

to the utterances of hon. members have been effectually refuted by what I have read to-night from the "Westralian Worker." In conclusion I trust that future debates in this Chamber will be characterised by a very much higher tone than that adopted by Mr. Brown last night.

On motion by Hon. J. W. Hickey, debate adjourned.

### BILLS (7)—FIRST READING.

1. Supply (No. 2), £831,000.
2. Trust Funds Investment Act Amendment.
3. Kalgoorlie and Boulder Racing Clubs Act Amendment.
4. Herdsman's Lake Drainage Act Repeal.

Received from the Assembly.

5. Jetties.
6. Shipping Ordinance Amendment.
7. Navigation Act Amendment.

Introduced by the Honorary Minister.

House adjourned at 9.52 p.m.

## Legislative Assembly.

Wednesday, 1st September, 1926.

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

### QUESTION—RAILWAYS, ELECTRIFICATION.

Mr. SAMPSON asked the Minister for Railways: Will he advise the approximate expense involved in the electrification of the Fremantle-Perth and Perth-Armadale, Mundaring and Chidlow railways?

The MINISTER FOR RAILWAYS replied: Separate detailed estimates have not been prepared, but the cost would be over £1,000,000.

### QUESTION—ELECTRICITY SUPPLY.

Mr. SAMPSON asked the Minister for Railways: 1, Will he advise whether the limit of production has been reached in the generation of electric current? 2, If not, what margin of quantity is still available? 3, When is it anticipated that additional generating plant will be in operation? 4, What is the approximate quantity of electricity generated to-day? 5, To what increased extent will the installation of new plant make current available?

The MINISTER FOR RAILWAYS replied: 1, Yes, practically, with the present plant. 2, Answered by No. 1. 3, Winter, 1927. 4, At the rate of 60,000,000 units per annum. 5, An additional 60 per cent.

### QUESTION—FREMANTLE RAILWAY BRIDGE.

Mr. SLEEMAN asked the Minister for Railways: 1, Can he inform the House who was the first person to report the collapse of the Fremantle railway bridge? 2, If not, will he have inquiries made so as to enable the people of Fremantle, who wish to recognise the services of the first person to report the matter, to do so?

The MINISTER FOR RAILWAYS replied: 1, Yes; Ganger E. Hogan. 2, Answered by No. 1.

### QUESTION—DENTAL OFFICER.

Mr. SLEEMAN asked the Honorary Minister (Hon. J. Cunningham): When is the dental officer, for whom provision was made on last year's Estimates, likely to be appointed?

The HONORARY MINISTER replied: The dental officer was appointed early last month.

### QUESTION—FORTY-FOUR HOUR WEEK.

Mr. THOMSON asked the Premier: 1, Has his attention been drawn to the following statement made in yesterday's "West Australian" report dealing with Federal Arbitration Court proceedings: "Mr. J. Holloway, one of the leading advocates for the union, said he had been asked by the Premier of Western Australia (Mr. Collier) to represent that State"? 2, Is that statement correct, and is Mr. Holloway giving evidence in support of the 44-hour week? 3, Is he representing the unions at the Premier's request? 4, Is it the Premier's intention to contribute to Mr. Holloway's expenses as State advocate from the revenue of the State?

The PREMIER replied: 1, Yes. 2, Mr. Holloway has been advised that the Government supports the request of the applicant union. 3, Answered by No. 2. 4, The assumption that Mr. Holloway is State advocate is incorrect.

### LEAVE OF ABSENCE.

On motion by Mr. Wilson leave of absence for one month granted to the Honorary Minister (Hon. S. W. Munsie—Hannans) on the ground of ill-health.

### BILL—FORESTS ACT AMENDMENT.

Introduced by the Premier and read a first time.

### BILL—SUPPLY (No. 2), £831,000

#### *Standing Orders Suspension.*

### THE PREMIER AND TREASURER (Hon. P. Collier—Boulder) [4.40]: I move—

That so much of the Standing Orders be suspended as is necessary to enable resolutions from the Committees of Supply and Ways and Means to be reported and adopted on the same day on which they shall have passed those Committees, and also the passing of a Supply Bill through all its stages in one day.

Question put and passed.

#### *Message.*

Message from the Governor received and read recommending appropriation in connection with the Bill.

#### *In Committee of Supply.*

The House having resolved into Committee of Supply, Mr. Lutey in the Chair.

### THE PREMIER (Hon. P. Collier—Boulder) [4.42]: I move—

That there be granted to His Majesty on account of the service of the year ending 30th June, 1927, a sum not exceeding £831,000.

This is asking for Supply to carry us to the end of September. I hope to have the Budget down within the next couple of weeks when the whole of the financial position will be under review. During the first week of the session Supply was obtained for two months to the end of August. That has expired, and it is now necessary to get authority to carry on until the Budget is brought down.

HON. SIR JAMES MITCHELL (Northam) [4.43]: There are one or two points I should like the Premier to clear up. The Miners' Phthisis Act provides for the payment of compensation to the men withdrawn from the mines. Is that compensation being paid now?

The Premier: Yes.

Hon. Sir JAMES MITCHELL: There is no special item for it.

The Premier: It will appear on the Estimates.

Hon. Sir JAMES MITCHELL: Is it a considerable amount?

The Premier: Not very great.

Hon. Sir JAMES MITCHELL: Something was said about the Act the other day. The Minister remarked that I had supported the amendment. I did support the proper payment to these unfortunate miners. I have no objection to offer to that. It is now suggested that the Act is not as liberal as the one we amended. I wonder whether the Premier is paying under the scale set out in the amended Act. I understand that scale is a low one. It has been suggested we pay on a higher scale than that. Is that so?

The Premier: Yes.

Hon. Sir JAMES MITCHELL: It appears to me we should amend the Act to make it clear as to what is to happen. It would not be a statutory provision, I suppose, unless the amount was fixed, and it would have to appear on the Estimates. We should rectify the error made in the Act. I supported the amending measure. Someone said the Act was not as liberal as had been intended, and the Minister said I had sup-

ported it at the time. That is so, and I am now willing to support a Bill that will make the necessary provision for these men. The latest Act does not seem to do this. It is not wise that we should go on paying out money without authority as we are doing to-day. The Premier would not desire that. If we make proper provision in the right way, it will have my firm support. I hope the Premier will consider whether it is wise to amend the legislation passed last year. The Act was, I think, passed in the time of Mr. Scaddan.

The Premier: I think in 1922.

Hon. Sir JAMES MITCHELL: The intention was to improve the position, and to do so by statute.

The Premier: It did too, but did not go quite far enough.

