

Legislative Council,*Tuesday, 11th October, 1938.*

	PAGE
Question: Parks and Reserves Act, discussion	1267
Bills: Alsatian Dog Act Amendment, 3r., passed	1267
Northam Municipality Loan Authorisation, 1a.	1267
Health Act Amendment, 2a.	1267
Local Courts Act Amendment, 2a.	1270
Resolution: Yampel Sound iron ore deposits, Commonwealth embargo	1269
Motion: Lands, case of A. J. Adde, to inquire by select committee	1271

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

QUESTION—PARKS AND RESERVES ACT.

Hon. J. CORNELL (without notice) asked the Chief Secretary: As the Parks and Reserves Act, 1895, has not been amended since its assent 43 years ago, and as leave to introduce an amending Bill was given by the House six weeks ago, will the Minister so arrange the notice paper as to allow of the second reading of the Bill being discussed during this week?

The CHIEF SECRETARY replied: Yes, we shall probably have an opportunity this afternoon.

BILL—ALSATIAN DOG ACT AMENDMENT.

Read a third time and *passed*.

BILL—NORTHAM MUNICIPALITY LOAN AUTHORISATION.

Received from the Assembly and read a first time.

BILL—HEALTH ACT AMENDMENT.

Second Reading.

Debate resumed from the 29th September.

HON. A. THOMSON (South-East) [4.41]: This Bill seems to be one of those innocuous and innocent measures that are brought before us from time to time to make it a little more difficult for people to earn a living. Recently an amendment of the Factories and Shops Act was submitted for the consideration of the House, by which it was

sought to reduce the number of workers to constitute a factory. Now we have before us a Bill that proposes to reduce from six or more to four or more, the number of persons who shall constitute a boarding-house, thus rendering conditions more difficult for those people who are placed in the unfortunate position of having to keep a few boarders to make a living. I am really surprised at the Government's introducing a measure of this kind. One really wonders whether there are not matters of graver importance with which the Government ought to deal. Should the time of members be taken up in considering whether or not we shall circumscribe people or prevent them from earning a living?

Unfortunately, the majority of people who are compelled to take in boarders are probably women who have lost their breadwinners, or whose husbands are invalids and so unable to earn sufficient money to maintain the home. The only way in which these unfortunate people can earn a crust seems to be by taking in a few boarders. This Bill proposes to make it still more difficult for those unfortunates to earn enough to keep the wolf from the door. As I said, I am amazed at the Government introducing the Bill when there is so much to do to open up and develop the State and to provide employment for men seeking it. This is another of those measures by which the Government seeks to filch from the people the right to earn a reasonable living under methods by which this State and Australia as a whole have been built up. To-day we say, "You cannot work unless you subscribe to certain funds. You cannot work except under certain regulations." Now we are asked to deal with the poor, unfortunate widow who is struggling to keep a roof over her head. The Government seriously asks this House to pass a measure providing that if a person keeps four boarders, that person must comply with the conditions governing people who cater for a greater number. I agree that reasonable and proper conditions are provided for those people who keep large boarding-houses and hotels and employ a considerable number of workers.

Hon. H. Tuckey: There is nothing to prevent that now.

Hon. A. THOMSON: I am quite in accord with that, but I cannot agree to a measure that will impose restrictions upon people struggling to make a bare living.

The proposal is to limit the number of boarders to four. That will impose conditions which will make very difficult the task of the person having, say, six boarders in carrying on business. Perhaps I may be seeing what is termed a nigger in the woodpile. Possibly what is behind the Bill is the intention to give certain organisers an opportunity to enter such boarding houses and impose additional restrictions and conditions.

The Chief Secretary: You have an active imagination to-night!

Hon. A. THOMSON: Sometimes my imagination does prove fruitful, and in the end proves true.

The Chief Secretary: You are wrong this time.

Hon. A. THOMSON: I may be wrong. Just recently I noticed in the Press that a boarding house at Wiluna complying with all conditions of unionism had been visited by a certain organiser. The proprietor is, I believe, not too popular with the Labour movement. The result of the visit was that the establishment was definitely closed for a period. It has since re-opened, but the owner has received no redress. The place was occupied by 40 or 50 men, but these had to leave because the organiser desired to impose certain conditions to which the owner refused to subscribe. The temporary closing of his establishment caused him serious loss for which he has no redress whatever. Without looking for any niggers in wood piles, one is obliged to view the Bill with suspicion. In introducing the measure the Honorary Minister stated that numerous requests for this legislation had been received, but he did not state how many requests or where they came from. I care not where they came from or in what numbers. I am determined that no vote of mine shall hamper a poor woman who has to make her living by keeping boarders. Therefore I oppose the Bill.

HON. L. B. BOLTON (Metropolitan) [4.48]: Like the previous speaker, I shall vote against the second reading of the Bill. Though not of quite so suspicious a turn of mind as Mr. Thomson, I agree with his remarks. I also agree with Mr. Nicholson's. The Bill represents an unnecessary interference with people who, under present conditions, probably subsist by the aid of three or four boarders.

The Chief Secretary: They will still be able to have three boarders under the Bill. It is only a matter of registration.

Hon. J. Nicholson: What about boarding house keepers at Albany?

Hon. L. B. BOLTON: The proposed amendment is not at all necessary, and therefore I oppose the measure.

HON. W. J. MANN (South-West) [4.49]: I wish to view the Bill from another aspect. In some watering places numerous persons conduct guest houses, not so much because that is their desire but because very many city people beg of them to open their houses and provide accommodation during certain periods of the year. On the coast line there would be scarcely one of those establishments with accommodation for less than six persons. Often they can accommodate a dozen. However, those houses are opened for only portion of the year. The Honorary Minister assures us that there is no risk of inspectors being officious and harassing those persons, but practical experience has hardly borne out that view. I can quote a case that occurred some time ago at a small watering place where a family took in a few boarders. As the result of a trifling disagreement the family was told by a man that that would be the last time it would be able to take in guests, for he would see that such conditions were brought into being as would stop the family from operating. The family did not mind very much, and merely told him to please himself. I am not quoting that case as one originating from the desire of the Government, but it is the sort of case that may be expected if such boarding houses are to be registered. Most of them are splendidly conducted, so much so that frequently their accommodation is booked up months before the festive season. We are now in October, and I doubt whether some of those places have any accommodation still unbooked. A few of them take in three or four boarders. There is no necessity for a Bill of this kind to make the minimum lower than it is now.

