effort to help and it has steadfastly opposed the only method by which the industry could be rehabilitated. It has been an accomplice in the pauperisation of the primary industries, and has listened with apparent approval while one of its Ministers attempted to justify the harshness of its legislation by uncouth aspersions upon the honesty of farmers.

The Premier: I would like to have now all the money I have provided for financing the farmers.

Mr. WATTS: The article continues—

For 15 out of the last 18 years Labour has been in office and during that time the farming industry has sunk into the pit of misery and despair. The last nine years have shown beyond the shadow of a doubt that the living standard of farmers is a matter of indifference to Labour.

Are these reasons enough? We think so. The only school in which we have had an opportunity to learn, has taught us that Labour's pose as the liberator of farmers is nothing but a hollow fraud. Will Mr. Davies accept these views as representative of rural opinion in our area?

The Minister for Labour: Amen and hal-lalujah!

The Minister for Works: He does not seem to like anyone!

Mr. WATTS: Whatever justification there may be for the statements of the writer in the newspaper which the Minister quoted as expressing his one-time opinion, I do not say the comments were not soundly based on the facts as he knew them at the time, nor do I suggest that the article I have quoted by the same writer was not soundly based on facts. I believe they are both in accordance with his opinions and in the writing of them both he was quite justified. However, I have quoted this other article, and so we will have both on record for the future information of the people of Western

Australia and of members of this House. I submit that in all probability when he wrote each article, the writer had every justification for both—or thought he had. At the present time he certainly has every justification for the article I have just read. It is quite obvious that there has been no intention or attempt on the part of the Minister for Lands to grasp what is intended by my motion, and to act in a way that would indicate to the farmers of this State that they are likely to receive the consideration they are entitled to expect.

The Minister for Lands: You nearly make me sorrow for many generous acts.

Mr. WATTS: It is not like the Minister to suggest that.

The Minister for Lands: You almost make me feel sorry for them.

The Premier: And I am wondering about all the money I have made available for farmers.

Mr. WATTS: I am not worrying about that. I regret that the Premier should find himself missing some money, but I am afraid the time is coming when a lot more will be lost.

The Premier: That is not a cheerful prospect!

Mr. WATTS: No, nor am I trying to be cheerful. I am endeavouring to indicate that the farming community is in a most difficult financial position and that it is for us not only as representatives of the taxpayers, but of those who are concerned in the money lending industry, to ensure that they recognise that they cannot carry on without making any losses. As I mentioned before, it is not so long ago that a prominent banker who appeared as a witness before a select committee said that it would not matter if he had to write off £10,000,000 of farmers' indebtedness. I have previously quoted that statement as an extract from evidence given before a select committee in 1937, and it is to be found not only in the records of the House but in "Hansard" as well.

The Minister for Lands: Who made that statement?

Mr. WATTS: The gentleman was Mr. Fitzhardinge, who at that time was, I think, acting inspector of a bank in Western Australia. Later in his address the Minister for

Lands went into details regarding the writing-off that has taken place in the Agricultural Bank. I consider that a good deal of the writing-off was done in connection with abandoned properties, the debts on which were irrecoverable. We should ascertain what is the amount to be written off loans on properties not abandoned, which are also irrecoverable. In the course of other remarks the Minister for Lands said that he doubted whether any legislation would work because there would have to be a right to contract out of the legislation, and a great many farmers would have to take that course as their credit would cease to exist if they had not contracted themselves out of the legislation. Now, in New South Wales a few months ago there was an election, and the Nationalist-Country Party Government which had been in office there for some considerable time gave place to a Labour Government. In the "Pastoral Review and Graziers' Record" for the 16th September, 1941, I find—

Mr. SPEAKER: Will this be in reply?

Mr. WATTS: Very much so, Sir. The quotation I desire to make is headed "Farmers' Debts Relief," and reads as follows:—

The Minister for Lands (Mr. Tully) introduced in the Legislative Assembly last month a Bill to give effect to the Government's policy in regard to farmers' debts. The Bill, which will amend the Farmers' Relief Act, provides for an extension of the time for the lodgment of applications for stay orders, the removal of restrictions on the right to grant stay orders, the reconstitution of the Rural Reconstruction Board to give stronger numerical representation of primary producers, and removal from the Act of the existing disclaimer provisions.

So we find that the right of the farmer to disclaim the privileges he may have under farmers' relief legislation of New South Wales, which our Minister for Lands says he regards as essential for Western Australia, is discovered by a New South Wales Labour Minister to require excision from the Act. The only basis on which finality can be reached is a provision in the Act that will enable every farmer to apply as an individual. Here again I refer to the remarks of our Minister for Lands. The hon. gentleman seemed to think that I want the farmers to apply in a lump, hundreds together. Of course I do not. I am aware that the only way to handle this matter is on an individual basis and on individual properties. I do not suggest for one moment that that could not be done, and I do not for one moment

object to provision being made for voluntary arrangements provided those voluntary arrangements are subject to consideration by the appointed board or tribunal and that it rests with that body to enforce the arrangement. We see, however, that New South Wales holds very different views in regard to that matter from those held by our Minister for Lands.