Hon. Sir JAMES MITCHELL: One expects to have to amend legislation of that kind. The amended Act, however, is worse than the one we amended.

The Premier: That is a mistake.

Hon. Sir JAMES MITCHELL: I think we say in the amended Act that the amount of payment is limited to that which would be paid under the Mine Workers' Relief Fund. Let us make the payment permanent. Some of these men will probably have to be helped for a long time. It takes a good while to find occupations that are suitable for them.

The Premier: Quite a number of them are working.

Hon. Sir JAMES MITCHELL: There are men with children who could well be put on to sheep farms, where the work would not be too hard for them, but where there would be something left for the families. There is something we can do for these people, and it is right that we should do it. I am sorry the Premier's figures are not as satisfactory as we would like them to be. August was rather a disastrous month because the revenue was fairly buoyant, but the expenditure was still more active. Expenditure is the trouble.

Hon. G. Taylor: We all live up to our means.

Hon. Sir JAMES MITCHELL: Whilst we cannot have regard to monthly figures, we can have regard to a comparison. But for the Federal grant we should have fared badly during the past month. We should have been about £38,000 worse off for the month than we were last year.

The Premier: A little under £30,000.

Hon. Sir JAMES MITCHELL: I make it £38,000. The Premier has taken part of the disabilities grant into general revenue. I see that a sum of £58,852 has been paid in, and a line appears in the Estimates for the first time. It is necessary that the Prime Minister should pass a special Act through the Federal Parliament, and one of the provisions of that Act is that the disbursement of the sum must be subject to an Act passed by this Parliament.

The Premier: Subject to appropriation by this House; not necessarily an Act.

Hon. Sir JAMES MITCHELL: It really means that this item will be appropriated in the usual way. It will be considered as revenue and appropriated for expenditure in the ordinary way.

The Premier: I propose to set out how I intend to spend this grant and to ask the House for approval. I am not taking it into general revenue, and treating it as such, without indicating how I propose to spend the money apart from our ordinary general revenue.

Hon. Sir JAMES MITCHELL: The Premier has taken the sum now into general revenue.

The Premier: Yes.

Hon. Sir JAMES MITCHELL: And he will indicate to the House how he proposes to take a like amount out of the general revenue, and the relief he proposes to give. Since £300,000 is to come to us for the next five years, we ought to reduce taxation.

The Premier: I propose to indicate that.

Hon. Sir JAMES MITCHELL: One of the arguments used before the Royal Commission was the rate of tax we were obliged to impose against that which is imposed in other countries. The disadvantage the rate is to Western Australia was pointed out. It certainly deters enterprise from starting here.

The Premier: That is one of the reasons. There have been dozens of claims put forward in connection with the disabilities suffered by the State.

Hon. Sir JAMES MITCHELL: I should like to put in a claim for my electors if there was a chance of its being recognised. The Premier's revenue is not so buoyant, neither is the balance so satisfactory, that he can afford to incur expenditure on unnecessary things.

The Premier: That is so.

Hon. Sir JAMES MITCHELL: We must make good use of the money. It is being

paid to us by the Federal Government as a result of the Disabilities Commission. It comes to us not only because the Treasury suffers disabilities, but because every individual in the State also suffers disabilities. If the Premier will reduce taxation, it will be one way of helping all the taxpayers, and the right way. Taxation is not conducive to employment, but interferes with it.

The Premier: I do not think there is any question about taxation being high. It ought to be reduced as far as our finances will permit of this being done.

Hon. Sir JAMES MITCHELL: That is the first thing to do in this connection.

The Premier: It is just a question of how much ought to be devoted to that purpose and how much to other purposes.

Hon. Sir JAMES MITCHELL: Naturally, but there is that one thing which has to be done. I do not propose to indicate to the Premier how he should spend that £350,000.

The Premier: We cannot reduce taxation with that, because that is only for one year.

Hon. Sir JAMES MITCHELL: The £350,000 is being continued.

The Premier: For five years. It is really only £220,000, because it is less the special grant. This year it will be about £230,000.

Hon. Sir JAMES MITCHELL: For this year we have £350,000. It is in the hands of the Premier. He has taken £58,000 out of the fund. We receive £213,000 also, another grant, which will give us about £563,000 for this year.

The Premier: We have not received any of that yet, but it will be paid.

Hon. Sir JAMES MITCHELL: I had a talk with Dr. Earle Page about it. There is no question as to our getting it.

The Premier: I am asking the Commonwealth to make it available monthly.

Hon. Sir JAMES MITCHELL: The two amounts will give the Premier about £47,000 monthly to pay into revenue. It has to go into revenue before it can come out, even as a special purpose.

The Premier: Yes, about £550,000 for the year.

Hon. Sir JAMES MITCHELL: The Premier is in a happy position. Instead of a deficit of £600,000 or £700,000 as was the case in 1921, he will get from the Commonwealth £563,000 for this year's revenue. He will not get so much next year. It is fortunate we have it this year. I think the

Commonwealth Government should abide by the recommendation of the Commission. The disabilities that were suffered by the State have been pointed out by many people. There can be no question in my mind that the Commission thought we were really entitled to the money.

The Premier: The £220,000 paid this year is at present only a loan.

Hon. Sir JAMES MITCHELL: It has been passed in the Federal Estimates.

The Premier: It has to be refunded if the Bill does not pass.

Hon. Sir JAMES MITCHELL: Yes, but the passing of the amount on the Estimates means that the amount in the Bill cannot be reduced. That would be ridiculous.

The Premier: They may refuse.

Hon. Sir JAMES MITCHELL: If the Premier gets his hands on the money, the Commonwealth will have a job to get it back.

The Premier: I think so, too.

Hon. Sir JAMES MITCHELL: The point is that the money will cost nothing. Our taxation last year was only £1,400,000, and two years ago it was less than £1,200,000; and from those facts it is plain that this £563,000 is a wonderful addition to our revenue. When the public see the enormous figure of £9,000,000, they think it is revenue such as this Parliament can distribute. In point of fact, the bulk of it is earned by railways and other departments, and often costs a good deal more to earn than we collect.

The Premier: Much of it is not revenue in the real sense at all.