The Honorary Minister: At present some of them take in more than six.

Hon. W. J. MANN: I agree with Mr. Thomson that this is another of those irritating proposals which the Government would do well to let alone.

HON. H. V. PIESSE (South-East) [4.52]: Some two years ago a Bill containing a provision of this nature was intro-

duced, and I then supported the reduction of the number of boarders from six to four. With the knowledge I have of country districts where boarding houses have to pay union rates of wages, are under the Factories and Shops Act, and have to register their employees, I can certify that many of them are in a good financial position. In my own town I know of railway men and others well situated who take in boarders and do not pay the same wages and observe the same conditions as other boarding house keepers. Anyone taking three boarders should have to employ labour. Certainly three boarders are as many as, say, a widow should have to look after. If she does look after more than three boarders, it is too much work for her. Therefore I support the Bill.

On motion by the Honorary Minister, debate adjourned.

RESOLUTION—YAMPI SOUND IRON ORE DEPOSITS.

Commonwealth Embargo.

Debate resumed from the 29th September on motion by the Chief Secretary to concur in the Assembly's resolution as follows:—

That this Parliament of Western Australia emphatically protests against the embargo placed by the Commonwealth Government on the export of iron ore from Australia, in view of its disastrous effects upon the development of the State. We consider that the information available does not warrant such drastic action, and we urge the Commonwealth Government to remove the embargo.

to which Hon. A. Thomson (South-East) had moved an amendment as follows:—

That the following words be added to the motion for concurrence:—"Provided the resolution be amended by striking out all the words after 'Western Australia' and inserting in lieu the following words:—"considers the embargo imposed by the Federal Government on the export of iron ore—which has been done in the interests of the whole of Australia—means a serious loss to the State of Western Australia in particular, and it is considered therefore that a substantial grant should be made by the Federal Government to compensate this State for the disastrous effect this embargo has caused in the loss of employment for its workers and the retarding of development in the Yampi area; such grant to be earmarked for the development of the northern portion of the State.'"

HON. G. FRASER (West) [4.54]: I can outline my attitude on the amendment in a very few minutes. At no price would I entertain it. There is already a State Grants Commission to deal with that aspect, and the carrying of the amendment will not get Western Australia any further with respect to the Commission. The attitude of various members on the question surprises me. It has been asserted that the political colour of the Federal Government to-day being different from that of the Western Australian Government is a reason for bringing the matter forward. That phase is altogether too petty to merit any consideration. What I fail to understand, in particular, is the attitude of representatives of the North Province. For many years our desire has been to assist that province from the population aspect. Now, when an opportunity occurs to promote development and works are established, the members in question resist the proposal.

Hon. G. W. Miles: Some of them do.

Hon. G. FRASER: I can only judge by those who have spoken so far. Neither of those two members has given the motion his blessing. They have rather left the opposite impression.

Hon. G. W. Miles: They may alter their opinion when they have heard my views.

Hon. G. FRASER: I am glad to gather from the interjection that the hon. member will support the motion, and I hope he will be able to achieve what he forecasts, namely an alteration in the attitude of his fellow-members.

Hon. G. W. Miles: I think I shall be more convincing than other members.

Hon. G. FRASER: Mr. Miles has a difficult task ahead of him, and I wish him the best of luck in his venture. I shall not enter upon the international situation, because that would open up a tremendous question which, if followed to its logical conclusion, would have to take into consideration the selling of anything at all to a foreign nation that in future may become an enemy of ours. Therefore that phase must be dismissed. The aspect which appeals to me is that the embargo deprives Western Australia of the opportunity to establish another industry, and Heaven knows this State requires additional industries!

Hon. G. W. Miles: And a deep-water port thrown in.

Hon. G. FRASER: Particularly do we desire the establishment of an industry in a portion of the State for which we have been endeavouring for years to do something. Looking at the matter from a Western Australian point of view, I consider that any Government, irrespective of political colour, should take exception to the placing of the embargo on the export of iron ore. The phase that worries me more than any other, however, is that if this industry were already established and had been working for many years, the embargo would have been to the last degree serious. Its imposition at the very commencement of operations indicates, to me at all events, the shutting of the door against the investment of capital in that industry. In view of the experience in this case, I doubt whether any future company will invest capital in the industry here. This case in itself is sufficient to deprive Western Australia of future investments of capital. It appears as if Western Australia will never have the opportunity of establishing an iron industry. Apart from all other considerations, the imposition of the embargo at this stage means a most serious loss to the State. The position becomes doubly worse when we consider that the injustice—I can find no other term to describe it—is being inflicted upon a portion of the State and of the Commonwealth that stands in greatest need of encouragement. When, on the eve of our establishing a community in this most sparsely settled part of the State, another Government steps in and does something to prevent the advancement of the project, it is tragical. I have not had an opportunity to visit the North-West and therefore cannot speak of local conditions, but as a Western Australian I regret exceedingly that steps should have been taken by the Commonwealth to prevent the establishment of a new industry there.

I repeat that I cannot understand the objections of those members who have spoken in opposition to the motion. Some have stated that to concur in the Assembly's resolution will not get us any further. That might be so or it might not; we cannot foretell the future, but if members refuse to endorse the resolution of protest, their action will be tantamount to admitting to the people of the Eastern States that we do not worry much about the establishment of industries here. During the past year we have heard many complaints against the

Commonwealth Government on the score that its actions hamper the industries of this State. Yet, now that action has been taken to kill operations that would have developed into a large industry, members are prepared to oppose a motion of protest. I hope that some members will review their declared attitude, and that when the question is put, they will be found voting for it. If they do so, they will be showing the Commonwealth Government that any interference with the industries of this State will not be tolerated without at least some protest from them. I do not wish to debate the international aspects or the benefits that would have accrued to the North-West from the establishment of this industry. I speak merely from the point of view that the Commonwealth embargo will prevent the establishment of a new industry in this State. Therefore I shall oppose the amendment, and support the motion.

