

## AYES.

Hon. C. F. Baxter	Hon. G. W. Miles
Hon. L. B. Bolton	Hon. Sir C. Nathan
Hon. E. H. Harris	Hon. E. Rose
Hon. J. J. Holmes	Hon. A. Thomson
Hon. J. M. Macfarlane	Hon. V. Hamersley
Hon. W. J. Mann	(Teller.)

## NOES.

Hon. J. M. Drew	Hon. J. Nicholson
Hon. G. Fraser	Hon. H. V. Piesse
Hon. E. H. Gray	Hon. H. Seddon
Hon. W. H. Kitson	Hon. C. H. Wittenoom
Hon. R. G. Moore	Hon. E. H. H. Hall
Hon. T. Moore	(Teller.)

The CHAIRMAN: The voting being equal, the question passes in the negative.

New clause thus negatived.

Title—agreed to.

Bill reported with amendments.

*House adjourned at 11.10 p.m.*

## Legislative Assembly.

*Wednesday, 6th December, 1933.*

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

### QUESTION—PORT FACILITIES, CARNARVON.

Mr. WISE asked the Minister for Mines: 1, Will he investigate the matter of the shortage of trucks at Carnarvon, which causes much worry and great inconvenience whenever one or two vessels are due in the port for loading and unloading? 2, Will he

endeavour to provide additional rolling stock at that port and to have a complete overhaul made of trucks now in use there? 3, Is he aware that the acetylene lights used on the jetty constitute a danger to workmen and public alike, especially when large quantities of fuel oil are unloaded under these naked lights? 4, Will electric light be installed on the jetty at this busy port at an early date?

The MINISTER FOR MINES replied: 1, It is realised that more trucks would assist peak periods at the Port of Carnarvon, but in view of the cost involved and the present financial position, consideration of additional rolling stock has been deferred. This matter will be taken up with the Public Works Department. 2, Essential work in the overhaul of trucks is now being undertaken. 3, Yes. 4, Approval for this work has already been given.

### QUESTION—LEPERS, TRANSPORTATION.

Mr. COVERLEY asked the Minister for Health: 1, How many leper patients are awaiting transportation to Darwin from Western Australia? 2, Will the vessel transporting lepers be in charge of a qualified seaman and comply with the Navigation Act? 3, Were tenders for leper transportation called publicly?

The MINISTER FOR HEALTH replied: 1, Twenty-seven, including 20 cases found in the Derby area within the last three months. 2, The vessel proposed to be used, together with its master, was nominated to the Public Health Department by the Chief Medical Officer, Commonwealth Health Service, Darwin. As the vessel's base is Darwin, it is naturally concluded that the requirements of the Navigation Act have been satisfied. 3, No. The experience of the Health Department has always been one of difficulty in securing any transport whatever at a reasonable cost.

### QUESTION—PLEURO-PNEUMONIA, TURNER THEORY.

Mr. COVERLEY asked the Minister for Agriculture: What progress has been made by the department with its investigations into the Turner theory as a cure for pleuro-pneumonia?

The MINISTER FOR AGRICULTURE replied: The Veterinary Pathologist is at present visiting the Townsville Research Laboratory in order to make himself familiar with the technique and results of the Turner test.

## **BILL—PURCHASERS' PROTECTION.**

Report of Committee adopted.

## **BILL—LOAN, £3,946,000.**

*Second Reading.*

**MR. MANN** (Beverley) [4.37]: As explained by the Premier last night, the amount of this Loan Bill exceeds that of last year by £170,000. He also made some observations on the conditions through which we are passing and the need for the careful spending of money. Hon. members will agree with him that this State cannot carry any more taxation, and that if we are still to exist it is undoubtedly a case of borrowing. Those conditions must last until there is a vast difference in our general economic position. Definite opinions are held regarding the last Commonwealth Loan. On the part of investors there is a fear to embark in industrial concerns, and a preference for investment in Commonwealth stocks. This state of affairs, while it lasts, will naturally have a tendency to retard industry. Members will agree that under present conditions, particularly in Western Australia, unless there is some great alteration in our main primary industry, the future does not look good. Wool has advanced in price and there is a prospect of the advance being maintained for some time; but we must not lose sight of the fact that the cost of production has been high and that recuperation will be a long process. To-day gold is the greatest asset of the State. Coupled with that, there should be some possibility of relieving one of our most important industries, wheat-growing. From that aspect the Premier must realise that the position of settlers out east is hopeless. It appears that we shall be forced to allow those men to come in, because they cannot carry on where they are. Their finances are being reduced day by day, and to bring those men in will mean a further increase in the State's deficit. There has been a reduction

of men on sustenance, but that only means a reduction in the number of men receiving relief, since the work being done by them is not by any means reproductive. Those men are being absorbed almost entirely in Government work, and very few in private industry. If this condition continues to prevail we shall be a long time turning that mythical corner which we imagine to be in sight. The only course seems to be to continue in the same old way. Apparently no part of the world is at present prepared to make any new move or any alteration whatsoever. The greatest trouble of our present position is that it matters not what Government may be in power, we are dictated to more or less by the Eastern States. A case has been put up to the Commonwealth Government regarding the disabilities of Western Australia. Undoubtedly our disabilities are great, and our only hope lies in some assistance on the lines of the case presented. Whilst an endeavour has been made to create a feeling of prosperity, we are certainly still deep in the mire. Our only course is to try to carry on, but we have to realise that particularly for the rising generation the future holds out little prospect. I only hope that when the Premier meets the Loan Council next year, he will be able to arrange better conditions for Western Australia. I appeal to the House on behalf of one of our great primary industries, the wheat industry. The settlers out east cannot possibly carry on. Their position is such that I am convinced that before the Premier brings down another Loan Bill we will have been compelled to increase the dimensions of the deficit.

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—FARMERS' DEBTS ADJUSTMENT ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the previous day.

**MR. LATHAM** (York) [4.44]: This Bill is highly necessary. The principal Act must be continued for another year. I regret that the Minister has deemed it ad-

visible to introduce any amendments into the Bill. Undoubtedly some adjustments will eventually have to be made in the Act, but I regret that the hon. gentleman did not defer his amendments. In Committee I propose to have something to say about the amendments which the Bill proposes. Among them there are some designed to clear up points which have caused some concern to the Minister and the Director. I do not pretend for a moment that I agree with all the amendments proposed, but some of them are undoubtedly necessary. Many are able to get round some of their difficulties by using or misusing the Act, and so it is necessary to clean it up. I do not propose to traverse the great advantages that have accrued from the use of this legislation. It has served a very useful purpose, but I am afraid the farmers' organisations have the idea that all farmers ought to be brought under it. I do not think that was ever intended.

The Minister for Lands: No, it was not.

Mr. LATHAM: The legislation was introduced as a deterrent to a creditor attacking the farmer.

The Minister for Lands: The majority of the farmers are quite capable of managing their own business.

Mr. LATHAM: And that is what this House wants. Year after year we had arguments over the Industries Assistance Act, just because of that. Instead of a great number of men coming under the operations of the Act, we are anxious to see fewer men come under it, and we want the farmers' organisations to discourage the use of this legislation. Of course the legislation acts as a police force to protect the farmers, and we want to continue it for that purpose, but it was never intended to make available large sums of money for the assistance of the industry. It would be impossible for the Government to do that; if they wanted to do that they would have to use existing machinery for it, the Agricultural Bank or the Industries Assistance Board. Under the amendments in the Bill it is proposed to limit the amount of money the deputy directors or receivers shall receive, and I am pleased to think the Minister has found a means by which we can limit it. Complaints have been made, not by individual farmers, but by the organisations, of the charges imposed under the Act. Of course it is difficult to protect

a man against himself. In the past the farmer has gone along to his meeting, and has arranged with the trustee to carry on his business after he has negotiated with his creditors, and the fee has generally been fixed at higher than the amount allowed by the Act. This has been approved by the creditor and not disallowed by the deputy director, and so the farmer has contracted himself out of the Act. The Act definitely states that there is to be only one fee of ten guineas, and then three per cent. of the gross proceeds to be allowed to the deputy director for his services. Notwithstanding that, we find the farmers giving an additional £10 and then coming along and kicking up a noise about so much being charged. That has been the trouble, and I hope the Minister under this new legislation will once and for all stop the farmer from contracting himself out of the Act by making a private arrangement. The clause is to have a retrospective effect to the 1st April. I do not like the period, but still I suppose it will be quite all right. Generally, we finish up our year either on the 31st December or the 30th June, but in this case the 31st March has been selected. I suppose it has been done because most of the farmers have got their cheques by that date.

The Minister for Lands: That is when the season comes to an end.

Mr. LATHAM: This has been put up for the farmer who does not want to stand up for himself. That is his own fault. There are one or two minor amendments which I will discuss in the Committee stage. I expect there will be some discussion from Country Party members in respect to this legislation, and certainly there will be some disappointment in the country districts because the operations of the Act have not been farther extended. But I think the Minister is wise, particularly in view of the fact that a Royal Commission is just now investigating the affairs of the Agricultural Bank. When the report of that Commission comes in, it will be time to make some adjustments. I am hoping that as the years go by, indeed in the near future, there will be no need for this class of legislation. Probably I shall be out of order in discussing the benefits that, perhaps, are coming along from the Commonwealth Government in respect of relief for the wheat industry; but I do not think it out of place, because whatever money

is available, it will assist to carry on our wheat farmers. When the distribution is made, the Minister will have to do as he did last year, namely make some of the money available for those farmers less fortunate than others. I think he set aside £35,000 last year. There are certain to be some cases which it will be necessary to assist. I wish to take this opportunity to protest against the Commonwealth Government's differentiating between farmers. Under the Bill introduced by the Commonwealth Government, if a man happens to be a taxpayer, he will get no assistance.

The Premier: It is a very crude system.

Mr. LATHAM: This is the only time it has been applied. It is not applied to the fruit-grower, or to the Broken Hill Proprietary Company, who have had so much through bonuses and some of whose shareholders are amongst the richest men in Australia.

The Premier: It is a penalty on efficient farming.