Hon. Sir JAMES MITCHELL: Three millions paid into the Treasury often cost £3,100,000 to get, and this latter amount has to be drawn from the Treasury. It is a pity that we cannot make our revenue and expenditure statements in a form more comprehensible to the public. Most of the amounts in question are apart from clear revenue, revenue available for ordinary administration. Last month the total revenue was up £74,000, which is satisfactory; but the expenditure was up about £54,000, which is unsatisfactory. The increase in expenditure was not due to interest paid, which amounted to only £12,000, the reimbursement item on the other side being £13,000. Therefore, loan moneys have nothing to do with the month's results. Even with the Federal money we shall have to exercise considerable care during the year. We shall have a credit balance from the

£200,000 even if the Premier does reduce taxation. It will be satisfactory to know what is to be done with the £350,000. It should have been paid to us as an ordinary grant. If I were the Commonwealth Prime Minister dealing with the matter, I would say, "The Federal Disabilities Royal Commission found in your favour, and we want to give you some relief in the matter of taxation where complaints have been made." However, we have got the money and the Premier will tell us within the next fortnight how he proposes to deal with it. It will embarrass him to decide what is best to be done with that money.

Mr. Mann: What about some tramway lines?

Hon. Sir JAMES MITCHELL: The money can only be used to meet expenditure that would otherwise come from revenue. It cannot be used to replace loan expenditure. After all, though, it is not an enormous sum, and would not do much in the way of tramway construction. In a fortnight's time the Premier may also be able to let us know more regarding the Federal Government's proposal as to the North. I do not know how the Federal Government have separated the two items, £300,000 as a grant, and £150,000 if we let them have the North-West. That was not suggested by the Commission, who recommended a payment of £450,000 straight out to the State's revenue.

The Premier: The Federal Government propose to give us that amount, but divided it, making £150,000 of it practically conditional on our handing over the North-West.

Hon. Sir JAMES MITCHELL: Last year we got £450,000 unconditionally. This year we get £300,000 unconditionally, and £150,000 subject to our handing over the North-West. I hope Parliament will not agree to the latter proposal. The Federal Government have been told by their own Commission that £450,000 would be a fair grant to make to Western Australia. I should like to be assured that the Federal contribution would be £450,000 for the next 5 years. That would be only reasonable.

Mr. THOMSON (Katanning) [5.10]: When I took up this morning's newspaper I was surprised to read the following statement by the Premier concerning our finances:—

The figures on the revenue side include two months' proportion of the disabilities grant paid to the State by the Commonwealth last year. In making the amount available, the

Prime Minister drew attention to the special Act passed by the Federal Parliament providing that the payment was subject to an appropriation by the State Parliament.

The Premier is reported as having said—

In my Budget, which I hope to deliver at an early date, I am providing for the special appropriation of this money; and instead of bringing the amount into revenue in one lump sum I have decided, on the advice of Mr. G. W. Simpson, our Under Treasurer, to spread the transfer equally over the 12 months. The Prime Minister has also agreed to pay progressively the grant of £300,000 over the present year, less the existing special payment of approximately £87,000. I have asked for a cheque covering the past two months, and for the balance of the grant to be made available monthly.

The Federal Act dealing with this matter provides—

There shall be paid out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, for the purpose of financial assistance to the State of Western Australia to be applied by the State to such objects as the Parliament of the State shall from time to time have approved, during the year ending the 30th June, 1926, such sum as, added to the payment of that which the State is entitled to receive for the year under the provisions of Section 5 of the Surplus Revenue Act, 1910, will be equal to the payment of £450,000.

I shall not oppose Supply to the Government. Supply is essential to them in order that they may carry on. But the action of the Government in appropriating the money and dividing it as indicated is not entirely satisfactory. I disagree with the Opposition Leader's statement that the grant is made to the Treasurer of Western Australia. The Federal Government appointed a Royal Commission to inquire into the disabilities from which Western Australia, and not the Treasurer of Western Australia, was suffering as the result of Federation. The Royal Commission's finding was distinctly on the lines we put forward, that the tariff caused Western Australia the most severe financial suffering. In this connection the Royal Commission instanced the gold mining industry. If ever there was an example given to the Commonwealth and to the world of the results of high Protection, it is the parlous position in which our gold mining industry now finds itself.

Mr. Latham: But the incidence of the tariff is not peculiar to Western Australia. The Eastern States suffer from the high tariff just as we do.

Mr. THOMSON: Assuredly the tariff does not affect New South Wales and Victoria

in the same way as Western Australia, because the other two States have their secondary industries established. Whilst Western Australia's secondary industries suffer, the primary industries here have to pay.

Hon. Sir James Mitchell: But you realise that we cannot propose how the money shall be spent. The proposal to expend the money must come from the Treasurer.

Mr. THOMSON: I do not dispute that for a moment.

The Premier: I shall make the proposals, but Parliament will decide.

Mr. THOMSON: With all due respect, the matter will not be decided by Parliament, but by the Treasury bench. Whatever the occupants of the Treasury bench propose must necessarily be agreed to by this Chamber. The decision will come from Parliament ostensibly, but not really. This side of the House will only be able to express its views. If we were occupying the Treasury bench, our decision would naturally become the decision of the Chamber.

The Premier: How are you going to get over it?

Mr. THOMSON: I consider that the Chamber is entitled to know the intentions of the Treasurer as to the £400,000 he has in the Bank. The people are entitled to reduction in railway freights and in taxes, even if it is only for a period of 12 months. Taxation measures are passed annually by Parliament. I am not endeavouring to indicate to the Government the particular ways in which this money should be expended. I may, however, make a suggestion which I consider beneficial.

Hon. G. Taylor: If you can convince Parliament, you will be all right.

Mr. THOMSON: The matter should be dealt with on non-party lines. There was a report that the Dale River railway was to be constructed but it was changed and the line was put elsewhere.

The Minister for Mines: What do the Commonwealth Government know about the Dale River railway?

Mr. THOMSON: I do not object to Albany getting the Denmark railway.

The Premier: I believe you criticised the Government for not commencing the work at an earlier date.

Mr. THOMSON: I am pleased to know that the Premier admits that I helped to push on with the work.

The Premier: It was your influence that caused the line to be started!

Mr. THOMSON: I will refer to the report setting out the case submitted on behalf of Western Australia to the Federal Royal Commission dealing with our disabilities. Here is one extract—

It will be observed that Mr. Black is correct when he states that on incomes in excess of £6,500 the rate of tax in Western Australia is higher than in any other State of the Commonwealth. The difference between the tax paid on an income of £6,500 from personal exertion in Western Australia, and the same amount of income in Victoria is remarkable—£1,362 11s. 3d. in Western Australia, and £221 7s. 1d. in Victoria.