On motion by Hon. G. W. Miles, debate adjourned.

BILL—LOCAL COURTS ACT AMENDMENT.

Second Reading.

HON. E. M. HEENAN (North-East) [5.3] in moving the second reading said: This is a short Bill that seeks to amend Section 126 of the Local Courts Act, 1904-30. The particular section appears under the heading "Execution against goods" and begins—

A bailiff, under a warrant of execution, by which he is directed to levy a sum of money, may seize and take, and cause to be sold any goods which the person named in the warrant is or may be possessed of or entitled to, or which he has power to assign or dispose of.

The proviso that the Bill seeks to amend reads—

Provided that the following goods shall be protected from seizure:—wearing apparel of such person to the value of five pounds, and of his wife to the value of five pounds, and of his family to the value of two pounds for each member thereof dependent on him; bedding to the value of five pounds and an additional sum of one pound for each member of his family dependent on him; implements of trade to the value of five pounds, family photographs and portraits.

Since the passing of the Act that section has not been amended. The usual proce-

sure is that after a plaintiff has obtained judgment, he may recover the amount of the judgment in two or three different ways. One is to issue a warrant of execution and sell the goods owned by the debtor. The first of the goods that cannot be sold by the bailiff executing the warrant are those mentioned, namely, wearing apparel of such person to the value of £5, of his wife to the value of £5, and of each member of the family to the value of £2. The Bill does not propose to amend that part of the provision, but does seek to give relief by providing protection for bedding, household furniture and appliances to the value of £25; implements of trade to the value of £25; family photographs and portraits. I submit that that is a reasonable proposal.

Hon. J. Nicholson: That is an increase of £20.

Hon. E. M. HEENAN: Yes, in about 34 years. At present implements of trade are protected to the value of only £5. The proposed amendment speaks for itself and, I submit, is reasonable and equitable. If a creditor is enforcing execution against an unfortunate debtor, the furniture in the house, which really belongs to the wife and children as much as to the man, might reasonably be protected to the amount of £25. Members will agree that £25 worth of furniture and cooking utensils, etc., would not represent very much. When this legislation was passed in 1904 the Legislature considered that £5 worth of implements of trade would be reasonable. Since that time, however, values have greatly increased, and all will agree that to stipulate £25 worth of implements of trade is not unreasonable nowadays. A kit of carpenter's tools, I believe, could not be procured for that sum. Further, when a bailiff is allowed to sell, such sales do not always produce the true value of the articles and they are sacrificed. The Bill should appeal to all members. This section has not been amended since the Act came into operation, and the proposed amendment will merely bring it up to date. I move—

That the Bill be now read a second time.

On motion by Hon. H. S. W. Parker, debate adjourned.

MOTION—LANDS, CASE OF A. J. ADDIS.

To Inquire by Select Committee.

Debate resumed from the 21st September on the following motion by Hon. A. Thomson (South-East):—

That a select committee be appointed to investigate and report upon the circumstances in which A. J. Addis, a farmer of Pingrup, was dispossessed of his holding and to make such recommendations as the committee may think fit in regard to this man and what action should be taken in his case.

HON. E. H. H. HALL (Central) [5.11]: I have taken the opportunity to go carefully through this rather large file. The date of the first communication from Addis about the farm was the 25th February, 1930. I have before me the first report submitted by Agricultural Bank officials dated the 12th May, 1930. I am going to ask the House to bear with me while I read the reports of the field inspector and of the district inspector. The field inspector, Mr. J. G. Brown wrote—

This settler is busy cropping 300 acres of new ground and 100 acres of fallow. He has been granted assistance for cropping 200 acres of this area. He has a Case tractor and the Gaston 12 d. seeder on the place on which he has paid nothing, so that he will have big payments to meet from this harvest. Also he will have to pay for seed and super advanced for cropping. If the Gaston seeder is purchased for him and the tractor should be repossessed, Addis will be left with a machine that will be useless on account of the horse power needed to pull it. The block would, I think, carry the further clearing loan, but I cannot recommend paying for the Gaston seeder. Addis is a good worker, but a hopeless muddler, and unless his crop is a phenomenal one, his financial position at harvest time will be bad.

The district inspector wrote to the sub-manager of the Bank as follows:—

I support the inspector's remarks. Gaston machinery is not a poor man's proposition. This machine takes six good horses to work it. I cannot see Addis making a success of this place. He has not yet paid Ellis the last instalment on the property and he is well into the W.A. Farmers and the local storekeeper. It resolves itself into a gamble on this year's crop. E. Kelso, 11th June, 1930.

Hon. A. Thomson: That remark about the gamble applied to all farmers.

Hon. E. H. H. HALL: That occurred in 1930, not away back in the early days of agricultural settlement in this State. By that year those responsible for settling our agricultural areas should have known that a

man could not be set up in the business of farming—farming is as much a business as is storekeeping—and expected to make a success of it unless he had capital. Even on the departmental file the particulars given are delightfully vague concerning the distance of the farm from the nearest siding. There is a reference to 12 miles, 12½ miles, 15 miles and 16 miles. Perhaps members representing the Province might tell us what the distance from the farm to the siding really is. This man, who went out to a farm all that distance from the railway, was doomed to the fate that was surely awaiting him.

Hon. A. Thomson: He had £700 when he went there.

Hon. E. H. H. HALL: Had he been possessed of £7,000 he might have had a chance. Early in the piece he was in trouble, as is shown by the first references to him on the file. On the 2nd April, 1931, the district inspector says—

The settler is a hard worker, but stands alone in his inability to manage his affairs.