Mr. LATHAM: I cannot understand why the wheat-grower has been particularly selected. It seems to be a direct hit at this State more than any other State, because we get so few of these bonuses. It is a beastly principle initiated by the Federal Government, who have very little consideration for the wheat-grower. They used the wheat-growers while they wanted them, and now they are penalising those of them thrifty enough to make ends meet. I hope the protest made here will reach the Federal Government and prevent them from pursuing this differentiation. There are in this State men growing apples and pears for export—in some of the other States Ministers of the Crown are doing that—but they are not coming under this exclusion of bonuses as applied to the wheat-grower. I say it is time we ceased differentiating between one person and another. I will not oppose the Bill; indeed, I will assist the Minister to get it through, for it is essential that its operations should be continued. I daresay the Minister would like to increase the period of continuance beyond one year but, having the knowledge he has, he thinks it will be wiser to make it for one year only. Personally, I have always held the opinion that this class of legislation can very well be introduced year by year so that we can watch its progress and make any amendments that might seem to be necessary. It is tire-

some to the Minister to have to bring it down year after year, but it gives those who are under the legislation an opportunity to voice their grievances. I think there is less complaint from men operating under the Farmers' Debts Adjustment Act than is to be heard from men under any other piece of our legislation. And the complaints made are made by men who are desirous of increasing the membership of their organisation.

The Premier: They have written me down this week.

Mr. Sleeman: It may have been the P.P.A.

Mr. LATHAM: I do not think the P.P.A. would write down the Premier. They treat him pretty fairly, for they understand the difficulties confronting him and, after all, they are reasonable.

The Minister for Lands: We have just as much interest in the farmers' welfare as any organisation has.

Mr. LATHAM: Well, this House has, at all events. This House has tried to foster the wheat industry, and there have been great results obtained from that fostering. The industry has always been above party politics.

The Premier: Quite irrespective of the industrial complexion of the constituencies that members represent.

Mr. LATHAM: I have no reason to complain, not even of the member for Fremantle, who rightly has the interests of his constituents at heart. After all, I hope there will be a tendency to leave more money in the State for the finding of employment.

Mr. Sleeman: You will have a rude awakening some of these times.

Mr. LATHAM: I suppose the hon. member is thinking of coming over here to join the Country Party.

Mr. SPEAKER: Order! I think you are both out of order.

Mr. LATHAM: At all events, I will support the second reading.

**MR. FERGUSON** (Irwin-Moore) [4.56]: I will support the second reading. The Bill contains some minor amendments, but is mainly for the continuance of the Act for another year. The parent Act was the creation of the Government with which I was associated, and was largely the work of the present Leader of the Opposition. Its initiation reflects great credit on him. He

was faced with a tremendously difficult task, because the position came about suddenly, owing to a tremendous drop in commodity prices, mainly wheat prices. The wheat-growers' future looked particularly dark, and many of them did not know whether they would be able to remain on their holdings. The position was faced by the then Government, and the present Leader of the Opposition after very strenuous work evolved the legislation, which was brought down and passed by this House after having been referred to a select committee and exhaustively debated here and in another place. So far as I have been able to gather, in country districts there has been less criticism of the operations of the measure than has been heard against most of the other legislation that has been placed on the statute-book in the interests of the farming community. Many of the farmers operating under this measure have expressed keen satisfaction with it. As stated by the Leader of the Opposition, what criticism there has been has come mainly from those who were not operating under the legislation at all. The only criticism I have heard has been directed against the remuneration of the trustees. Some of the farmers have expressed the view that they have been mulcted in too severe a penalty in this regard. Although the present scale of remuneration is largely continued in the Bill, I think the House might well watch closely to see that the remuneration of those placed in charge of the farmers' affairs is not allowed to soar to too great a height. The farmer is suffering very considerable difficulty if he is compelled to come under this legislation, which was passed for his protection. He has no surplus income that can be made available to men who are better off than he himself is. Consequently, I think the remuneration of trustees might well be restricted. The Minister proposes that creditors willing to supply farmers under the Act with wire netting shall be protected. The provision of wire netting would, in all probability, enable farmers to earn a greater income, especially in view of the appreciation of wool values. Many farmers not carrying sheep might have water supplies, and if they could secure wire netting, they would be able to increase their income considerably by running sheep. To protect the creditors supplying the wire netting is only just. The provision would

be in the interests of the Lands Department which provides the netting under the Commonwealth scheme, though I take it there will be no restriction in that direction, but that any individual creditor who supplies wire netting to a farmer will be similarly protected. That is a very essential provision.

The Minister for Lands: It is applicable to anyone.

Mr. FERGUSON: I understood the Minister to say that over 800 farmers had received the protection of this legislation. I venture to say that, but for this legislation, many of those 800 would not be on their farms producing, and that quite a number of other farmers would have found it impossible to carry on because their creditors would not have stood to them. The Act has been entirely and amply justified. With that innate caution that characterises every action of the Minister for Lands, he has told us that he intends to investigate the position of the farmers thoroughly, to consider the legislation in New South Wales and in some of the other States, and to await the report of the Royal Commission on the Agricultural Bank and then introduce a comprehensive measure to deal with the whole of the problems confronting the wheat-growers. In my opinion, it is time that was done. There is such a thing as hope deferred making the heart sick. Particularly the wheat-growing section are becoming somewhat sick because they do not know what the future holds for them. This is the fourth season in which they have produced wheat at unpayable prices, and they are practically the only section of the community that have to work for another section at a loss. It is not right that any section should produce the food supplies for the rest of the community at a loss. I hope the Minister will be able next session to present a Bill for an Act that will, in a more comprehensive way, provide for the difficulties facing the wheat-growers. The appreciation of wool values places the wool-growers for the time being in a different category. Although the small wool-growers have experienced a very bad time during recent years, not so many of them have come under the protection of this legislation as have wheat-growers. The appreciation of the value of the wool growers' main commodity has enabled them to contemplate a much brighter outlook than during the last three years. Our main prob-

lem concerns wheat-growing. I endorse the protest of the Leader of the Opposition against the proposal of the Federal Government that those wheat-growers who pay Federal income taxation should not be entitled to participate in the distribution of the money proposed to be paid by way of bonus. The Premier has told us to-day that he, on behalf of the Government, had already entered a protest on that score. The Country Party have done likewise, and I am hopeful that the Federal Government will see the reasonableness of not imposing any restriction on the distribution of the bonus. If they persist in doing so, it will be an invitation to those farmers who do pay a small amount of Federal taxation to cease wheat-growing in future, and that is not what Western Australia desires. Throughout the length and breadth of the wheat belt and particularly in the district I represent, along the Midland railway line, are to be found farmers on small holdings, who have been careful, industrious, efficient men, and who, during the last year or two, have paid small amounts by way of Federal income taxation—a few shillings in many instances. Under the Federal Government's proposal, they will be debarred from participation in the £3,000,000 proposed to be distributed by way of bonus. Such a proposal is unfair and inequitable, and I endorse the protests voiced against it. When the Minister, next session brings down further proposals for assisting the farming community, I hope he will consider the possibility of arranging for a reconditioning or writing-down of a freezing of those additional liabilities that the farmer has incurred during the last four years of depressed prices. There can be no gainsaying the fact that the farmer's production has benefited everyone in the State except the man who has done the work, and this country cannot expect the farmer to do what he has done without assisting him in some way. I suggest that the time is opportune for considering that phase of the farmer's disabilities, so that the surplus liabilities incurred by him—under present conditions I cannot see any possibility of his ever being able to discharge them—may, by some fair and equitable means that will not press unduly hard on the creditors, be adjusted. A proposal along these lines was made some months ago, but was allowed to remain in abeyance pend-

ing the presentation of legislation to continue the Farmers' Debts Adjustment Act. The Minister has told us that he has not had an opportunity to investigate the matter. I quite appreciate the position. After he has had an opportunity to study the operation of legislation in other States and the report of the Royal Commission on the Agricultural Bank, he will be in a better position to present his proposals for the relief of those men who in recent years have done so much to assist Western Australia and Australia through the difficult times that have prevailed. Their efforts have been made at the expense of themselves and their families, and at the expense of assets that have been built up only by many years of industry. It is the duty of the State to go to the assistance of those men. The Press announce that the Federal Government intend to conduct an investigation into all the ramifications of the farming industry. A notification in to-night's paper states that the inquiry is to cover everything from the farm to the consumer's loaf, or words to that effect. I venture the opinion that when the investigation takes place, it will prove to the people of Australia how great is the debt they owe to the farming community. They have been endeavouring to produce wheat at a price in the vicinity of 2s. per bushel, and it is a hopeless proposition. Unless something can be done to reduce the farmer's cost of production or increase the price for his product, it will be only a question of time, and I am afraid a very short time, before he will have to cease operations entirely. During the regime of a previous Government—I think some of the present Ministers held office at the time—they endeavoured to grow wheat as a State activity, and they chose what was probably the best farm in Western Australia on which to grow it. I believe the season was a very good one, and that they secured an average of 18 bushels to the acre.

The Minister for Lands: Where was that?

Mr. FERGUSON: At Yandanooka. They sold the wheat at a price round about 6s. per bushel and yet made a loss of several thousand pounds.

The Minister for Lands: The State was not farming it.

**Mr. FERGUSON:** The State was doing a good deal towards it.

**The Minister for Lands:** The State had no interest in it.

**Mr. FERGUSON:** Any man who does not conduct his own farming operations pays a man to do the work for him. Eighteen bushels to the acre, which was 50 per cent. more than the State average, and a price of 6s. per bushel! It was one of the best farming propositions in the State and yet the State lost several thousand pounds. That indicates the inadvisableness of the State embarking on wheat growing.