Then there is the following statement made by the chairman of the State advisory committee who prepared the case for Western Australia—

One thing certain, it is not possible for this State to raise further revenue from her own citizens by taxation. Already the danger point has been reached in the burden of taxation placed on the shoulders of the citizens of Western Australia. Capital is being frightened out of the State by this burden. To those who are conversant with the stringency of finance in this State, it seems ludicrous to talk of the capacity of Western Australia to bear an increased burden of taxation. It is a matter of notoriety that those who have capital to invest—in many cases capital resulting from savings made during a lifetime in Western Australia—unfortunately prefer to invest that money in Victoria, despite all local sentiment, for the simple reason that they will obtain there a larger return with a less burden of taxation.

That shows it was the intention of the Disabilities Commission, when they framed the recommendation, that we should have some relief from taxation.

The Premier: I suppose I do not propose to do anything?

Mr. THOMSON: The report clearly indicates that one of the disabilities Western Australia has suffered under has been the high taxation. The member for Perth (Mr. Mann) interjected with reference to secondary industries. How can we expect any business man to establish secondary industries here, when he would be faced with the position that if his turnover gave him an income of £6,000, he would have to pay £1,362 in taxation in Western Australia, whereas if his business were in Victoria he would have to pay only £221.

Hon. Sir James Mitchell: But the Premier has promised to reduce taxation in a way that will benefit everyone.

The Premier: And, of course, this is the time to indicate the measures to be taken, when we are discussing a Supply Bill!

Mr. THOMSON: In view of the statement made by the Premier that Western Australia had not had a fair deal from the Federal Government, we cannot get away from the fact that the Federal Parliament passed an Act setting out that this House should have an opportunity to determine how the money would be expended.

Mr. Latham: Well, we will have that opportunity.

Mr. THOMSON: The Premier should have indicated his intention to us in his speech. We are entitled to have that information. In a Governor's Speech there was a statement that it was intended to reduce taxation in certain directions.

Mr. Latham: The Government will be in possession of the Treasury bench for only a short period more, so we need not worry.

Mr. THOMSON: But I am worrying about it.

Mr. Latham: We will be able to alter it when we are on the other side.

The Premier: It is not worth worrying about.

Mr. Heron: Not while the Premier is in charge of the finances.

Mr. THOMSON: Despite the fact that we have had £58,852 paid into revenue, this month shows a deficit of £108,817. At the earliest moment we should have an indication of how the Government intend to deal with the Federal advance of £450,000. In an interjection to the Leader of the Opposition, the Premier said that we could not possibly reduce taxation because the advance of £450,000 was for one year only. For my part, I claim that those who pay taxation this year are entitled to a measure of relief as a result of that advance from the Federal Government. Taxation should be reduced and thus people would be induced to invest their capital in Western Australia. If the Premier were to make an announcement that it was his intention to reduce taxation by a considerable amount, that would in itself be an encouragement to people to establish secondary industries here.

Hon. W. D. Johnson: You have commented enough: now you had better continue reading.

Mr. THOMSON: Here is another extract from the report of the Disabilities Commission—

Whatever additional cost the policy of protection may add to the price of goods and material imported by the Australian consumer, the citizens of the Eastern States gain as a

compensating advantage the presence of a large production and manufacture. Such is not the case with Western Australia, which is so placed that at present it has to bear whatever burden may arise under the protectionist tariff without reaping any of the accompanying advantages.

Here is the comment of the majority of the Commission on that point.

Your Commission is of opinion that if the State of Western Australia had not joined the Federation, that State might have imposed Customs duties, partly protective and partly revenue producing, and derived advantage therefrom; that having joined the Federation, whatever benefit the Commonwealth protectionist policy may have conferred upon other States of the Commonwealth, it has not benefited the State of Western Australia; that the primary producers of the State of Western Australia have to pay more for their agricultural machinery, etc., than the primary producers of the Eastern States; that the primary producers of the State of Western Australia have not the benefit of home markets like Sydney with its 1,008,500 population, or Melbourne with its 885,700 population—

Hon. Sir James Mitchell: We had better get to work and make up the population.

Mr. THOMSON: How can we get to work to do that?

The Premier: When I deliver the Budget, I intend to make an announcement regarding the reduction of the tariff! I will not put up with it any longer!

Mr. THOMSON: That is a most brainy interjection by the Premier!

The Premier: It is just as brainy as the balderdash you are talking.

Mr. THOMSON: We asked the Federal Government to appoint a Royal Commission to inquire into the position of Western Australia under the Federal regime, and that Commission made inquiries.

The Premier: We are not on the tariff now.

Mr. THOMSON: The members of that Commission said we were suffering from the effects of the tariff. As a means of compensating the primary producers and the taxpayers of Western Australia, the Federal Government provided £450,000 by way of a grant, and passed an Act setting out that the money was to be "applied by the State in such directions as the State Parliament from time to time shall have approved during the year ending 30th June, 1926." We, as a Parliament, have not had that opportunity to deal with the question. I maintain we are entitled to look for reductions in railway freights, particularly on agricultural machinery.

The Premier: And on super, too?

Mr. THOMSON: Yes, and for an extension of the period during which super may be conveyed over the railways at the cheaper rate.

The Premier: And a reduction in the rate at the same time?

Mr. THOMSON: The cheaper rates could very well be made to apply during the whole period wheat is carted. We should have a substantial reduction in taxation. I recognise that the goldfields areas have suffered severely, and that assistance must be rendered to those parts.

Hon. G. Taylor: We expect to get all that Federal money.

Mr. THOMSON: There is no gainsaying the fact that it is not the intention of the Federal Government—I do not mind what party may be in possession of the Treasury benches—

Mr. Clydesdale: I think you do.

Mr. THOMSON: It was never the intention of the Federal Government to hand over a grant of £450,000 and allow it to be dealt with as I have indicated.

The Premier: The whole amount must be paid into revenue.

Mr. THOMSON: Of course.

The Premier: Don't you understand?

Mr. THOMSON: I do, but I also understand that in the country the people received the benefit of the reduced railway freights for three months, but the Government reaped the advantage over a period of 12 months by means of the additional land taxation. I want to make sure that the people in the country districts secure a full measure of relief.

The Premier: I made it retrospective for them last year.

Mr. THOMSON: I want to make sure that the people in the country get the relief that the Commonwealth Government anticipated. The present State Treasurer is in a happier position than any other Treasurer since I have been in Parliament. Here he has £450,000 from the Federal Government, and yet we have no indication as to what he intends to do with it.

Mr. Latham: Well, that is £350,000 more than we have ever had before.

The Premier: Of course the amount is £350,000, and not £450,000, but that is near enough for the hon. member.

Mr. THOMSON: I understood the Premier to say he had £450,000 in the bank and in addition to that, according to his state-

ment in the Press, another £300,000 is available, and he is able to draw upon that amount from time to time.