The Agricultural Bank was under no misapprehension concerning this unfortunate individual. He was known to be a hard worker, but was unable to manage his affairs. In the very beginning he seemed to have had no money, and the sum of £6 was advanced to him for the purchase of stores. The late Mr. Arnold Piesse, member for Katanning, took an interest in this man. He wrote to the Agricultural Bank on the 4th June, 1932, saying—

I am satisfied that the Bank was not at fault. Addis has worked hard in developing his farm.

I am now coming to the end of the chapter. Addis was a prolific writer. If many clients of the institution were like Addis it is a wonder to me that Mr. McLarty retained his reason. We know that the Wheatgrowers' Union, a powerful body, took up the case, as did also the Returned Soldiers' League. A justice of the peace talked about a civil war if the Bank insisted on dispossessing this client. We now reach the stage when tenders were called. This is what Mrs. Addis said in a letter to the district inspector on the 28th October, 1933—

Since this property was improved by my husband I realise that a large sum of money was expended in effecting the existing improvements, in addition to advances made by your department. I beg to ask that you accept my

tender offering the full amount owing on the property, provided of course that horses, harness and plough would be on the property, otherwise their value of £386 be credited. We do not wish any of the public or taxpayers' money to be written off, and therefore make a firm offer of £1,000 for the property. No further advances would be expected from your department. We could finance all the necessary improvements.

The officer who dealt with this offer was an official designated "Clerk in charge of property sales." I do not know his name because only his initials appear. He says—

The only tenderer for this property, which contains 3,575 acres 2 roods 14 perches, situated 15 miles north-east of Pingrup and described as 620 acres first-class mallee, gimlet, York gum and saloon, 43 acres second-class fair mallee sandy soil on clay, balance third-class poor sandy mallee and sandplain, is Mrs. G. J. S. Addis, wife of our late mortgagor. Mrs. Addis's tender is not clear. In the first place she states she is prepared to take over all liabilities and finishes up with a firm offer of £1,000. It is unlikely that any better results will be obtained under her management. Under the circumstances I can only recommend her offer be declined.

The note on the file by the trustees is "Mrs. Addis's offer declined." I have here a note dated the 24th July, 1931, dealing with the improvements on the place. This sets out—

Cleared 1,550 acres, valued at £1,800; 500 to 600 acres good fallow; 1,250 cubic yard dam £93 15s.; shed 40ft. by 14ft., £100; total £2,193 15s.; Agricultural Bank indebtedness, £300; balance, £1,393 15s.

I do not know how high in the department this particular official ranks, but he met the offer with a blank refusal, and on his recommendation the trustees declined to accept. Apparently the reason for the refusal was that the offer was made by a woman, who was the wife of a man described as a hard worker but no business man and a muddler. I perused the file this afternoon for two hours, and am satisfied that no man could have received better treatment than Addis did. Two Ministers for Lands, one the present occupant of the portfolio, and the other the Hon. C. G. Latham—these hon. gentlemen do not often agree on anything—were in absolute agreement with respect to this man. The Leader of the Opposition is himself a returned soldier.

Hon. J. Cornell: So is the clerk that made the recommendation.

Hon. A. Thomson: The offer stated that no further advance would be required.

Hon. E. H. H. HALL: I cannot help feeling that the offer was incorrectly dealt with. When such an offer is made for a property like this, some investigation ought to be made into it.

Hon. J. J. Holmes: I understand that a deposit must accompany all such tenders, and that when no deposit is paid, no tender is accepted.

Hon. E. H. Angelo: That was not given as a reason for turning down the offer.

Hon. E. H. H. HALL: I was amazed to find the offer had been turned down without any sound reason being given for the refusal.

Hon. A. Thomson: That showed the man was justified in saying he was victimised.

Hon. E. H. H. HALL: We who travel about the country know that the Agricultural Bank has frequently turned down tenders for properties. We do not need to go to Muresk or Roseworthy College to know that land deteriorates when left idle. I have it on good authority that this particular farm, after five years, is still lying idle.

Hon. A. Thomson: That is the position.

Hon. J. J. Holmes: And all grown up again.

Hon. E. H. H. HALL: In the first place I was inclined not to support this motion, but I now think an inquiry should be held. The woman's offer may not have been worth the paper it is written on, but it may have been. Some action should have been taken to ascertain what was behind it. We have only the files to guide us. The clerk in charge of property sales turned down the offer, and the trustees of the Bank approved. I think Addis has been given every possible consideration. The place was thrown open for tender, and the wife put in a tender of £1,000, I understand, without paying a deposit. The Bank had stayed its hands for a long time and had been very patient. It might, therefore, have given the wife an opportunity to prove whether she was able to carry on the property.

Hon. A. Thomson: The Bank could not have lost all it did lose if these people had been allowed to remain.

The PRESIDENT: Order!

Hon. E. H. H. HALL: Not because I feel that the man has lacked consideration at the hands of the Bank, but because I think an inquiry should be held as to the bona fides of the offer, I will support the motion.

HON. C. H. WITTENOOM (South-East) [5.27]: I am only slightly acquainted with Addis, and do not know him well. The motion asks for the appointment of a select committee to investigate and report upon the case, and endeavour to ascertain what is at the bottom of the trouble. The report would settle a question that has been disturbing the minds of the representatives of the Province for eight or nine years. Some members have stated that if an inquiry is held requests will be made for investigations into other instances of the kind. Knowing a little about this case, I think it is an unusual one. That is strengthened by the great amount of interest that has been taken in it by many people. The Wheat-growers' Union investigated the matter carefully, and it was discussed by persons almost all over the lower Great Southern. I have not looked very carefully into the files, but notice that Mrs. Addis made an offer of £1,000 for the property. This offer was a definite one, but the reply she received from the Bank was by no means clear, and I find difficulty in understanding what it meant. The offer was turned down, apparently for the sole reason that Mrs. Addis was the wife of this particular settler.

Hon. J. Cornell: Do you not know that the trustees were forced by law to call for tenders?