**The Minister for Lands:** A man who cannot make wheat growing pay at 6s. a bushel is a dud.

**Mr. FERGUSON:** Possibly the Minister controlling the man was partly to blame. Still, he could have sacked the manager and put a more efficient man in charge. If an 18-bushel crop realising 6s. a bushel could not be made to pay, what hope has the average farmer, who can produce only 12 bushels to the acre, of getting through with wheat at about 2s. a bushel? There never was a section of the community that had a greater claim to the consideration of the whole of the people than have the wheat-growers to-day. I do hope that the Minister, with the thoroughness that characterises all his work, will take all those phases into consideration when framing his comprehensive proposals for presentation to Parliament next session. Meanwhile I hope the second reading of the Bill will be carried. One or two of the small amendments proposed in the Bill are unnecessary, and I hope the Minister will not insist upon them. I hope he will give some consideration to the remuneration proposed to be paid to trustees, so that they can carry on the work in the interests of the farmer, who is unfortunately compelled to come under their jurisdiction, but on a more economical basis than exists at present.

**MR. WARNER** (Mt. Marshall) [5.15]: Although I shall support the second reading of the Bill, I think the time for the repeal of the present Act has long since gone by. I am very pleased to hear the Minister say there is a likelihood of a new, comprehensive measure being brought down next year to repeal the present enactment. I do not quite understand the Leader of the Opposition when he says that he has not heard of

complaints by farmers who have come under the Act. The Farmers' Debts Adjustment Act was practically drafted by the Chamber of Commerce, and it has been administered to suit that Chamber.

**Mr. Latham:** I can assure the hon. member that the Chamber of Commerce had nothing whatever to do with the Bill. They did not see a copy of it before it was submitted to the House.

**Mr. WARNER:** It is pleasing to hear the Leader of the Opposition say so. I am glad the Minister is going into the whole matter and will bring down a Bill next session that will possibly save our wheat-growing industry from extinction. I note provision is made for a maximum payment to trustees. That provision should have been inserted in the Bill when it was first brought down. I believe there are eight trustees appointed under the Act and I have been told that they are paid from £35 to £40 each. If that is so, then a large amount of money has been distributed to trustees which really should have been paid over to the wheat-growers. I do not know why the Leader of the Opposition suggested that the Wheat-growers' Union was causing all the strife. Why does he suggest the Wheat-growers' Union rather than the Primary Producers' Association?

**Mr. Sleeman:** Because he belongs to that union.

**Mr. WARNER:** Possibly the Primary Producers' Association do not like anything being said against them, on account of the moneys that are distributed to the trustees. There is no need for me to point out to members the position of the wheat-growers at the present time, nor to dwell upon the amount handed over to them by the Federal Government as a kind of dole. The wheat-growers are in a parlous condition and the pittance coming forward from the Federal Government will be quite insufficient to help them out of their troubles. Possibly the only thing that will keep the wheat-growers on their holdings will be something on the lines of what the Minister tells us he will include in the legislation to be brought down next session, when they may be able to carry on with a writing down of debts.

**MR. PIESSE** (Katanning) [5.21]: The continuation of this measure is necessary and, unfortunately, is likely to be necessary for some time, because until there is a complete recovery in the prices of our primary

products, particularly wheat, it is not to be expected that the farmer will be able to extricate himself from the position in which he finds himself to-day. I am sorry we shall not be able this session to pass a more comprehensive measure dealing with the position. I do not blame the present Minister, because we know it has been quite impossible during the short time he has been in office, to introduce such legislation as is necessary to cope with the unfortunate position of this primary industry. It can very well be pointed out that Western Australia is lagging behind the Eastern States in regard to legislation of this nature, and I would emphasise the fact that the industry has suffered unduly in the past 12 months or two years on that account. South Australia, some eight or ten years ago, on account of a drought in that State, introduced a measure known as the Farmers' Drought Relief Act. Following on the depression in 1930, when wheat prices collapsed, South Australia introduced the Farmers' Relief Act, which has been in existence for three years. That measure is more comprehensive than our Farmers' Debts Adjustment Act. If South Australia found it necessary to take that action three years ago, then members must agree with me that we are very much behind that State in providing assistance to our distressed farmers.

Mr. Latham: Of course, that State suffered from droughts. This State did not. We had an Industries Assistance Act long before that, however.

Mr. PIESSE: I am pleased the Minister, when introducing the Bill, stated that he proposed to go into the whole question of the industry and bring down a more comprehensive measure next session. That will put fresh heart into many of our settlers who are now in a very difficult position. It has not been necessary for all needy farmers to take advantage of the Farmers' Debts Adjustment Act. When the Bill is brought forward next year, I hope it will contain provision for giving distressed farmers financial assistance. I would pay a tribute to the director, and the officers associated with him, upon their administration of the Act. I know of great assistance that has been afforded to those who have come under the Act during the last three years, but I am somewhat concerned about what happened

to the 281 farmers for whom it was found impossible to make satisfactory arrangements. That shows how essential it is for those administering the Act to have more extended powers. Had those powers been in existence, possibly many of the abandoned farms might still have been in possession of the farmers who walked off them. It is a pity we did not deal with the matter earlier. The Bill is mostly comprised of machinery clauses, but I notice the Minister proposes to put a limit on the charges to be made by trustees. The limit of £30 is a wise provision and I hope very close scrutiny will be made of those charges. I notice also that the rate of commission is fixed at 3 per cent. I hope it will be expressed as "not exceeding 3 per cent." I drew attention to the fact, when the original Bill was before the House, that the maximum very often becomes the minimum. In some cases 10 guineas, receiver's fee, was charged.

Mr. Latham: The fee of 10 guineas was only charged one year.

Mr. PIESSE: I know that last year a complaint was made—

Mr. Latham: A judge decided that, as I have just stated.

Mr. PIESSE: On the whole, I am pleased to know there have been very few complaints. I know of one instance where a complaint was made and when I drew the attention of the officer to it, the amount was reduced. We should be careful to set out in the Bill that the charges should be kept down to the minimum. It would take a great many bags of wheat, at present prices, to make up £30, and therefore it is essential to provide that the charges be fixed as low as possible. There are some benefits provided for the farmer in the Farmers' Relief Act of New South Wales which I would like to bring before members. I shall not quote them all. The little booklet I have here and which no doubt the Minister has seen, sets out those benefits. It is very interesting and I advise members to obtain a copy of it. It can be obtained very easily from New South Wales. The Act is administered by a board. After a stay order has been obtained, a farmer may receive advances to enable him to work his property and maintain himself and his family. So far as those benefits are concerned there is very little to complain about in our own Act but, speaking generally, the benefits are more clearly defined in the New South Wales Act. Then, again,



the farmer's liabilities are conditioned to the present value of his assets, so that he is not burdened with excess liabilities during the currency of the stay order. In New South Wales it is not a compulsory condition; it is a voluntary condition; so much is set aside. It is not interest-bearing and that gives the farmer some hope of making an early recovery. The booklet then goes on to say—

If the farmer is able to make a composition arrangement with the whole of his creditors—

The Minister for Lands: How can we give him a chance of making a recovery, when the debts are only deferred from year to year? In what better position is he?

Mr. PIESSE: Under the present Farmers' Debts Adjustment Act, as the Minister knows, the carrying on of the farm by the farmer is purely a voluntary act on the part of the creditors.

Mr. Latham: So it is in New South Wales.

Mr. PIESSE: No. The board have discretionary power to carry on.

The Minister for Lands: The board have power, if they will. That is all.

Mr. PIESSE: Here it is not mandatory to carry the farmer on.

Mr. Latham: The Government have, through the Agricultural Bank, carried on quite a number of farmers here.

Mr. PIESSE: I am not disputing that fact. We recognise the assistance that has been rendered by the Agricultural Bank. In my opinion, however, the Agricultural Bank should not be called upon to render this service to farmers; it should be rendered by a board similar to that which has been set up in New South Wales. The Agricultural Bank should not be called upon to carry on a farmer in very much the same way as a trustee carries him on to-day.

The Minister for Lands: Who would carry the farmer on?

Mr. PIESSE: The Board would inquire into his affairs and help him.

The Minister for Lands: Where would the Board get the money from?

Mr. PIESSE: Where did the South Australian Government get it? They received about £400,000 from the Commonwealth Government and, through the Farmers' Relief Board, provided the necessary assistance to carry on the farmers.

The Minister for Lands: Yes, under drought conditions.

Mr. PIESSE: I understand that something like that amount was made available to the Agricultural Bank in this State. I think the Minister will admit, if he goes into the whole matter more thoroughly and with the advantage of the knowledge that he can obtain from his officers who have been charged with the administration of the Act during the past three years, that the time is overdue to set up a board to deal with farmers who are in difficulties, as is done in South Australia and New South Wales. Then another advantage gained under the Farmers' Relief Act of New South Wales is set out in the explanatory pamphlet I have referred to, as follows:—

If the farmer is able to make a composition arrangement with the whole of his creditors during the currency of the stay order, the board will assist both him and the creditors in carrying the arrangements into effect.

Now I come to the most important and vital phase that is worrying the farmer so much to-day. The pamphlet sets out another advantage gained by the New South Wales farmers under their legislation, in the following terms:—

The farmer is given the opportunity, freed from the worries of pressing liabilities, to recover his position over a period of years and take any advantage of the recovery in world parities as it occurs.

In South Australia and New South Wales the farmer has something to look forward to beyond one year only. He knows that so long as he does his part, the Board will assist him regarding finance.

The Minister for Lands: And if the farmer does not do his part?

Mr. PIESSE: Another advantage to the farmer in New South Wales is:—

Creditors will be relieved of the necessity of writing to the farmer and keeping contact with him regarding the outstanding debt.

Mr. Latham: They do not have to do that under our Act in Western Australia. They do not have to write one letter, until they meet at the end of the year.

Mr. PIESSE: I think the South Australian provision would be advantageous, and more farmers would probably come under it.

Mr. Latham: But we do not want them to come under the legislation.

Mr. PIESSE: I agree that we should discourage legislation of this description. but in these days it is necessary.

Mr. Latham: We do not say that. We want to discourage the farmer from coming under the legislation if he can possibly keep away from it. Of course, the legislation is necessary.