The Premier: I have not got that yet still, according to the hon. member, I should indicate now how I will dispose of it.

Mr. THOMSON: The Premier said that he had £450,000 now.

The Premier: No, £350,000.

Mr. THOMSON: No, you said you had £450,000.

The Premier: The hon. member knows that the £450,000 includes £100,000 we would have got in any case. Surely the hon. member can stick to that point!

Mr. THOMSON: But you have got it.

The Premier: Yes.

Mr. THOMSON: Then the Premier said that he had received the £450,000.

The Premier: I will clope with it if you do not mind.

Mr. THOMSON: I consider that the Treasurer, if he intends to reply at all, should give us some indication as to what he intends to do with the money. I am entitled to draw the attention of the Committee to the position as it exists to-day. That money has been in the hands of the Treasurer for two months, and we do not know what is to happen.

The Premier: If I could get out of the State with it, of course the position might be different.

Mr. THOMSON: That is absurd. I hope the Premier will not deal with the question from a personal aspect. I am dealing with it from a parliamentary point of view, and I claim that the position I have indicated is such as we have to face now. If the Premier intends to reduce taxation, the sooner it is made known the better. It will create confidence and may lead to the establishment of secondary industries. If he intends to reduce railway freights, the sooner we know of that the better. The Commonwealth have shown their bona fides by providing the funds, and the people of the State as well as the Federal Government are entitled to know what the Premier proposes to do with the money.

**THE PREMIER** (Hon. P. Collier—Boulder) [5.31]: Most men who are not absolutely stupid, or who have a scrap of honesty in their composition, know the facts. I have stated in the Press about twenty times that the amount is £350,000. That is known to everybody in the country, and



everybody who is honest will admit it. Only men who are hopelessly stupid or incorrigibly dishonest will say otherwise. A hundred times I have stated that the amount is £450,000, less about £100,000 that we would get in any case, so that the net amount is £350,000. Even the school-boys know it now.

Hon. Sir James Mitchell: I think so, too, but £350,000 is the amount we have to consider for this special purpose.

The PREMIER: Yes. If people know the facts and make statements to the contrary, what can I do? I do not propose to keep on repeating it. I cannot control men's tongues, and make them say £350,000 if they desire to say £450,000.

Hon. Sir James Mitchell: But it is well for you from your place to tell the people that the amount is £350,000.

The PREMIER: Even then it would not be accepted in some quarters; the £450,000 would be repeated as glibly to-morrow or the day afterwards. I can only state facts; I cannot compel men to be honest enough to accept them. If anyone is so constituted that he will mis-state a fact, what can I do?

Mr. Thomson: Tell us what you are going to do with the money.

The PREMIER: Am I to keep on repeating it in order to shame a person into stating the truth? Even that would be a task beyond me in this instance. Nothing will make a man speak the truth if he does not wish to do so. The public know that we have £350,000 for distribution in some form or other. The leader of the Country Party, in a paroxysm of incoherency, expressed himself dissatisfied, and the ground of his complaint is that the Government did not indicate in the Governor's Speech what they intend to do with the money and that he does not know now. He knows perfectly well that the time to unfold the financial position is when the Budget is presented. I have asked for supply for one month and have indicated that the Budget will be presented in two or three week's time. But the hon. member will not wait a fortnight. He wants to know now.

Mr. Thomson: On your own statement, you are taking the money into revenue.

The PREMIER: What does that matter? Not one penny will be utilised, except in the manner that Parliament approves.

Mr. Thomson: After the money has been spent?

The PREMIER: What can I do with such a calamity? The money will be spent—

Mr. Thomson: As you decide.

The PREMIER: No, as Parliament decides.

Mr. Thomson: Rubbish!

The PREMIER: How is it rubbish? I have to bring proposals before the House, and Parliament has to approve or disapprove of them. How is the hon. member going to get over that difficulty? His grievance now is that there is a majority on my side of the House and that the money might be disposed of in a manner of which he does not approve.

Mr. Thomson: We are entitled to know.

The PREMIER: Well, I am not going to sneak it through in the dark. Did not I say I would submit my proposals to the House when the Budget was brought down? Now the hon. member says he is entitled to know. Is he afraid that I will sneak it through without anyone knowing of it? Did anyone ever hear such a ridiculous statement? He is dragging in criticism by the hair of the head merely for the sake of speaking at greater length than the Leader of the Opposition has spoken. Adapting a quotation—

On words of learned length and thund'ring sound he dotes,  
And thinks he grows immortal as he quotes.  
It was only last week or the week before, when the Federal Treasurer (Dr. Earle Page) was in Perth, that I knew definitely we were going to get the £300,000.

Mr. Thomson: But you have received £450,000. That is what I have been discussing.

The PREMIER: The hon. member would have me deal with one part as soon as Parliament opened and with the other part some weeks afterwards. He would have me introduce a Bill to reduce taxation in respect of the £350,000, and a month later introduce another Bill to deal with the £220,000.

Mr. Thomson: You know your Taxation Act is for 12 months only, and you are talking nonsense when you say that.

The PREMIER: The hon. member is complaining because I have not indicated what I intend to do with the £350,000.

Mr. Thomson: In the past it has been indicated in the Governor's Speech that the Government intended to reduce taxation.

Mr. E. B. Johnston: Not for a long while.

The PREMIER: It is the attitude of a man desperately hard up for criticism. I

knew only a fortnight ago that I was going to get the £220,000, and he is complaining that I have not indicated what I intend to do with it.

Mr. Thomson: I am not discussing that; I am discussing the £350,000 that you have in the bank to-day.

The PREMIER: Then the hon. member returns to the point I dealt with previously. He wants me to deal with the matter in two parts.

Mr. Thomson: You have the 12 months' grant with which you can deal.

Mr. Wilson: Oh, shut up!

The PREMIER: According to the hon. member's attitude now, he would have me make two bites at a cherry. He wants me to decide now how far I am going to reduce taxation, having in mind the £350,000, and decide a fortnight later how far I can reduce taxation having in mind the £220,000.

Mr. Thomson: I did not say that.

The PREMIER: The debate on the Address-in-reply was finished only a couple of weeks ago. What opportunity have I had to bring before the House proposals for the distribution of this money?

Mr. Thomson: You have had the cash for over two months.

The PREMIER: But I have to decide how it shall be distributed, and the only time that that can be decided is when I have the whole of the financial affairs for the year before me and am making up the financial statement. The hon. member is impatient; he cannot wait; he wishes to know right away. He need not be afraid that I shall smuggle any of the money away.

Mr. Thomson: Whoever suggested such an absurdity?