Hon. C. H. WITTENOOM: The property is a good one. No use is being made of it to-day, and the value is declining. The Bank will make quite a big loss over it. I intend to support the motion. Addis was apparently a good worker, and farmed his land well. When Mr. Thomson submitted his motion originally, he quoted figures that demonstrated the capabilities of this settler. The file shows that Addis cleared 1,500 acres in two years.

Hon. L. Craig: Apparently he had only 400 acres.

Hon. C. H. WITTENOOM: He definitely cleared 1,500 acres, but had 450 acres under crop.

Hon. L. Craig: That was all the timber country he had.

Hon. C. H. WITTENOOM: He started off with over £700 of his own capital.

Hon. L. Craig: The file shows that the rest of the holding is sandplain.

Hon. A. Thomson: I have been on the property, and know how much sandplain there is on it.

Hon. L. B. Bolton: According to the file, there were 680 acres of first-class land carrying mallee, gimlet and York gum.

Hon. C. H. WITTENOOM: As indicating that he was a capable farmer, his crop was estimated to give a yield of 15 bushels.

Hon. J. J. Holmes: That was the estimate, but what was the actual yield?

Hon. C. H. WITTENOOM: If he had a crop estimated to return 15 bushels to the acre, he must have farmed well.

Hon. A. Thomson: The trouble was he could not get bags, and had to leave the wheat on the ground.

The PRESIDENT: Order! Mr. Thomson will have an opportunity to reply to the debate.

Hon. C. H. WITTENOOM: So much has been said about this man's position during the past few years that I should have thought the Commissioners of the Agricultural Bank would welcome an inquiry of this nature. I hope the House will agree to the motion.

HON. A. THOMSON (South-East—in reply) [5.32]: I have listened attentively to the objections raised to the motion. The contention has been advanced that the proposed action would establish a precedent and would lay up trouble for the future. Irrespective of whether it would establish a precedent, if members honestly believe that an injustice has been done to this man, then, despite the fact that his case has been dealt with at law and he failed in that sphere, they should agree to a further inquiry.

Hon. J. Cornell: What good would the inquiry do?

Hon. A. THOMSON: The same question could have been put scores of times when we were asked to agree to select committees to inquire into various other matters.

Hon. J. Cornell: All it could do would be to catch another vote or two.

The PRESIDENT: Order!

Hon. A. THOMSON: I think Mr. Cornell is very unfair in levelling such a charge against me and my colleagues. I ask him to withdraw his statement.

The PRESIDENT: Yes, and I am sure he will do so.

Hon. J. Cornell: I withdraw.

Hon. A. THOMSON: The question at issue is whether this man has received justice. Mr. E. H. H. Hall's remarks definitely prove that Addis has a certain amount of justice on his side. I do not propose to quote extensively from the file, but I shall refer to one or two matters. Before doing so, I shall mention some phases dealt with by Mr. Hall. During the pertinent period, much distress existed throughout the wheatgrowing industry. In that depressing time, many farmers felt they were not receiving a fair deal from either the Government or the Agricultural Bank. I admit quite frankly that both the Government and the Bank had their worries, but nevertheless they laid down conditions under which the farmers had to hand over the whole of their proceeds to the Bank, and then, later on, when the Bank authorities had an opportunity to investigate individual claims, certain amounts were returned to the farmers to enable them to purchase stores and goods. Let members consider the position of the men on the land at that time. Addis, like others, possessed a spirit of independence, and had taken up land on which he had worked hard. I candidly admit that if I had been farming under similar conditions, I would have seen the Government and the Commissioners of the Bank in a place that is much warmer than this Chamber before I would have handed over the whole of my proceeds to the Bank and then depended on the goodwill of one of the Bank's officials for the payment of a certain amount for the purchase of food for me and my family.

Hon. J. Cornell: The Bank is still doing that.

Hon. A. THOMSON: That was the position throughout the wheatgrowing areas at the time. Members will appreciate how men like Addis felt regarding their position. Addis had invested over £700 of his own money in the property, and when he was dispossessed, his interest indebtedness to the Agricultural Bank was only £110. He has every reason to feel that he was victimised and made an example of by the Agricultural Bank. There is another point mentioned by Mr. E. H. H. Hall. Tenders were called. True, as Mr. Cornell suggested, the Agricultural Bank Commissioners had to call for tenders, but only one tender was submitted. Addis and his wife had taken up land about 16

miles east of Pingrup, and had developed their holding. They had erected a shack that the Agricultural Bank insured for £75.

Member: And stables, too.

Hon. A. THOMSON: Addis's wife submitted a tender for £1,000. As to whether it was or was not a genuine tender, I have been informed by the member for Katanning (Mr. Watts) that he honestly believes that money would have been made available by friends of the Addis family, who came from the North of Ireland. The property had been developed for three years, and, on the showing of the Bank inspector, Addis was a hard worker but, it was said, he was a muddler. Members do not have to go to the farming community only to find muddlers. In every walk of life there are men who, while hard workers, are muddlers in business.

Hon. H. Tuckey: And the interest owing was only £110.

Hon. A. THOMSON: I understand that is so.

Hon. L. B. Bolton: The file shows that £242 was owing.

Hon. A. THOMSON: Not at the time of actual dispossession. The Agricultural Bank Commissioners refused to allow Addis to stay on the land, and he was evicted. I am convinced that the Bank Commissioners made an example of Addis in order to deter militants in the Wheatgrowers' Union from pursuing the methods they were adopting in the agricultural areas. I am convinced of that, because, after calling for tenders and receiving only one, the Bank Commissioners said, "No, we will not have anything to do with it." No reason was given for refusing to accept the tender. What was the result of the departmental action? The shack on the property was insured by the Bank for £75. The building remained on the property, and eventually the Bank obtained £12 for it, having sold it as second-hand material. That was one effect following upon the eviction of Addis. Every member knows that when improved land is neglected, it quickly reverts to nature. Another result of the Bank's action was that the whole of the money invested by Addis, as well as that advanced to him by the State, was lost. Surely it would have been reasonable, seeing that Addis said he did not want any further advance, to allow him to remain on his property! Mr. Cornell said that this matter had been dealt with by the R.S.L. For once

that organisation has not been able to obtain justice for one of its members.