Mr. PIESSE: I am quite sure, as the Minister pointed out, that, through the protection of the Act, a large number of farmers in this State have been able satisfactorily to arrange their affairs with their creditors, without having to take advantage of the Act itself. The same position would continue if a board were established to control the affairs of the farmers. I have given this matter a good deal of thought and every time I have gone to South Australia, Victoria and New South Wales, I have inquired regarding the effect of the legislation passed in those States. I am more than satisfied that we in Western Australia have delayed action too long. Had steps been taken years ago, many farmers who have had to abandon their holdings to the Agricultural Bank would still have been able to carry on. We cannot overlook the fact that want of capital means stagnation, and that is what is hovering over the agricultural industry to-day. In my electorate, because the Agricultural Bank could not find £100 or so to advance to some of their clients in order that necessary work could be undertaken, the farmers concerned had to approach the Associated Banks. Fortunately they were able to make arrangements and were able to carry on. The Associated Banks, so far as I can ascertain, are setting themselves out to assist farmers with further capital where it is safe to do so. With the funds of the Agricultural Bank so restricted, many of their clients are at a dead-end. They cannot undertake further improvements nor can they extend operations on their holdings. I hope that when the members of the Royal Commission at present inquiring into the operations of the Agricultural Bank have completed their inquiries and furnished their report, some action will be taken by the Government to place the bank in a better position than it enjoys to-day. I support the second reading of the Bill.

MR. SEWARD (Pingelly) [5.35]: I support the second reading of the Bill, but I am rather disappointed in the measure that has been introduced by the Minister. The explanation of my disappointment is that I believe the Premier, during the course of his election speeches and also in answer to a question I asked in the House, led the farmers to believe that they would get more than the Bill makes it apparent they are to receive.

The Minister for Lands: You went before the electors on a contrary policy and you won! How can you be disappointed?

The Premier: As a matter of fact, the farmers did not endorse my policy but accepted a contrary one.

The Minister for Lands: It was your policy on which you were elected, and now you say you are disappointed.

Mr. SEWARD: I think the Premier and his Ministers led the farmers to believe that they would get something that it is now apparent they will not receive.

The Minister for Lands: They voted for you, and now you say you are disappointed.

Mr. SEWARD: The Government are making the position worse.

The Premier: Your constituents turned down my policy emphatically.

The Minister for Lands: Yes; the hon. member is most illogical.

Mr. SEWARD: During the course of the debate, one hon. member said it was not necessary to labour the position of the farmer in discussing their affairs in this Chamber. I am not in accord with that view because I believe it to be essential to stress the position. Even now many people are not fully appreciative of the desperate condition the farmers are in. For instance, when I listened to the speech delivered by the member for Yilgarn-Coolgardie (Mr. Lambert) the other evening, I knew that he for one did not appreciate the position of the farmers to-day. While the Minister has indicated some ray of hope that next session a more comprehensive measure will be introduced, the fact remains that before that can be done, the farmers will be confronted with the necessity to make arrangements to carry on for a further year, and I can assure the Minister that is no easy matter. Particularly is that so when the farmer has a feeling that he is carrying on under hopeless conditions and that there is only worse ahead of him. He has to work from before daylight to after dark and it

requires a man with no ordinary heart to continue under those conditions year after year. It is desperately necessary, if the industry is to be preserved, for steps to be taken to terminate the present difficult position as soon as possible. With the Minister, we rejoice that wool has appreciated in value. Irrespective of the appreciation of wool values and even the appreciation of other produce of the farm, that improvement will not lift the farmers out of their desperate position without other steps being taken to deal with their accumulated indebtedness. I hope that when the foreshadowed legislation is introduced, it will be of a comprehensive nature, and if that should prove to be so, I can assure the Minister that he will receive the hearty co-operation of members generally in placing the Bill on the statute-book in the best possible form. From time to time various suggestions have been made. It is all very well to say that we should cease growing wheat. Western Australia has still large areas to be developed, and the best way that can be done is to go in for wheat first and then other crops later on. Most decidedly we must continue to grow wheat. It has been suggested that the farmers should go in more for sheep and oats. Even that policy is likely to leave the farmer in just as desperate a position as he is in now through growing wheat. In some parts of Western Australia, oats are just as costly to grow as wheat. In the Great Southern district, for instance, it is necessary to fallow in order to grow oats.

The Minister for Lands: Do you say you have to fallow with your rainfall, in order to grow oats?

Mr. SEWARD: Of course. If we get heavy rains, the country is bogged, and, in those circumstances, it becomes absolutely necessary to fallow before the farmer can crop the paddock.

The Minister for Lands: We can grow oats with half your rainfall.

Mr. SEWARD: It is not a question of rainfall at all. It is a matter of not being able to seed the land, because it becomes so boggy after two or three inches or more of rain. It is necessary to cultivate before one can put the crop in at all. I can assure the Minister that it is not much cheaper than growing wheat in the Great Southern district.

The Minister for Lands: I have had a lot of experience with oats, and I know better.

Mr. Griffiths: Your country is different from the land in the Great Southern area.

Mr. SEWARD: Yes, it is a different proposition altogether. In fact, it is impossible to generalise regarding the land in the State. What one farmer can do, another cannot, even, it may be, in the same district.

The Premier: That is always so.

Mr. SEWARD: The sheep and oats proposal has been advanced really for the purpose of crop rotation and increasing the wheat yield. It would be foolish to advocate merely a sheep and oats policy as such, to the exclusion of other considerations. Such a policy must go hand in hand with other kinds of primary production. An oat crop will rid the land of certain types of weeds and the carrying of sheep will improve the land so that the farmer may expect to get a heavier yield from his next sowing.

Mr. Griffiths: That system helps to get rid of "take-all."

Mr. SEWARD: There is another phase, respecting which it is a pity more effective steps have not been taken in the interests of the farmers. I refer to the increase in the price of bread because of the taxation of flour. I do not know if the State Government can do anything to deal with that position. We read that the price of bread is to be increased and the explanation is the assistance to be given to the wheat-growers. If that condition is to be permitted, it will tend to set the consuming public against the wheat-growers because the former will consider they are being made to pay more for their bread in order to assist the farmer. If some board were in authority to step in and deal with such a move, it would be to the advantage of the people generally. It is extraordinary that the consumers are paying more for their bread now, although the millers get their supplies for less than half they had to pay not a long time ago, when the price of bread was the same as it is now.

The Premier: We tried many times to pass price-fixing legislation, but you always opposed it.

Mr. SEWARD: I do not like imposing restrictions on business under normal conditions but in this instance it rather looks as though the public are to be exploited on the pretext that the advances to the farmers necessitate the increased price. That will tend to set up one section of the community against another. The Bill also deals with wire-netting supplies, in which respect the

farmers have experienced great difficulties. I am informed that the increase of the rabbit pest, particularly in the wheat belt east of the Great Southern areas, has been amazing during the last few months. Many of the farmers have been almost driven off their properties in consequence of the ravages of the vermin. The trouble seems to have grown beyond the control of road boards, and it would seem that a national policy is required to deal with the problem on a State-wide basis. The difficulty has been accentuated because of the breeding grounds furnished by the abandoned Agricultural Bank properties. From those holdings, the vermin have over-run the adjoining farms. I hope that matter will receive serious consideration as soon as possible, so that a policy that will more effectively cope with the rabbit scourge may be formulated. I am sorry that the Government have seen fit to re-impose the fines on unpaid, or delayed payments of land rents. It is understood that the object in removing the penalty in previous years was to secure the payment of land rents more punctually.

MR. SPEAKER: Does all this come into the Bill?

MR. SEWARD: It is one of the many things pressing on the farmers, but if you, Sir, consider it has nothing to do with the Bill, I will not pursue the matter further. I hope that some of the impositions which the farmers cannot possibly be expected to meet will be removed. I shall support the second reading of the Bill and I hope that the measure the Minister intends to bring down next year will be the means of putting the farmers on a basis that will enable them to carry on.

MR. J. H. SMITH (Nelson) [5.46]: I propose to support the Bill merely because nothing better has been submitted to us.

The Premier: It does not apply to apple growers.

MR. J. H. SMITH: It applies to the whole of the South-West. The Act did not go nearly far enough, and neither does the Bill that is now before us. When we were discussing the measure last year, I declared then, and sincerely believed, that there was only one solution of our problems, and that was to declare a moratorium. Of course all held up their hands in horror, but I was satisfied then, and I am still convinced, that the legislation did not go far

enough. If we analyse the position, we can come to no other conclusion than that we are in a very sorry plight; worse even than when the Act we are now amending was introduced. Prices of all farming products are even lower than they were 12 months ago and producers have received no benefit at all from this legislation. We know that it is only the fear of this legislation that prevents all creditors coming down on the farmers. But analysing the position of all the primary producers, including the pastoralists, we know that it has not helped them to the extent that we desired.

The Premier: Do you think it is too late to declare a moratorium now?

MR. J. H. SMITH: I do not. Are we taking the position seriously? Let us be honest about it and face the position. We had a Bill before us last night to authorise the raising of a loan of over three millions and no discussion on it at all. The Leader of the Opposition sat silent and the leader of this side of the House also remained silent. To-day there was only one speaker, the member for Beverley, and the Bill went through.

MR. SPEAKER: The hon. member had better discuss the Bill before the House.

MR. J. H. SMITH: The Minister for Lands has submitted the amending Bill in the hope that it will help the farmers. But it will not do so. The position of the producers is now worse than ever, and if we were sincere we would not hesitate to declare a moratorium as far as farmers' debts were concerned.

MR. Moloney: A moratorium for everybody?

MR. J. H. SMITH: For the future we should endeavour with the limited amount of money we have at our disposal, to carry the farmers on and allow the debts to remain in abeyance. The Premier knows very well, and so does the Minister for Lands, that the farmers to-day cannot pay their interest bill. The Minister now comes along and says, "We are going to amend the Act, and liberalise it more." I claim, however, that the amending Bill does not go nearly far enough. Let us be sincere with ourselves and say that from to-day we will declare a moratorium. Then we might have a chance of carrying on the industries of the country; those industries which are the backbone of the State, and without which there would be no metro-

politan area. Not only are the farmers suffering, but we are all suffering, and here we are hoodwinking the electors again. What is this legislation worth? It is not worth anything. We are providing money to enable the trustees to carry on and all that we are getting are semi-stay orders. There is not a definite stay order. Why not be sincere about the whole thing and say—"We will lift you from the mire and give you a ray of hope by declaring a moratorium and all our resources will be there to assist you to carry on?"