The PREMIER: He said the House would have no say in the matter. The Government must submit their proposals for the distribution of the money. As the Leader of the Opposition asked, "How can Parliament put forward proposals?" Members may make suggestions.

Mr. Thomson: That is what I did.

The PREMIER: The hon. member went further and wanted to know why I had not told members how the money was to be expended. Did anyone hear of such an unreasonable complaint? It is the limit of absurdity. The Government will have to submit their proposals, whether in the way of reducing taxation, reducing railway freights, or in some other direction, and the

money will be expended as Parliament approves. Insofar as the Government are concerned, it will not be a party question. Every member on this side of the House will be free to vote as he wishes regarding the disposal of the money. What more could any Treasurer do? Whether it was mentioned in the Governor's Speech or not would make no difference. It would not bring nearer the hour when members would know the Government's intentions. The position is as stated by the Leader of the Opposition. The money must be taken into revenue and appropriated by Parliament out of revenue. It cannot be handled in any other way. Whether we take it in monthly instalments or wait until Parliament has decided the matter and take it in a lump sum does not matter a snap of the fingers. It has to come into revenue and must be appropriated by this Parliament out of revenue. This Parliament cannot deal with the whole question of taxation and finance except on the Budget.

Mr. Thomson: I want an indication as to what the Government will do.

The PREMIER: The hon. member cannot wait; he wants to know what I intend to tell the House in a fortnight's time; he wants me now to make a semi-Budget speech. I am not in a position to tell the House until I have finalised the whole of the finances. Some super genius might be able to do so; I cannot. In speaking of the Commonwealth grants I have given round figures. The exact amount of the special grant received last year was £353,000 and the amount for the present year is £213,000. A matter touched upon by the Leader of the Opposition had reference to the Miners' Phthisis Act. I think there has been a misunderstanding. The amending Act of last year certainly did liberalise the Act of 1922.

Hon. Sir James Mitchell: It did not seem to me that that was so.

The PREMIER: Undoubtedly.

Hon. G. Taylor: In what way?

The PREMIER: In several ways.

Hon. Sir James Mitchell: In any case, we ought to fix up the business in a proper way now. If you are paying beyond the amount given by the Mine Workers' Relief Fund you are doing it illegally.

The PREMIER: I think that the Act should be amended again in order to give statutory authority for the compensation we

are now paying. We have not the statutory authority.

Hon. G. Taylor: You are really meeting the requirements of the Act without authority.

The PREMIER: Except that it says that the Government may pay "not less" than the amount paid by the Mine Workers' Relief Fund. It gives us authority to pay much more.

Hon. G. Taylor: There is no limit.

The PREMIER: If the Act says you may pay any sum "not less" than that paid by the Mine Workers' Relief Fund, surely from the construction of the sentence you will pay more.

Hon. G. Taylor: There is no limit, but I am glad in a way that you are doing it.

The PREMIER: The Act does not name any sum, but it says "a sum not less." That means that you must pay that amount or more.

Hon. Sir James Mitchell: You can argue it in many ways. It is not satisfactory.

The PREMIER: The Solicitor General says it is legal, and declares that the Act gives us permission to pay more. The amount being paid is approximately the amount that could be claimed under the Workers' Compensation Act. It is a little higher here and there. Quite a number of the miners have been taken away from their work and found other employment. Others unfortunately have died. Compensation is not paid unless a man is unable to work. Speaking from memory I think about 110 were compulsorily taken out of the mines. The Act says that everybody suffering from tuberculosis has to be taken out. Men have been taken out suffering from the disease in various stages. Some were found to be quite well; others were in an advanced stage of the disease. Many are still working and will be able to continue working.

Hon. G. Taylor: Have you any idea how many are incapacitated from work?

The PREMIER: I cannot say just now.

The Minister for Mines: I can give the hon. member the figures to-morrow.

Hon. G. Taylor: Those who are getting compensation can get along all right on what they are receiving?

The PREMIER: They are in a somewhat better position than are those drawing compensation under the Workers' Compensation Act. Reverting to the finances, it is a fact that the expenditure is up somewhat. That is due to the causes that I indicated

in this morning's newspaper. In any case, very little notice can be taken of the financial results during the first month or two. We know that they are no guide as to how the year is going to end. Of course we like to keep the month in a position not any worse than the corresponding month of the previous year. But the first month or two or the first few months do not enable one to judge definitely as to how the year will terminate.

Hon. G. Taylor: You are not using the Federal money.

The PREMIER: I do not propose to use that money to make up any deficiency. I propose to balance the ledger, if I can, just as if that money had never been received. The grant will be used according to the judgment of the Government and according to the wishes of the House. The Leader of the Opposition spoke about reducing taxation, but Parliament would only be safe in making such a reduction if that reduction could be permanent.

Mr. Thomson: Why?

The PREMIER: Does the hon. member think that if we reduce taxation for 12 months, Parliament next year would agree to reimpose it?

Mr. Thomson: Yes, if it was recognised that it was required.

The PREMIER: No Treasurer would be safe in adopting such a course. If it could be reduced for five years, then there would be something to go on. The £350,000 grant to the Government for last year is not going to come in this year or in any future year. If one gives away taxation because there is a grant for one year, where will he be next year or the year after? It would be necessary to come back to Parliament and say that as the grant had disappeared, taxation would have to be reimposed.

Mr. Thomson: I think the people would agree to that.

The PREMIER: There will be no difficulty about finding means for spending the grant in the interests of the State apart from the taxation aspect. I agree that taxation ought to be reduced so far as the finances will permit, but we must be careful how far we go in reducing taxation merely on the strength of a grant given for one year. We can only be sure with regard to a reduction of taxation, or a reduction of railway rates, or giving relief in any other way, when that reduction is going to be continuous. However, the House will have an op-

portunity to discuss the whole matter of the distribution of the grant. That discussion I know will be very interesting, and there will probably be a genuine diversity of opinion as to the best means by which the amount can be expended.

**HON. SIR JAMES MITCHELL** (Northam) [5.57]: I have no doubt as to what will work best in the interests of the State. It is a reduction of taxation, because the influence will be so widespread. I was glad to hear the Premier say that in a fortnight's time we shall know what the proposals of the Government are. We know that no private member can propose expenditure. Suggestions can come from the Government and then we may propose that something else be done. We have no desire that the Federal Government should think we are wrangling over the expenditure of the grant of £350,000. In my opinion the best possible use the money can be put to is in the direction of reduction of taxation. But there is another point that I omitted to mention, and I do not think it will provoke much discussion. I want to set the Minister right. I was not here the other night when he discussed the question of the Ravens-thorpe smelters. I do not know what the position is to-day, but I do not think it should go out that any Government would wish to avoid the payment of a judgment given against it in the court. The Minister said I had insisted upon fighting this case, against legal advice.