Hon. J. Cornell: Did not Mr. Latham agree?

Hon. A. THOMSON: Even Mr. Latham is liable to make a mistake, just as Mr. Cornell and I are. I am fighting for justice for this man. I desire an inquiry by a select committee, so that Addis may appear before it and state his case in his own way. No one knew Mr. Grogan or Mr. McLarty better than I; when I was a member of another place I saw them frequently. I always found them sympathetic to the interests of clients. I do not desire to cast any reflection upon those two gentlemen, but I feel certain that Addis was evicted and made an example of because of the activities of the Wheatgrowers' Union.

Hon. H. V. Piesse: There is no doubt about that.

Hon. A. THOMSON: I am convinced on the point. Despite the fact that the matter had gone to the law courts and Addis had suffered defeat, members will admit that it is very difficult for a layman to appear before the Supreme Court and submit his case as he desires. When Addis wished to place certain evidence before the court, it was ruled out by the presiding judge as irrelevant. What hope had Addis of submitting the case that he desired to have ventilated? He is certainly a voluminous writer, and I do not hold with everything that he did; in fact, he was very foolish.

The Chief Secretary: Have you had correspondence with him recently?

Hon. A. THOMSON: Yes, and I could quote quite a number of his letters. I hope the House will agree to the appointment of a select committee, because I want this man's case thoroughly ventilated. I want him to be able to appear before the committee and give the evidence that he desires to submit. While it is true the select committee could merely make recommendations to the Government or to the Bank Commissioners, nevertheless I think that the evidence would prove either that he has been dealt with as fairly as possible or that he is entitled to more consideration. The file shows that on the 1st November, 1937, the present Minister for Lands wrote to the Chairman of Commissioners of the Bank as follows—

Some years ago the Bank compulsorily evicted a settler named Addis and repossessed his property, which was in the Katanning district. Mr. Powell, the President of the Wheatgrowers'

Union, interviewed me and requested that the Bank should reinstate Mr. Addis on his property. I promised to submit the matter for the Commissioners' decision, as the question is one that comes within their jurisdiction. As Mr. Powell is waiting for a reply, I should like you to give the matter early consideration.

The reply furnished by the Secretary of the Bank Commissioners, under date the 9th November, was as follows—

I have to acknowledge receipt of your letter of the 1st inst., advising that Mr. Powell, President of the Wheatgrowers' Union, had requested that the Bank might reinstate Mr. Addis on the property formerly owned by him, which is mortgaged to the Bank. The Commissioners have given consideration to the question raised by Mr. Powell, but desire to point out that as the holding is open for selection at the Lands Department, the matter is therefore one for that department to determine. At the same time, the Commissioners decided they are not prepared to agree to this ex-settlers' re-instatement as a client of the Bank.

This man had said he did not want any further assistance, and the Bank had simply evicted him. On the 15th June, 1937, Mr. Walker, as the valuer, wrote—

Re A. J. Addis: This property was repossessed by the Bank in 1933, the area being 3,575 acres. It is open for selection at the Lands Department. I recommend you to assess value of Bank's equity in the holding at £450 (bare).

It will thus be seen that the Bank lost a considerable amount of money. Next I should like to quote a letter written by Addis to the Premier in 1934 in which Addis stated—

All Bank evidence was tendered in court, but comprehensive and strong evidence of mine which the trial judge ruled out as being irrelevant, left me without a defence and made the case an easy win for the Bank, the Bank officials having engineered the default on which the verdict was given.

The man was quite convinced that the Bank had engineered the default and that he was being made an example.

The Chief Secretary: Do you think that is so?

Hon. A. THOMSON: A perusal of the file rather tends to confirm my opinion. I honestly think he was made an example of because of the activities of the Wheatgrowers' Union, of which he was a member, and therefore he did not receive the consideration given to other clients of the Bank. The court dealt with the case as it was submitted by the Bank.

Hon. J. Cornell: He makes a serious charge against Mr. McLarty.

Hon. A. THOMSON: I am stating what I believe to be the position and I propose to read one or two letters which will convey that impression.

Hon. J. J. Holmes: What would you have done with a man like this if the property had been yours?

Hon. A. THOMSON: I do not think such a position would have arisen if a private individual had owned the land. I will read a letter to show there was a considerable amount of feeling in the district.

The Honorary Minister: What happened was the usual practice followed by the Bank.

Hon. A. THOMSON: The Bank's treatment of Addis was the reason for the dissatisfaction amongst the wheat-growing community. The letter I am about to quote—it was written to the Minister for Lands—shows clearly, more clearly than I can do, the feeling that existed in those areas at the time Addis was dispossessed. The letter is from one of the finest settlers in the district, Mr. G. Altham, and it reads—

I think Addis was justified in refusing the terms that were offered to him. He may be what your Bank officials say, namely, a bad man to get on with, but the fact is Addis had a very hard time in the war and by temperament is suffering from it. I challenge your Bank officials to prove that Addis is not a good farmer and a hard worker.

The words in the last sentence are underlined.

Surely these are two good things in his favour. Addis has a wife and young family living 16 miles from a siding and I think he should not be worried by these threats.

I have another complaint to make against the manager of the Agricultural Bank, namely, that when Addis was being interviewed, Mr. McLarty brought up in the discussion that Addis had a police record. I think this was a contemptible thing to do. You are no doubt aware that the district has been fighting against this report, and trying to get to the bottom of it. I have seen a copy of the report and personally know that the portion of the report which deals with what took place at Pingrup is absolute lies. What took place at Addis's farm I do not know. Addis says that portion is also untrue. If we, who know the first part of the report is untrue, believe Mr. Addis is right, I think we are justified in doing so.