Mr. Thorn: Your apple growers ought to be all right.

Mr. J. H. SMITH: My apple growers have to depend upon their own resources. There is not a sheltered industry like that of the hon. member who represents the dried-fruit growers.

Mr. Thorn: You are getting a bonus.

Mr. J. H. SMITH: The apple growers have not got it yet. The Minister for Lands should be sincere, and I do not hesitate to tell him that the Bill does not go far enough, though it may do a certain amount of good. It is a drop in the ocean as far as the farmers are concerned.

MR. GRIFFITHS (Avon) [5.52]: I have waited to hear what various members had to say on this Bill. It is now ten days short of a year since we in this House heard a very fine speech delivered by the present Premier who was then Leader of the Opposition.

Mr. Thorn: That was before the elections.

Mr. GRIFFITHS: Yes. In his speech the Premier referred to the tragic position in which farmers found themselves at that time.

Mr. Moloney: Which speech are you quoting from now?

Mr. GRIFFITHS: The notorious speech when the present Premier moved the adjournment of the House to call attention to the tragic condition of the wheatgrowers of the State. When I use the word "tragic," I am quoting it from "Hansard" of last session. The Premier said that drastic measures would have to be taken. The present Minister for Lands also said that the position was tragic.

The Minister for Lands: I said it by way of interjection.

Mr. GRIFFITHS: Then does not that convey the Minister's idea of the position as it was then?

The Minister for Lands: It is desperate even now.

Mr. GRIFFITHS: If the position was desperate 12 months ago, what is it to-day?

The Minister for Lands: You do not know.

Mr. GRIFFITHS: If I do not know, then I am sure no one else does.

The Minister for Lands: But as a farmer you are a failure.

Mr. SPEAKER: Order!

Mr. GRIFFITHS: I have been very successful even though I have not had a ministerial income to support my efforts.

Mr. SPEAKER: Order! I suppose the hon. member will connect his remarks with the Bill.

The Minister for Lands: You were a downright failure as a farmer.

Mr. GRIFFITHS: I am successful even now in spite of the present bad times. My farm is possibly in a better position than the farms of most of those who have been operating for years.

The Minister for Lands: Why, you have not a farm.

Mr. GRIFFITHS: Twelve months ago the present Premier stressed the fact that we must give the farmers security of tenure and he also emphasised that we should condition their debts, and that we should also provide reasonable sustenance for them. That was 10 days short of 12 months ago when we were told the position was tragic. I do not know whether members realise what the position of the wheatgrowing industry is to-day. I am tired of repeating here—

The Premier: And we are tired of listening to you.

Mr. GRIFFITHS: I am tired of repeating that we are on the edge of a precipice.

The Premier: Your electors did not endorse what I said.

Mr. GRIFFITHS: That may be so.

The Premier: I am not in the habit of forcing on the people a policy that they turned down.

Mr. GRIFFITHS: Probably they did not endorse it, but they are looking to the Premier to carry out what he advocated 12 months ago.

The Premier: They cannot be looking to me because they turned down my policy.

Mr. GRIFFITHS: The reduced majority on this side of the House shows that the electors approved of what the Premier said. The electors said, "Griffiths is a good man, but he does not get us anywhere; let us see what Collier will do for us."

The Premier: But they did not vote for Collier.

Mr. GRIFFITHS: The electors were told, "Collier will fight." Then they declared: "Let us see what he will do." I realise that there have been difficulties in the way of rehabilitating the industry. I know it is a big problem. I and others in the party to which I belong have been going into the question for months and we have been faced with many obstacles. We must not kill credit that is being given to keep the farmers going, but we cannot expect men, year after year, to go on working at a loss and gradually getting into a worse position.

The Minister for Lands: What do you know about it?

Mr. GRIFFITHS: I wish the Minister would stop mumbling. Perhaps I know more about the farmers' problems than he does.

The Minister for Lands: You do not know anything at all, you are only a dud farmer.

Mr. GRIFFITHS: Whatever I may be, nobody more than I has kept closer in touch with the farming community and knows what they are going through. During the years I have been in this Parliament, since 1914, I have kept closely in touch with the farmers, and I know exactly what they suffer. The House does not realise the desperate position of the wheat industry. Some thing must be done. Various schemes have been proposed—the wheatgrowers', the Primary Producers Association's. The latter the Minister for Lands looked upon favourably.

The Minister for Lands: I did not look upon any scheme favourably. Where did you get that from?

Mr. GRIFFITHS: From the "West Australian." It was said in reply to a deputation. The amendments proposed by the Bill are of merely a minor nature. I shall certainly support them if they will make for better working of the Act. Some of the schemes proposed may have extreme features which are not practicable, but out of all these schemes something should by this time have been evolved to make for the stability of the industry. I recently saw a proposal to provide finance for the farmers. I do not want the Minister to get it into his head that I am speaking at all antagonistically. I am merely concerned with the farming community. Something should be evolved that will hold out a ray of hope. I

believe the Minister's intentions to be good. Possibly, after the report of the Royal Commission on the Agricultural Bank has been presented, something in the nature of a rural bank may be established to supply finance. Indeed, finance is the great handicap of all the schemes proposed so far. Money is wanted all the time; it was wanted 12 months ago; it is money the Minister lacks to carry out his ideas. I wish to emphasise what has been said by the Leader of the Opposition and other members on this side. Only to-day I have received a letter from Northam on the subject of the farming industry. The writer is Mr. John Packham, a supporter of the member for Northam (Mr. Hawke). The writer speaks about the adjustment of the wheat bonus, and points out that a feeling of annoyance is experienced by farmers because of the manner in which they have been singled out with regard to payment of bonuses. Mr. Packham is one of the State's pioneer farmers. He opened up the Tammin district, being one of the two earliest settlers there. He writes—

According to what I read in the "West Australian" of the 2nd December, the real thrifty, hard-working people are to be penalised for trying to make wheat farming pay, as, if any profit at all is shown, the bonus is to be taken away from them. Is this the law of the land governing bonuses? Are the gold-mining companies that pay deprived of their bonus as a consequence? Also, are the sugar producers discriminated against in the same way, by those that make the business pay not getting the bonus?

The Minister for Lands: What has this to do with the Bill?

Mr. GRIFFITHS: No cavilling of this kind has occurred previously. The farmers are the first to be hit. The cutting down of the bonus in the case of farmers who show a little profit is not right or fair. Such tactics are not being adopted with sugar producers and others who receive bonuses. I think I have heard the Broken Hill Proprietary Co. mentioned in connection with this matter. Why discriminate against the wheat industry, which is just about bankrupt? I suggest that the Minister should state what is in the minds of the Government regarding future operations and conditioning of debts. I do not know how long the investigation of the Royal Commission on the Agricultural Bank will take, but it looks as if the Commissioners had a long full-time job. Probably it will mean another 12 months, though I hope it will not

prove so. There has been a proposal that we should return after Christmas and have a special session to deal with the wheat industry. It is a big problem, a national problem, one that must be tackled; otherwise we shall be a very sorry people indeed before it is all over. I appreciate the difficulties of the Minister and the Government. Ministers went through my electorate with grandiloquent promises of what would be done after the general election, as soon as Parliament met. I thought that if the question was so serious and tragic, it would be tackled in the early part of the session.

The Minister for Lands: Who said that to your electors?

Mr. GRIFFITHS: But what do we find?

The Minister for Lands: I ask, who said that to your electors?

Mr. GRIFFITHS: It was said by any number of people. I have in my possession documents which will disabuse the Minister's mind. However, it is no good wasting any more of the time of the House. Therefore I conclude by saying that I do hope the Government will seriously consider the wheat position. It is no use saying that we are merely going to market because we have a bee in our bonnets, or because we have a grievance such as the non-construction of the Yarramony railway. We realise the seriousness of the position, and I appeal to the Government to give earnest consideration to the need for rehabilitating the wheat-growing industry so as to place it on such a footing that farmers will not have to come continually asking for a dole to keep them alive.

**MR. SAMPSON** (Swan) [6.10]: I have a few words to say regarding the difficulty confronting road boards because of the non-payment of rates.

The Premier: You have no chance of getting the Government to pay those rates, anyhow. You need not worry any more about that.

Mr. SAMPSON: I did have the pleasure of receiving a letter from the Premier stating—

Mr. Ferguson: Was it much of a pleasure?

Mr. SAMPSON: There was, to quote the phrase so well employed by the member for Nelson (Mr. J. H. Smith), a ray of hope in it.

The Premier: The Agricultural Bank will not pay the rates.

Mr. SAMPSON: If no money is spent on the roads which serve the farmers and the districts concerned, it will mean that there will be great losses. I wish to suggest that the Director under the Act give consideration to rates, both road board and vermin, payable by farmers who are under the Act. If some consideration is not extended to the boards, greater distress must follow.

The Premier: There is no possible hope whatever from the Agricultural Bank.

Mr. SAMPSON: The boards do everything in their power. The Government know the difficulties of the boards.

The Minister for Lands: But we cannot collect our own interest.

Mr. SAMPSON: It is hoped that the Director, when he has funds, will remember the great needs of the boards, and also the highly essential services which the boards give to those concerned. Thousands of pounds are owed to the boards.

The Premier: There are millions of pounds owing to the Government, and we cannot collect any of them.

Mr. SAMPSON: Every citizen is sympathetic with the Government.

The Premier: Oh, yes! Sympathetic in asking for something.

Mr. SAMPSON: If my suggestion can be carried out, it will be of advantage not only to the districts concerned but also of advantage to the whole State.

The Premier: It will not be of any advantage to the Treasury.

Mr. SAMPSON: I hesitate even mildly to contradict the Premier, but there must be an advantage to the Treasury, because if the roads are allowed to go to pieces, the result must be bad for all concerned. Everyone in the State is concerned in this matter, and I do hope the Minister will give sympathetic consideration to what is a practicable suggestion, one which, if carried into effect, must benefit all concerned.