It is not my intention to tackle the many other observations made by my friend the hon. gentleman. He said quite a lot, and at the end I was not quite certain whether he opposed my motion or supported it. At no stage in the course of his remarks did he make it quite plain which he was doing; so I am somewhat in a quandary whether to thank him for his support or express my regret for his opposition. I will conclude by saying that I hope the motion in its present form, as we now have it, will be carried and that the Government will see, if it is carried, that effect is given to it in its most important part first.

The Minister for Works: That it is given the consideration it deserves.

Mr. WATTS: No. The Government can take action on the most important part of it first. That is the part which has been brought before the House consistently on four or five occasions during the past five or six years, and it is the part on which the stability of Western Australia largely depends. It includes the stabilising of the farming industry, and I consider it should be given effect to at the earliest possible date.

Question put and passed.

BILL—TRAFFIC ACT AMENDMENT.

Returned from the Council with amendments.

BILL—DISTRESS FOR RENT ABOLITION ACT AMENDMENT.

Council's Amendment.

Amendment made by the Council now considered.

In Committee.

Mr. Marshall in the Chair; Mr. Cross in charge of the Bill.

The CHAIRMAN: The Council's amendment is as follows:—

Clause 2: Delete the word "fourteen" in line 12, and substitute the word "seven."

Mr. CROSS: When the modest request contained in the Bill was sent to another place, I thought it would be accepted. The Bill proposes to extend the time to be given by a landlord to a tenant in arrear with his rent for vacation of the premises from two days to fourteen. Another place is willing to grant seven days. I do not think there is any possibility of fourteen days being agreed to, and therefore move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

Resolution reported, the report adopted, and a message accordingly returned to the Council.

BILL—POTATO GROWERS LICENSING.

In Committee.

Resumed from the previous day. Mr. Marshall in the Chair; the Minister for Agriculture in charge of the Bill.

Clause 3—Potato growers to obtain license:

The CHAIRMAN: Progress was reported on an amendment moved by the member for East Perth that in line 6 of Subclause 1 the words "obtained a license" be struck out.

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

Ayes	6
Noes	28
				—
Majority against	..			22

AYES.

Mrs. Cardell-Oliver
Mr. McDonald
Mr. North

Mr. Shearn
Mr. Willmott
Mr. Hughes

(Teller.)

NOES.

Mr. Berry
Mr. Coverley
Mr. Cross
Mr. Doney
Mr. Fox
Mr. Hawke
Mr. W. Hegney
Mr. Hill
Mr. Johnson
Mr. Kelly
Mr. Leahy
Mr. Mann
Mr. McLarty
Mr. Millington

Mr. Nulsen
Mr. Panton
Mr. Sampson
Mr. Seward
Mr. F. C. L. Smith
Mr. J. H. Smith
Mr. Thorn
Mr. Triat
Mr. Watts
Mr. Willcock
Mr. Wilson
Mr. Wise
Mr. Withers
Mr. Styants

(Teller.)

Amendment thus negatived.

The MINISTER FOR AGRICULTURE: It may be well to clarify two or three points which have been worrying certain members, but which I think are fully provided for. I move an amendment—

That at the end of Subclause 3 the following words be added:—"Where the application for a license or renewal of a license is duly completed and lodged with the prescribed fee, such license or renewal shall be granted by the Under Secretary for Agriculture."

The amendment will make the Bill read as it was intended to do.

Amendment put and passed; the clause, as amended, agreed to.

Clauses 4 to 6—agreed to.

Clause 7—Recovery of penalties:

The MINISTER FOR AGRICULTURE: I move an amendment—

That in lines 3 and 4 the words "holden before a stipendiary or police magistrate" be struck out and the words "under and in accordance with the provisions of the Justices Act, 1902-1936" inserted in lieu.

Without the amendment, hardship may be occasioned in some districts.

Amendment put and passed; the clause, as amended, agreed to.

Clause 8—agreed to.

Schedule:

The MINISTER FOR AGRICULTURE: I move an amendment—

That in line 4 after the words "Exceeding twenty acres" the words "but not exceeding thirty acres" be inserted.

As I explained earlier, it was considered necessary to cover those who have in the aggregate an area exceeding 20 acres, as they should pay an additional fee.

Amendment put and passed.

The MINISTER FOR AGRICULTURE: I move an amendment—

That at the end of the schedule the following words be added:—"Where any area exceeds thirty acres an additional fee of one pound shall be paid for each and every ten acres or part thereof in excess of the thirty acres aforesaid."

Amendment put and passed; the schedule, as amended, agreed to.

Title—agreed to.

Bill reported with amendments.

House adjourned at 9.33 p.m.