I will now state what is the cause of my sending you this letter. I have spent a lot of thought on this affair and have come to the conclusion that if any attempt is made to take Mr. Addis's horses or farm from him, there will be bloodshed. I am satisfied that the set-

blers of this district will resist any such action, even if they have to forfeit their lives in doing so. I should be very sorry to think that Pingrup was the first to start a civil war (and that is what it amounts to).

After all, Addis was only asking for the right to live out of the proceeds of his labour, which is what every British subject is entitled to do. I am sorry to say I am being driven to the conclusion that law and justice are not the same things, in fact, are in the above case entirely opposite.

That letter was sent to the Minister for Lands by a highly reputable citizen, a gentleman for whom I have the highest regard. I am convinced that he wrote it with the sincere desire to avoid trouble.

Hon. L. Craig: Was there any reply to that?

Hon. A. THOMSON: Yes. Mr. Latham, the then Minister for Lands, replied—

Referring to your letter of the 5th inst. on the subject of Mr. A. J. Addis, I wired you on the 11th idem, but up to date have received no reply. In the first part of your letter you state that you are writing in your capacity as a justice of the peace and not as a member of the Wheatgrowers' Union or road board.

Mr. Altham was not making any threats; he was only warning the Minister and advising him of the seriousness of the position. When we see letters of the type written by Mr. Altham we can quite understand the feeling of the people in the district at the time. We can also realise how Addis was carried away by the support that he was receiving in the district. I hold no brief for anything in the shape of illegal action; I am merely endeavouring to show the state of feeling existing at the time. Instead of being criticised, Mr. Altham should have been commended for doing what any good citizen would have done in such a case—one that was causing a considerable amount of unrest in the district.

Hon. J. Cornell: The hon. member is not arguing that, because of the threat of bloodshed, the request should have been granted?

Hon. A. THOMSON: No. I am arguing that Mr. Altham did what I consider to be the correct thing. The fact that the R.S.L. feels that there is no justification for complying with Addis's request is no reason why this House should not give the matter consideration. The Minister for Lands, continuing his reply to Mr. Altham, said—

Your statement cannot be allowed to go unchallenged. I have already requested your permission to transmit your communication to the Crown Law Department. If you do not desire this to be done, you will withdraw your letter,

failing which I shall have no alternative but to send it to the Attorney General for any action he may consider necessary.

Next, Mr. Altham replies to the Minister for Lands in the following terms:—

I received your telegram re police report, etc. I did not reply to same as I expected being in Perth for the Wheat Advisory Council. I would have very much liked to see you personally and explain the position, but as this is not possible I will try to explain to you what is in my mind.

In the first place, the settlers out here seem to have lost all faith in the present Government and think you are exerting all your energies to pander to the city interests at the expense of the man on the land.

This is the letter to the Minister for Lands written in 1932.

Member: When the National-Country Party Government was in office.

Hon. A. THOMSON: Whether that is so or not, I am dealing with the position as it is. The letter continues—

You will understand the spirit abroad here when the people get into this frame of mind. I think the action of the police in coming out during the night and waking settlers up to take their horses from them was wrong. The officer was very lucky that he did not meet with opposition. I ask that the report about this affair should be withdrawn. It was a mistake for the sergeant to have come out with the agents. If it was necessary for the police to come to Pingrup, they should have come out alone. I told you in my last letter what I think about the report, so will not say anything further about it. Now, Mr. Latham, I do want you to try to realise what things are coming to in this district. I am trying to do my duty as a justice of the peace, but I can see some of my neighbours being driven half mad because they think the Government has abandoned them. I will give you an instance of what I mean. Last week I was chairman of a meeting when the question of the Agricultural Bank foreclosing on certain properties out here was discussed. One settler said that if the Bank sent anybody to turn him off his holding, it would be a case of his being shot or else of his shooting someone. I know this is violent talk, but I know this man is honest and means what he says. This man came to Pingrup a few years ago with £2,900. He has a family of young children, he cannot get any credit, so cannot put in a crop; but the place is his home, and I cannot blame him for saying that he will defend it with his life. The present is not the time to talk about putting people off their holdings.

The Honorary Minister: Was the Bank suggesting that he should be put off his holding?

Hon. A. THOMSON: Yes. The letter continues—

I know what the answer will be, namely, that you have no intention of putting people off their holdings; but, if that is correct, why threaten to do so? With regard to your request for my permission to send my letter on to the Crown Law Department, I have no objection if you think it will do any good. My only concern is to have this police report so dealt with that it will not be possible for it to be brought up against Mr. Addis by the different people with whom he has had to do business. The whole affair is a regrettable one. I sympathise with the sergeant in that he was the first officer to bump against the W.G.U., and no doubt thought that he was serving the Government by upholding the merchant, which had always been considered the proper thing to do.

Hon. E. H. H. Hall: Does not the writer say he has no objection to sending the letter on to the Minister?

Hon. A. THOMSON: He has no objection. I desire to read another letter to show the feeling that has been engendered by this case. I also propose to read the notes of a deputation that waited on the Minister for Lands on the 17th July, 1933. I regret the necessity for reading voluminous reports, but I desire, if possible, to convince members from the file itself that an inquiry is justified. The notes of the deputation read—

Mr. A. E. Piesse introduced the deputation.