The Premier: You are non-suited, with costs against you.

Mr. SAMPSON: I do hope the Minister—

The Premier: It is not only the Minister. There is the Treasurer, too.

Mr. SAMPSON: I hope the Treasurer too will say, "There's a good deal of truth in what Sampson said." The boards should receive some consideration. Their members

work hard in an honorary capacity. They have only one object in view.

The Premier: When our ship comes in, we will pay them.

Mr. SAMPSON: Every day a ship comes in. It is said that an optimist is a confirmed liar. I am not an optimist, but there is, in a sense—

The Premier: One can be a liar without being an optimist.

Mr. SAMPSON: In a sense, there is a ship coming in every day. After all, the position is largely as we view it. The wheat-growers need more money spent on the roads in their districts. I have been seriously informed that some of the boards find the difficulty so great—

Mr. Ferguson: Especially in the new areas.

Mr. SAMPSON: Yes. The boards are finding the financial difficulty so great that they are reluctantly forced to consider whether they can carry on. God forbid that I should speak about anybody not carrying on! I do not believe in that sort of argument, but if there is no money coming in, it means that the work which should be done is not being done.

The Premier: We will have a special lottery for the boards.

Mr. SAMPSON: The Minister for Employment has both his eyes fixed on the proceeds of the lotteries, and I would not like to bring discouragement to him at so early a stage of his career.

The Minister for Employment: I agree with you.

Mr. SPEAKER: Now let us get back to the Bill.

Mr. SAMPSON: This matter is one which has a far wider significance than any matter of local roads and will, I trust, receive consideration.

*Sitting suspended from 6.15 to 7.30 p.m.*

**THE MINISTER FOR LANDS** (Hon. M. F. Troy—Mt. Magnet—in reply) [7.30]: I am glad that members have discussed the Bill so fairly and that it meets with the approval of the House. The Leader of the Opposition was quite correct—and I endorse his statement—when he said he does not desire to see a great number of farmers coming under the Act. Some members, it seems, would like to see every farmer in the country come under it, and their complaint is that not all the farmers are under the Act.

Mr. Ferguson: It would be God help the country if they were.

The MINISTER FOR LANDS: Yes, in my opinion it would be disastrous to the farmers and to the country—to the farmers more particularly. Just imagine the country having a lot of unfortunate farmers carrying on their farms under the advice and direction of trustees who would know little or nothing about practical farming! Could anything sap the individuality of the farmer more than that position? Any members who deny that, suggest something palpably mischievous both to the country and to the farmers. I hope there will be no necessity for many farmers to come under the Act. The Bill provides means by which farmers' affairs may be carried on, but I trust the farmer will be able to manage his own affairs in future. Members like the member for Kataning (Mr. Piesse) resent the fact that farmers have to pay for the services rendered them by the trustees. That, of course, is an impost, and in these difficult days a serious impost. But I should like the House to bear in mind that some at least of those farmers are for the first time in their existence having their affairs carried on in a business-like manner. Some of them have never previously kept books, and did not know where they were. But their affairs are now being carried on in a businesslike way; and the farmer, having got the habit, and having had that method established, will adopt it and so will get some better results when managing his own business in future. The member for Mr. Marshall (Mr. Warner) said I had promised to bring down a rehabilitation Bill next session. I did no such thing. Always I endeavour to keep my word, and so I do not want members suggesting that I made a promise which I did not make. What I said was that, before next session, I proposed to go very fully into the matter, and I hoped to introduce some measure which would give the farmer a greater degree of hope and confidence. And I do hope to do that. Suggestions made by members to help the farmer sometimes appear very easy, but when we investigate them they are found to be very difficult. However, I will go very fully into the matter before next session and will do my best in the farmers' interests. It is not sufficient to give support and approbation to the farmers, for our duty is to do the best we



can for the whole State; so we are not influenced by what approbation we may get, but are merely desirous of doing our duty to the country and the farmers as well. From that standpoint only will I approach the position. I should like members to realise that no one member is more concerned than another about the interests of the farmers. Some members may have different associations, but we know that we all live in this country, that our homes and interests and future are here, and so it is our business to see that every man is as prosperous as possible and that the State is successful. We are all concerned about that. But at the same time we must have regard for those other interests in the State which are entitled to fair and honest consideration by any Parliament and any Government. I know the difficulties of the farmers are very great. I hope I am not intolerant when I discuss their affairs, although sometimes members may think I am. Sometimes I suggest what the farmers might do but do not do. Yet, approaching that in all diffidence, I know they have their difficulties, especially with commodity prices so low, when it must be a very hard matter for them to pull through. I can understand their discontent when they find themselves going backwards year by year. Still, at the same time I know that many people who could help themselves do not help themselves. It is only fair that the position should be approached straightforwardly and that we should learn that the State has no business to carry on men who do not deserve to be carried on. How can we get the type we want—which, after all, is only the average type—if we are to carry on year after year men who are not attempting to get results themselves? Would not they be better in some other walk of life? Not all men have the capacity to make good farmers. One might employ a man who, under supervision, is an excellent man; yet put him on his own and he is found to be a fair muddler and cannot get through at all. We know all that. He is quite a good type of man under supervision, but he has no capacity, no business ability. If you were to put him on his feet a dozen times, he still would fail. Is there no other opportunity in life for that man? Assuredly we must not try in our legislation to carry on every man continuously. The member for Katanning

smiles, but in his heart he knows that what I am saying is true. So I hope members will not think I am intolerant or arrogant simply because I have been fortunate myself. The hon. member is not present who declared that I achieved success in farming because I had my ministerial salary to support me. It is a very paltry gibe. As a fact I did not have ministerial salary when it was needed most, but I had exceedingly good luck. Last night the member for Avon (Mr. Griffiths) went out looking like a popinjay, like a tailor's dummy going to a party, and that party we find reported in the Press. And from the published report we note that at that party there were novelty hats and straw boaters for men and novel adornments for the girls.

Mr. Latham: That has hardly anything to do with the Bill.

The MINISTER FOR LANDS: No, but some people think they can indulge in that sort of stupid extravagance and still achieve success. That was quite a feather-brained party, attended with a lot of extravagance and frivolity. The people who jeer at success ought to bear in mind that whoever would achieve success must be prepared to make sacrifices. Making good, means facing things and trying to pay one's debts, not indulging in useless extravagance and frivolity and coming here to talk about their difficulties. As a matter of fact the member for Avon does not know anything about the farmers' difficulties. He was a farmer, it is true, but his achievements in that arena do not entitle him to speak for the farmer. All I will say further about his gibe is that whatever the Government may do for the assistance of the farmer, the Government will not be influenced by the member for Avon, will not regard him as an authority, will not regard him as knowing anything at all about the farmers' difficulties; in fact, the Government will be well advised not to take any notice whatever of a man who has not achieved anything himself. When the Leader of the Opposition, or the member for Irwin-Moore, the member for Toodyay, or the member for Greenough discuss farmers' affairs, in this House, I will listen to them with the greatest respect, because they know all about their subject. I am ever ready to take notice of members whose achievements warrant their advice being adopted by any Govern-

ment. The member for Pingelly attempted to exploit a statement made by the Premier, and said the Premier had promised certain things. But he is the last man in the world to ask the Premier to keep those promises, inasmuch as he was elected to oppose the carrying out of those promises.

The Premier: And elected by a very big majority.

The MINISTER FOR LANDS: What the hon. member is entitled to ask is that we shall not carry out a policy which his constituents turned down, and which the constituents of the member for Avon also turned down.

Mr. Patrick: What about the constituents of the member for Kanowna?

The MINISTER FOR LANDS: The member for Kanowna did not make any such promises. He was not even opposed. The constituents of the members for Greenough and Pingelly turned down our policy. Is it logical that the Government should put into effect a policy opposed by their constituents and by the farmers also?

The Premier: Yes, the farmers turned it down.

The MINISTER FOR LANDS: The Premier made a speech, and the Country Party come here and say they did not lose a man at the elections, and they supported the policy enunciated by their own leader, which was entirely contrary to the speech made by the Premier. Now they say, "Although we voted against your policy, you ought to carry out that policy."

Mr. Patrick: I supported a lot of the Premier's speech.

The MINISTER FOR LANDS: I do not know whether the hon. member did or not, but he could not support the attitude of his leader and the policy announced by the Premier. Of course the hon. member might be more versatile than anyone else. Certainly the member for Avon did support everything—the Wheatgrowers' Union policy and the Primary Producers' policy. He signed both and wrote his promises and underlined them in ink of red, blue and black. I wish to point out to the member for Pingelly that he opposed the policy of the present Government and was elected in opposition to it. His constituents voted for him in opposition to it, so he has no complaint if the Government do not carry out a policy which he and his constituents opposed.

Mr. Seward: I am not complaining. I was merely asking when you intended to keep the promises you made.

The Premier: You are asking us to do something in which you did not believe and which you turned down.

Mr. Seward: Keep your promises! You are not game to stand up to your word.

The Premier: I am game to stand up to anything.

Mr. Seward: Why do not you do so?

The Premier: Stand up to a thing you turn down?

Mr. SPEAKER: Order!

The MINISTER FOR LANDS: The hon. member's statement was merely a gibe. He has no business asking for something that he opposed.

The Premier: If he got it, he would be turning down his own electors.

The MINISTER FOR LANDS: By asking for it now, he has turned a complete somersault, because he was not elected on that policy.

Mr. Patrick: What about the Premier's statement of six months ago?

The MINISTER FOR LANDS: The Government were elected on a policy for three years.

The Premier: And not six months.

The MINISTER FOR LANDS: And the Government can carry out their policy within the three years and do their duty by the country. Did members opposite live up to their policy when they promised work for all and opportunity for all? The present Government will make an attempt to deal with the situation, not because members opposite demand it, not because our doing so will please members opposite, but in order to do our duty by the country.

Mr. Patrick: That is all we want.