The Minister for Mines: Where did I say that?

Hon. Sir JAMES MITCHELL: It is in "Hansard." We fought the case on the definite advice of the Crown Law Department.

The Minister for Mines: I did not say anything of the sort.

Hon. Sir JAMES MITCHELL: I am glad the Minister denies it. I merely wanted to correct the impression given by his reported words. The Minister himself could no more pay this money to-day than could I when Premier, or Mr. Scaddan when in office; for the Minister does not know to whom it is to be paid.

Hon. G. Taylor: He knows how the court decided it.

Hon. Sir JAMES MITCHELL: But the court did not decide it definitely. The court did not say to the Minister "Pay

It was a confused judgment, making it impossible for the money to be paid in my time. No government would wish to keep any person out of the money the court decided he was entitled to. But what is to be done when one cannot determine to whom the money is to be paid? This will be a dead loss to the State trading, and will have to be paid out of general revenue; for every penny that was won down there, and a good deal more, has been distributed amongst the people to whom it was due. This troublesome case has come down from the previous Labour Government. It was no fault of the then Premier who was Minister for Mines, because the instructions were not carried out.

The Premier: It originated in 1916, the last year I was in office. It was I who made the agreement with them.

Hon. Sir JAMES MITCHELL: Yes, but you did not make the regulations that caused all the trouble.

The Premier: Strictly speaking, but for the wording of the regulations nobody was to blame.

Hon. Sir JAMES MITCHELL: It has come down from one Government to another. When the verdict was secured we were perfectly willing to pay out, but we could not do so; and apparently the position is just as involved to-day as it was when I left office.

The Premier: Nobody wants to avoid paying, but the other side will not accept the verdict.

Hon. Sir JAMES MITCHELL: When reading in "Hansard" the speech made by the Minister for Mines, I came across the statement that I had insisted upon fighting the case against the advice of the Crown Law Department; also that the responsibility was created by my Government, and that there was an alleged scandal respecting it. None of those things happened, of course.

The Minister for Mines: The statement about the alleged scandal was made by the member for Katanning.

Mr. Thomson: I never made any such statement. All I said was that the Government ought to be generous.

Hon. Sir JAMES MITCHELL: Generous! I can assure the hon. member that had it been practicable I would have said "Let the money be paid over." We paid over every penny that we got. The arrangement, when it was made, was a splendid thing for

been complied with, the money would have been paid over.

Mr. Thomson: The verdict was given on the evidence.

Hon. Sir JAMES MITCHELL: Once we got the final decision we were willing to pay over. There was no feeling in the matter. It ought to be made quite clear that no Minister, no Under Secretary, no departmental official has been able to determine who is to get the money; this, notwithstanding that the court's judgment has been delivered. I am glad the Minister for Mines has removed the impression I gathered from reading his reported remarks. I would be sorry if it could be justifiably suggested that by any means I had attempted to defeat the judgment of the court.

The Premier: In the beginning it might have been better had the Crown not paid. There is no question about what the Crown ought to have done on the merits of the case, even though it cost us more than it otherwise would have done.

Hon. Sir JAMES MITCHELL: There is no question whatever. I just wished to clear away the wrong impression left by the speech delivered by the Minister for Mines.

**THE MINISTER FOR MINES** (Hon. M. F. Troy—Mt. Magnet) [6.7]: I do not think the Leader of the Opposition was quite correct in his statement that the court did not give a decision as to the manner in which the money was to be paid. The court did give such a decision.

Hon. Sir James Mitchell: Oh, no.

The MINISTER FOR MINES: The court said the amount of overcharges must be pooled, and that all persons who had sent forward to the mill should be brought into the pool, according to their claims. The trouble is that during the war copper reached £52 per ton, whereas gold remained at £4 per oz., and in the pooling process the gold producers will get more out of the pool than they are entitled to, and that of course at the expense of the copper producers. As Minister for Mines I can actually pay on the decision of the court, but the other parties will not accept it.

The Premier: Mr. Dunstan says in his statement that he will not accept it because the decision of the court is not fair.

The MINISTER FOR MINES: I cannot help that: it is the decision of the court, and I must pay according to their decision. Whilst the producers do not agree, I cannot alter

the decision. If they all agreed that the money was to be distributed in a certain manner, I would have no objection. However, they will not agree, and so long as there is any disagreement amongst them I cannot afford to pay, except as prescribed by the High Court.

Hon. Sir James Mitchell: The position is just as it was when you took office.

The MINISTER FOR MINES: Just so. It was the member for Katanning (Mr. Thomson) who said it was a scandal, and who made a great mouthful of the position. He could have come to me and got the facts, but he never bothered about seeing me at all. Other members came to me, but not the member for Katanning. Had he asked me for the facts he could have got them. He said the Government ought to be generous. But the money does not come out of the pockets of Ministers; it is the people's money. The important thing is that if I pay that money—it is not in my hands now, but in the hands of the Solicitor General—according to the decision of the High Court, the gold producers could sue the Government. And if they did, the member for Katanning would be the first to get up and attack the Government. Imagine him declaiming, "What sort of men are these we have in office?" We are not going to do it. I wish to goodness it was all settled up, for I am sick and tired of the business.

Mr. Thomson: Why didn't you write to Mr. Dunstan?

The MINISTER FOR MINES: Why didn't you approach me as an honourable man would have done. The hon. member came to the House and made a tremendous stir, in the hope that it might influence a few votes at Ravensthorpe. If ever the hon. member reaches the Treasury benches and a case similar to this one crops up, he will do the very thing we have done.

**MR. CORBOY** (Yilgarn) [5.13]: I wish to say a word in amplification of the Minister's remarks. I do honestly believe that the decision of the court, whilst apparently legally right, is morally wrong. The Privy Council confirmed that decision.

The Minister for Mines: No.

Mr. CORBOY: But they did. They would not hear an appeal from it.

The Minister for Mines: The Privy Council refused to hear the appeal because they had previously declared they would not hear from a Dominion Government any appeal

that was merely as to the interpretation of regulations. They said it was not their business. That is why they would not hear the appeal.

Mr. CORBOY: That was not the only reason why the Privy Council turned down the application for leave to appeal. However, the point is that the courts have all said the money should be distributed in a certain way, and now Mr. Dunstan will not accept the money. And until he does accept, nobody else can get their money, notwithstanding that some of them need it very badly. There are amongst those awaiting the money some widows in dire poverty, whilst other persons have been forced to transfer £100 worth of claim for about £30.