Mr. Campbell stated that at the request of settlers in the district, they were instructed to wait upon the Minister and urge that Mr. Addis be reinstated on the holding . . . The Addis case has been tried on one point only, and there was nothing established against Addis except his default in payment of interest. The Agricultural Bank and the Crown had gone to the fullest extent possible to secure Addis's eviction, and it appeared that Addis had been the subject of victimisation and spleen on the part of the Bank. In a letter he had perused Mr. McLarty had stated that there were grave circumstances which had led the Bank to take action to evict Addis. No one in the district was acquainted with these grave circumstances, and so far as they were aware, the only thing against Addis was that he defaulted in his interest payments. Addis had taken up virgin country at Pingrup in 1929, and had borrowed £800 from the Agricultural Bank on a first mortgage. With that money he had cleared 1,535 acres, and had excavated a 1,500 yard dam, as well as erected fencing. All this work was completed within a period of 18 months, and for its security was given the Bank to the extent of £800. In addition, Addis had invested £1,374 of his own money in the holding. The result of the 1929 season was disastrous to

all settlers, and the industry collapsed during the 1930-31 season. Consequently, it was obviously impossible for any settler with the low prices ruling, and who had only been two years on the property, to meet the indebtedness due to the Bank. During the 1931-32 season the Bank refused to grant credit authorities for the purchase of fuel and this compelled settlers to acquire horses. These facts and other circumstances, among which was the late delivery of cornsacks, was the cause of Addis obtaining proceeds amounting only to £269 from 600 acres. In April last year Addis received a demand for the payment of £110 interest, and because he was unable to meet the payment his goods and chattels were covered with a distraint order. This was followed in October, 1932, by an eviction order. During this time Addis had taken every step possible to get the Bank to waive its action, and a large section of the wheatgrowers in the district had supported his request. Finally, the case was taken to the court, and other than the default of interest, nothing else was revealed at the court. Notwithstanding the fact that the court allowed Addis seven days in which to quit the property, officials of the Agricultural Bank, accompanied by the police, were on the property to take possession within three days of the verdict given by the court. Eviction was completed last Thursday, and unless there was something of which they were unaware, it appeared to him and other settlers that the Bank had adopted a policy of victimisation, because Addis was a member of the Wheatgrowers' Union.

Apparently, therefore, the settlers in the district where Addis was farming honestly believed the Bank had pursued a policy of victimisation, because Addis was a member of the Wheatgrowers' Union.

Hon. G. W. Miles: What was the attitude of the wheatgrowers at the time? They were defying the laws of the country.

Hon. A. THOMSON: Their attitude was very antagonistic; but I point out that a certain amount of justification existed for that attitude. They were being threatened that they would be dispossessed of their farms. I have previously read to members the case of a man who had spent £2,900 of his own money upon his property and who was threatened with eviction. I know, and members know, that these notices in the vast majority of cases are merely a demand; but let members place themselves in the position of a man who had spent £2,900 of his own money and worked very hard and who, owing to a disastrous season, was threatened with eviction because he could not meet his interest payments. One can quite understand the feelings of such a man. The general feeling among the farmers was that

Legislative Assembly.

Tuesday, 11th October, 1938.

	PAGE
Question: Land, unpaid rates, as to amending legislation	1279
Bills: Returned Sailors and Soldiers' Imperial League of Australia, W.A. Branch, Incorporated (Anzac Club Control), 1R.	1279
Sailors and Soldiers' Scholarship Fund, 2R.	1279
Inspection of Scaffolding Act Amendment, 2R.	1281
Alsatian Dog Act Amendment, returned	1283
Mines Regulation Act Amendment, 2R.	1283
Bureau of Industry and Economic Research, 2R., Com.	1290

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

QUESTION—LAND, UNPAID RATES.

As to Amending Legislation.

Mr. SAMPSON asked the Minister for Works: Owing to the cumbersome work, heavy cost and ineffective result frequently following upon the offering of land for sale by auction on account of non-payment of rates due to local authorities, is it his intention this session to bring down an amendment to the Act providing for more effective and flexible legislation?

The MINISTER FOR WORKS replied: The subject is now receiving consideration in conjunction with other suggested amendments to the Local Government Acts.

BILL—RETURNED SAILORS AND SOLDIERS' IMPERIAL LEAGUE OF AUSTRALIA, W.A. BRANCH INCORPORATED (ANZAC CLUB CONTROL).

Introduced by Hon. C. G. Latham, and read a first time.

BILL—SAILORS AND SOLDIERS' SCHOLARSHIP FUND.

Second Reading.

THE MINISTER FOR MINES (Hon. A. H. Panton—Leederville) [4.35] in moving the second reading said: The Bill will give the trustees of this scholarship fund power to utilise the money for purposes other than those originally set out. The amount in the fund was subscribed from the money represented by war gratuity bonds issued to soldiers who had returned from the War. Those contributions were made as a result

they were not getting a fair deal. The notes of the interview continue—

He believed that Addis should have been charged with something more specific than default of interest payment

I certainly think so, too.

. . . and was convinced that the Bank's attitude was a refutation of the statement that no trier would be evicted. In a letter to Mr. A. E. Piesse, M.L.A., Mr. McLarty had stated that, in view of the attitude of members of the Wheatgrowers' Union, it had become more and more imperative that the Bank should vindicate its authority as to the dispossession of Addis. That letter appeared to point to the fact that Addis was being victimised because he was a member of the union.

I could say a great deal more. I could quote Mr. McLarty's letter; I could quote Sergeant Buttle, the local sergeant of police, who said Addis was dangerous. Yet, when Addis was searched, he was quite unarmed. He had threatened to shoot people and to do all sorts of things, no doubt. I appeal to the House to give the motion serious consideration. As I say, there is much more I could quote, but I have no desire to weary members. I am firmly convinced that a grave injustice was done to Addis and I appeal to members to support the motion.

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

Ayes	10
Noes	14
—	
Majority against	4
—	

AYES.

Hon. E. H. Angelo	Hon. H. V. Piesse
Hon. C. F. Baxter	Hon. A. Thomson
Hon. J. T. Franklin	Hon. H. Tuckey
Hon. E. H. H. Hall	Hon. C. H. Wittenoom
Hon. V. Hamersley	Hon. J. A. Dimmitt

(Teller.)

NOES.

Hon. L. B. Bolron	Hon. J. J. Holmes
Hon. J. Corneli	Hon. W. H. Kitson
Hon. L. Craig	Hon. W. J. Mann
Hon. J. M. Drew	Hon. G. W. Miles
Hon. G. Fraser	Hon. J. Nicholson
Hon. E. H. Gray	Hon. H. Seddon
Hon. E. M. Heenan	Hon. H. S. W. Parker

(Teller.)

Question thus negatived.

House adjourned at 6.15 p.m.