The MINISTER FOR LANDS: No, members want a little political capital. The member for Avon spoke about the dreadful condition of the settlers—a dreadful condition of which he knows nothing. He was formerly a settler and his record was disastrous—utterly disastrous. My objection is that one of the greatest critics on the Opposition side of the House was himself a failure. I cannot take him as an authority and would refuse to accept him as such. The member for Avon represents one of the oldest farming electorates in Western Australia. He represents an electorate in which farmers were established long before the depression; I refer to the district from

Northam to Merredin. Those farmers enjoyed ten years of good seasons and good prices.

Mr. Patrick: The wheat yield of the State was not very high when the prices were high.

The MINISTER FOR LANDS: The hon. member should not talk like that. I know what the wheat yield of the State was.

Mr. Patrick: What was it ten years ago?

The MINISTER FOR LANDS: The hon. member knows. He made a success of farming on a lower wheat yield. His district is not one giving a high average yield.

Mr. Patrick: I have been farming for a long time.

The MINISTER FOR LANDS: Others have been farming just as long as has the hon. member and their wheat yield was as great as his. For several years wheat was bringing from 5s. to 9s. per bushel. Surely in those years some of the people could have played safe and paid off their mortgages. Before the Royal Commission appointed by the previous Government, farmers gave evidence that they had paid their debts, wiped off their mortgages and made their properties freehold, and even bought town property. Some of those farmers were in the Avon district. Numbers of farmers gave evidence to that effect. In achieving such results, those farmers did not starve and did not injure their families or their future. Yet the member for Avon says he knows that all the settlers are in great trouble and difficulty. Of course he knows! As a matter of fact he, as a farmer, has had a terrible time! Members opposite should have regard to their own policy in the country. Their own Ministers in the previous Government pursued a policy of helping the farmers as far as possible, but they did not help people undeserving of help. The people who did not deserve to be helped were those who were not playing the game by the State. The member for Nelson (Mr. J. H. Smith) is another irresponsible character—utterly irresponsible. I suppose we must have a few of his type amongst our numbers: otherwise Parliament would become monotonous. The member for Nelson wants a moratorium. He said,—“Be honest about it and face the position!”

The Premier: Be honest and do not pay your debts.

The MINISTER FOR LANDS: The hon. member said we were all hypocrites and that he knew it. It is a striking fact that not one

of us thinks the hon. member knows anything, and not one of us attaches any importance to his remarks on this or any other subject. Yet the hon. member tells us he knows. He says we should have a moratorium. If we were impressed by his statement, would not we declare a moratorium? If we thought a moratorium would be a happy solution of the difficulties, would not we have adopted it? Would not the ex-Premier (Sir James Mitchell) have adopted it? Would not the present Leader of the Opposition have adopted it? It would not be a solution of the difficulty.

Mr. Patrick: It is not an original suggestion.

Mr. Stubbs: It would damage the State.

The MINISTER FOR LANDS: If we applied a moratorium to the farmers, we would also have to apply it to the farmers' creditors and to the creditors' creditors and so on.

Mr. Latham: Yes, to every one.

The MINISTER FOR LANDS: And that would give the whole of the farming industry a happy dispatch.

Mr. Latham: And practically every one else.

Mr. Stubbs: Yes, the whole State.

The MINISTER FOR LANDS: The member for Pingelly spoke about farmers in the Great Southern not being able to do this and that. A lot of the farmers in the Great Southern have been established for years. They have had poor land and poor opportunities, and yet they have become established. They are a real object lesson to the people in more fertile country. The hon. member said they could not grow oats.

Mr. Seward: I did not.

The MINISTER FOR LANDS: I think they can grow oats.

Mr. Seward: I know they can.

The MINISTER FOR LANDS: And they do it, too.

Mr. Seward: I did not say they could not.

The MINISTER FOR LANDS: Some individuals may not be able to do it, but many of them actually do it. The hon. member said those farmers must fallow. Of course they must, and I suppose they do fallow. One thing in their favour is that they have a long season, a longer season than has any other part of the State except the South-West, and that is a great help, although they have to wait until the country dries in order to get in their crops. Farmers in the wheat belt grow oats and do it on a short season.

Yet the hon. member says oats cannot be grown more cheaply than wheat. Of course they can.

Mr. Seward: Be fair in your criticism! I did not say that. I said that oats cost nearly as much as wheat.

The MINISTER FOR LANDS: I say they can be grown much more cheaply. In most instances a farmer can get some return from an oat crop, but with a wheat crop the farmer takes trouble and care, because it will give him the highest income. He attaches less importance to putting in his oat crop but he gets a crop.

Mr. Patrick: He cannot get a big income from wheat now.

The MINISTER FOR LANDS: No, but over the years he did. My disappointment has been that farmers have not been able to adopt, with wheat production, the programme of sheep and oats. That is a great pity.

Mr. Patrick: It should be the first thing.

The MINISTER FOR LANDS: Yes, a farmer should, as soon as possible, erect fencing and get a few stock. A hundred sheep would be a help, and more than that number could be carried on many farms in this State.

Mr. Stubbs: That is the only thing that will now save the wheat-grower from ruin.

The MINISTER FOR LANDS: I think it will be his salvation. I have asked the early settler why, when lacking stock, he wanted to buy a motor car and have suggested that it would be better to spend the money on putting in a water supply and buying sheep as those things would later provide the money for a motor car. It never was sound sense to buy a motor car before purchasing sheep. No one knows that better than does the member for Avon—that is, if he knows anything at all. Members, and particularly those who convey the impression that I intend to introduce a rehabilitation plan next session, should understand that I made no such promise. I propose to investigate the question fully during the recess when I shall have time and opportunity to consider the various aspects of the farming industry, and I hope to be able to present to the House something that will meet with the support of members and lead to the relief of the farmers. I shall do that, not because members opposite say it ought to be done or that we must do it; I shall do it because the Government regard it as their

duty to the farmers and to the people of this country. I do not wish to take the Committee stage to-night. I understand the Leader of the Opposition intends to move certain amendments and I should like him to put them on the Notice Paper. This Bill is a non-party measure. It is designed to carry on the farmer for another year, and then, before Parliament meets again, I shall take the opportunity to consider the whole position. I do not want members to run away with the idea that to frame legislation to place the farmer on a happy footing is going to be an easy matter. Some of the legislation suggested to me has as one of its provisions repudiation. The Government were not elected on any policy of repudiation. Before the Government would introduce legislation of a very drastic nature, the whole position would have to be explored, and what we propose to do is to make an endeavour to meet the situation in its fullest degree.

Question put and passed.

Bill read a second time.

### BILLS (3)—RETURNED.

1, Permanent Reserve (A†1162).

2, Augusta Allotments.

3, Reserves.

Without amendment.

### BILL—LEGAL PRACTITIONERS ACT AMENDMENT.

*Second Reading.*

MR. SLEEMAN (Fremantle) [8.3] in moving the second reading said: It is not my intention to detain the House long on the second reading of the Bill, because, as members will recollect, last year we debated the Legal Practitioners Act and this year, on the motion of the member for Victoria Park (Mr. Raphael) we debated it once more. Therefore, both old and new members should be fairly well acquainted with the doings of the legal profession of this State. Members have had explained to them from both sides, but especially from the side which, I might say, represents the legal profession, the position with regard to the profession in this State. Members will agree that the legal gentlemen to whom I have

referred practically admit there is justification for an amendment of the present Legal Practitioners Act, which was placed on the statute book very many years ago. In an endeavour to expedite the passage of the Bill, I provided the legal members, who I daresay will be accepted as experts on this matter, with a copy of the Bill. I also gave the Leader of the Opposition a copy, but only yesterday. I do not know whether he has had time to study it, but I hope he will not want too long an adjournment, because if the measure is held up here, it will not have much chance of passing through another place this session. In a further endeavour to expedite the passage of the Bill, I deleted from it two or three clauses which I had proposed to insert. One of those clauses dealt with people coming to this country from abroad who desired to join the profession here. As members are aware, at the present time people who pass legal examinations in other parts of the world and are admitted there as barristers, but not as solicitors, when they arrive here are admitted to the profession as both barristers and solicitors. Such a provision might operate harshly against some of our Rhodes scholars who go to the Old Country to study law, and therefore I consented to delete that part of the Bill. Another clause that I deleted dealt with the matter of providing a fidelity bond. I thought that very important, but after listening to the Minister for Justice, when he spoke on the motion before the House some time ago, I took it for granted, although I do not know whether I was right in doing so, that he would later bring down a measure to protect the public against unscrupulous and dishonest members of the profession. The Bill provides that no articulated clerk who has passed the examination for and taken the degree of Bachelor of Laws in the University of Western Australia, shall be required to pass or submit himself to any further examination. In view of the fact that people from abroad can come here and be admitted to the Bar after leaving the University at which they completed their course, without being called upon to pass any further examination. I think that the students who have qualified at our own University should not be subjected to a further examination. Members will recollect that some years ago the late Attorney General, when speaking on a Bill then before the House for the establishment of

a Chair of Law at our University, said that in the Old Country a person had only to pass his University examinations and eat certain dinners and then he was admitted as a barrister. Such a person could then come to Western Australia and be admitted here both as a barrister and a solicitor. The same condition should be in operation here. For instance, two boys may be studying at the same school. There may be nothing to choose between them so far as education is concerned, but one may be a better athlete than the other and by virtue of that fact he may be granted a Rhodes scholarship. He then proceeds to the Old Country, takes his course, passes his examination, eats certain dinners and is then called to to the Bar of England as a barrister. He returns to Western Australia, complies with the residential qualification, and is called to the local Bar as a barrister and solicitor. The other boy, who may be his equal so far as education is concerned, after attending our own University and passing the prescribed examinations, has then to submit himself to a further examination by the Barristers' Board of this State. I consider it only right that the local youth should be saved the time, trouble and expense of going through another examination after taking his degree at our University. I think this provision will commend itself to members. The Bill also provides that no articulated clerk shall, during his term of employment under articles, engage in any other employment during the hours within which the office of the practitioner to whom he is articulated is, in the usual course, open to the public for transaction of business, and that an articulated clerk may be remunerated for his services by the practitioner to whom he is articulated. It will be remembered that when the Legal Practitioners Act was being discussed, both this year and last, attention was drawn to the fact that a clause in the present Act makes it compulsory for an articulated clerk to obtain the permission of the Barristers' Board before he is entitled to earn anything at all, that is, whilst he is articulated; and if, at the end of his term of articles, he cannot satisfy the Barristers' Board that he has not earned anything during his term of articles, unless the board have previously agreed to his doing so, then there is no chance of that boy being admitted to the profession in this State. I do not think members will stand

for that. There are poor lads in this country who would have no possible chance of being admitted to the profession unless they were able to earn something to keep them whilst serving their articles. I myself know of two young fellows, both sons of hard-working men, who have struggled to keep their boys at the University. In a very short time the boys will have to earn something to keep themselves whilst serving their articles, as the parents are not in a position to support them, especially at the present time. I hope the House will agree to the clause. Provision is also made in the Bill that people who have a degree from the local University, instead of having to serve two years under articles, will serve only one year. There is precedent for this provision. As I have said, in England it is not necessary for them to serve articles at all, and yet they can come to this State and be admitted to the Bar after having spent only one year under articles in order to become acquainted with the practical side of the profession. After lads here have passed their examinations at the University, they are compelled to put in 12 months practical work with a local firm of solicitors. I think that is all that is necessary in order to entitle them to admission to the profession. Provision is also made in the Bill to amend the section of the Act which allows solicitors to amend their bills of costs. I hope and believe the House will agree to the deletion of that very unfair section from the Legal Practitioners Act. At present, if a solicitor submits a bill of costs and it is questioned by his client, who says he intends to get the bill taxed, then the solicitor is allowed by law to withdraw the bill and submit an amended bill of costs for taxation by the taxing master. I shall be very much surprised if the provision in the Bill dealing with this matter is not passed unanimously by the House. Provision is also made in the Bill that the taxing master shall have complete control of the taxation of a bill. At present, if after a bill is taxed, it is found that one-sixth has not been taxed off the bill, then the person who has to pay the bill has also to pay the costs relating to the taxation of it. Members will agree that that is unfair. If I decided to get a bill of costs taxed and the taxation showed that I had been overcharged to the ex-

tent of £15 or £20, and if that £15 or £20 was less than one-sixth of the original bill, I would be compelled to pay for the costs of taxing the bill. I hope the House will have no objection to that being done, because the taxing master is a very competent officer. Generally he is a legal man himself. It could be left to the discretion of the taxing master to decide whether or not a bill of costs was fair. We should not force him into the position of saying that because he was unable to disallow over one-sixth of the bill, the client must pay the costs entailed. That is a most unfair provision, and the House should agree to my suggestion. The vital portion of the Bill in respect of which I anticipate opposition from legal members, although I shall be greatly surprised if lay members of the House do not favour it, relates to the briefing of counsel. As the result of letters and extracts I have read to members, they are aware of the fact that a man can brief himself as counsel and, in fact, he can be counsel, clerk and solicitor all in one. The time has arrived when that practice should cease. I have quoted an instance in which a whole family was briefed in one case. The son, as solicitor, briefed his father as counsel, and the father brought with him the son's uncle to act as his junior. In such circumstances, the bill of costs naturally piled up for the poor client to pay.

Mr. Ferguson: At any rate, that indicated a very united family.

Mr. SLEEMAN: While I anticipate some opposition from legal members of the House, I shall be surprised if other members do not see the advisability of amending the Act so that a man shall not be allowed to brief himself as counsel or to brief another member of his firm. No hardship will be occasioned to the legal profession, although doubtless that contention will be raised. If counsel is required, the services can be secured, as in other countries, of another lawyer altogether. If the Act is amended in that direction, it will make for the cheapening of litigation.

Mr. Lambert: Junior counsel can be brought in without the sanction of anyone else.

Mr. SLEEMAN: I might have included a clause to deal with that position, too.

Mr. Lambert: And that junior is entitled to charge two-thirds of the fees that senior counsel would receive.

Mr. SLEEMAN: That is so.

Mr. Stubbs: I am satisfied some of us have followed the wrong calling.

Mr. SLEEMAN: I shall be prepared to accept an amendment to the Bill if the member for Yilgarn-Coolgardie (Mr. Lambert) desires to move one to deal with the phase he has referred to.

Mr. Lambert: I have one Bill on my hands now, and that is quite enough.

Mr. SLEEMAN: I am in agreement with the hon. member that it is high time that practice was stopped. Junior counsel can walk in and act in connection with a case without having to secure the permission of the court. I incurred some criticism previously when I referred to those individuals as "dummies," but they certainly were not dummies when the bill of costs was drawn up. I hope the Bill will be dealt with as quickly as possible; otherwise there may not be any opportunity to place it on the statute-book this session.

On motion by Mr. McLarty, debate adjourned.

### DISCHARGE OF ORDERS.

On motion by the Premier, the following Orders of the Day were discharged from the Notice Paper:—

1. Bees Act, Disallowance of Amending Regulation.

2. Legal Practitioners Act and Legal Costs, to inquire by select committee.

3. Workers' Homes Act Amendment Bill (Second Reading).

### BILL—DENTISTS ACT AMENDMENT.

#### *Second Reading.*

Order of the Day read for the resumption of the debate from the previous day.

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

Ayes	..	..	..	26
Noes	..	..	..	14
				—
Majority for	..	..	..	12
				—

#### AYES.

Mr. Collier	Mr. Nulsen
Mr. Coverley	Mr. Raphael
Mr. Cross	Mr. Rodoreda
Mr. Cunningham	Mr. Sleeman
Mr. Hawke	Mr. F. C. L. Smith
Mr. Hegney	Mr. J. H. Smith
Mr. Kenneally	Mr. Tonkin
Mr. Lambert	Mr. Wansbrough
Mr. McCallum	Mr. Willcock
Mr. Marshall	Mr. Wilson
Mr. Millington	Mr. Wise
Mr. Moloney	Mr. Withers
Mr. Needham	Miss Holman

(Teller.)

#### NOES.

Mr. Brockman	Mr. Piesse
Mr. Ferguson	Mr. Seward
Mr. Griffiths	Mr. Stubbs
Mr. Latham	Mr. Thorn
Mr. McDonald	Mr. Warner
Mr. McLarty	Mr. Welsh
Mr. Patrick	Mr. Doney

(Teller.)

Question thus passed.

Bill read a second time.

### MOTION—RAILWAYS, COMMISSIONER'S LIABILITY.

*To Disallow Amending Regulation.*

MR. SEWARD (Pingelly) [8.25]: I move—

That the amendment to By-law 55 of the Government Railways (liability for goods stored free on railway premises), published in the "Government Gazette" on the 29th September, 1933, and laid upon the Table of the House on the 18th October, 1933, be and is hereby disallowed.

The amended regulation published in the "Government Gazette" reads as follows:—

Free storage of goods.—Where any goods are stored free of charge by the Commissioner on premises forming portion of a railway or under the control of the Commissioner, whether prior or after carriage of the goods, the Commissioner shall be under no liability whatsoever in respect of any loss of or damage to the said goods, notwithstanding the acts or defaults of his servants or agents.

Should the amended regulation be allowed to stand, it will work unnecessary hardship on residents of the country districts in particular. Goods are usually placed in the railway sheds when no one is there to take delivery of them. In the country districts, eight hours are allowed for unloading, and if the goods are not taken delivery of in that period, they are placed in goods sheds. This amended regulation will mean that if the goods are wilfully damaged by railway officials, the Commissioner will incur no liability.

Mr. Ferguson: Not even if they disappear.

Mr. SEWARD: The goods sheds are usually locked, and every reasonable care is taken by the railway officials to safeguard the goods while in their possession. We know full well, however, that people in the country are not aware of when the goods will actually arrive. In my district the railway officials communicate with the consignee if he is on the telephone, and inform him that the goods have arrived, but many consignees are not in that position, and the railways authorities cannot get in touch with them. In consequence, the goods are stored until the consignees can be informed of their arrival, but should anything happen to those goods, the Commissioner will accept no liability. That is wrong. The regulation is particularly inadvisable when we have regard to the position of the railways respecting freights. Last week a farmer told me that he had despatched some eggs by rail. When he got his returns, he found that a deduction had been made for breakages. He could not account for it, and on the second occasion when he despatched the eggs by rail, his returns again showed a deduction for breakages. Since then he has sent his eggs down by motor truck, and no damage through breakages has been experienced. If the Commissioner refuses to accept liability, it will simply drive traffic away from the railways altogether. We do not expect the Commissioner to do anything extraordinary, particularly when breakages occur that could not have been prevented by the exercise of ordinary care. We would not always expect the Commissioner to be responsible, but if the evasion of responsibility is to be carried to the extent indicated in the regulation, the result will be that freight will be withdrawn from the railways and diverted to other means of transport. If the amendment to the regulation be insisted upon, a hardship will be worked in country districts.

On motion by the Minister for Railways, debate adjourned.

*House adjourned at 8.30 p.m.*

## Legislative Council,

*Thursday, 7th December, 1933.*

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

### MOTION—ADDITIONAL SITTING DAY.

**THE CHIEF SECRETARY** (Hon. J. M. Drew—Central) [4.35]: I move—

That during the month of December the Council shall meet for the despatch of business on Fridays at 4.30 p.m., in addition to the days already provided.

It is necessary for the House to agree to the motion if we are to close the session before Christmas. From what I can understand after conversation with several members, that is the desire. We have six more sitting days only available to the 21st December and if the motion be agreed to, there will be two additional sitting days. I trust members will agree to that course being followed. If the session were to extend into the New Year, it would probably continue unduly. There are ten members of the Council standing for re-election and all will admit it is necessary that they should be in their electorates as soon as possible after the end of the present year.

**HON. C. F. BAXTER** (East) [4.37]: I do not desire to discuss the motion, but I would like to ask the question: Can this House sit next year? I think the Standing Orders were amended so that that would not be possible.

The PRESIDENT: I think I can inform Mr. Baxter that there is nothing in the Standing Orders prohibiting the House from sitting in the New Year. A resolution was passed by the Council some years ago in opposition to the House sitting for some period prior to biennial elections. I think