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

Mr. CORBOY: Every effort has been made through the courts of law, both by the Government and the plaintiffs in this action, to get a verdict. The highest courts available to any litigant have announced their decision. Whilst the decision is legally correct, I maintain that it is morally wrong. It does not do justice to all who have claims against the Government. It appears to me, however, that it was impossible for any other decision to be reached, or obtained in any other way. There is no other court or tribunal to which an appeal could be made. In August, 1922, I submitted a motion in this House in connection with the matter, during the time when the Leader of the Opposition was Premier. This, in effect, was a request to the Government to settle the whole business on an equitable basis. The motion was formally submitted and withdrawn after a little discussion. Since then, up to the present year, I have made every effort to secure an equitable settlement of the case. Never once, however, have I been guilty of saying that either the Leader of the Opposition, or the present Premier, was wrong in the attitude each took up. As laymen they would have placed themselves in an extremely difficult position if they settled this case on any basis other than that decided by the High Court.

Mr. Latham: They would have rendered themselves liable to an action.

Mr. CORBOY: Yes. The courts have directed that payment shall be made on a legal basis, but it is not a morally correct one. The member for Katanning (Mr. Thomson) has made a great song about this matter. He is the champion of these people who are suf-

fering severely owing to the fact that they are still waiting for their money. Where was the hon. member when my motion was submitted in 1922, and where has he been for the last five years when this question has been brought up on every Address-in-reply debate? In all this time this is the first occasion when the hon. member has found it worth his while to refer to these poor people who are suffering so much hardship.

Mr. Wilson: It is coming near the elections.

Mr. CORBOY: The writing on the wall is plain. The hon. member believes that the scalp of the member for Yilgarn is one of those he can nail to the wall and say, "That is mine." His interest in this matter is an electioneering device in his endeavour to bolster up one or two votes in the Yilgarn electorate.

Hon. G. Taylor: He did not name you, but he did name me.

Mr. CORBOY: That may have been an oversight. Members will agree that I have done my utmost to secure a settlement in this case. I did my best in this direction after the case had been heard by Mr. Justice Burnside, and before there was any appeal. The member for Katanning evinced no interest in the matter. For five years he sat in his place in this Chamber without mentioning the Ravensthorpe smelter case. He has shown no desire to secure a settlement, or to help those who have undoubtedly suffered great hardship. He talks of what he knows of the people's suffering. He does not know one-fourth of the troubles of the people to whom money is due. He has no idea of the difficulties they are experiencing, and has no desire to know. He is not concerned one iota about the half-a-dozen widows who are living in Albany, whose husbands have died since the case commenced, and who with their children are now living in abject poverty waiting for their money. He has no desire to help these people, but he has a real desire, if he can, to capture the Yilgarn seat for the Country Party at the next election. For this reason he brings up this matter. I have on every possible occasion talked of the disabilities of these people. Not only are the widows suffering hardships, but there are men who have bartered away their legal rights in what was due to them, it may be hundreds of pounds, for a few pounds. These men are hard up today because the paltry sum they were paid has now disappeared.

Mr. MacCallum Smith: They have also lost the accrued interest.

Mr. CORBOY: Yes. I am somewhat disgusted to find the columns of a leading journal of this State laid open to an ex-parte statement connected with this case. To me there is a very definite tinge about it of a desire to damage the Government on the eve of the elections, without respect to the justice or otherwise of the statements contained in it.

Hon. G. Taylor: That is up against the "Sunday Times."

Mr. CORBOY: No Government would dare to pay out money in this case except on the basis laid down by the courts.

Mr. Latham: Cannot it be paid out on that basis?

Hon. G. Taylor: They will not accept it.

Mr. CORBOY: The hon. member will see from "Hansard" of a few days ago that the Premier confirmed the statement I have frequently made in the last 18 months, that the money has been made available but has not been taken up. The Government must pay the plaintiffs before paying anyone else. Originally the Government agreed through Mr. Colebatch, when Leader of the House in another place, to pay all these people who had dealings with the smelters on the same basis as they paid in the case of McNeil and de Bernales versus the Crown. They must pay those people before paying anyone else. If they paid these other people, and Dunstan, by some means that I cannot conceive, secured an alteration in the decision of the court, they might be in a position of having to pay the money twice over.

Mr. Latham: Have not all the courts already been exhausted?

Mr. CORBOY: Yes. I cannot conceive of the possibility of the decision being altered. The Government agreed to pay on whatever basis they paid Dunstan, but he will not accept the money. What are they to do? Some 18 months ago the Government notified Dunstan that the money was waiting in the Treasury for him, but it is still there. Until Dunstan realises that he has exhausted every means of getting the decision altered, and accepts the money, no one else can be paid. The Government have paid out a small portion of the money which they know is well inside what they will ultimately have to pay to these people. Those people who have received an advance will eventually receive further money.

The Government have done their utmost to relieve the stress amongst the claimants in this way. One of the widows to whom I referred as living in Albany, some time ago received £80 to enable her to carry on. Until Dunstan agrees to take his money, no one can be paid in full. It is very foolish of him not to accept a decision which appears to be definite and final, and from which there seems to be no appeal.

Mr. Latham: I understand the last appeal was by the Crown.

Mr. CORBOY: I believe so. That appeal was made some 18 months or two years ago.

Mr. Latham: But there was recently an appeal to the Privy Council.

Mr. CORBOY: The question in dispute there did not affect the principal judgment as to the amount involved and the basis of distribution. That is a question whether the Crown shall pay interest on the money that is paid out from the time the High Court judgment was delivered.

Hon. G. Taylor: That was the only point in dispute.

Mr. CORBOY: Yes, and it does not affect the basis of distribution. To me it seems most regrettable that an hon. member with whom I have had relations here for five or six years should have made his appearance as a Johnny-come-lately in the matter six years after it has been thrashed out. During those six years the hon. member did not once raise his voice, apparently not caring whether justice was done or not; but now, when an election is approaching and there is political capital to be gained, he puts up a case obviously designed to damage the sitting member for the district and to create an impression that the other political party will help people who have been trampled upon by the present Government. I repeat, it is most regrettable that a member who has sat here as long as the member for Katanning should have adopted such a line of action.

HON. G. TAYLOR (Mt. Margaret) [7.47]: The air has been somewhat cleared by this discussion of the Ravens-thorpe smelter question, which has hung fire for a long time, and concerning which there have been many mis-statements both in the Press and in the street. As the result of inquiries, I find that the statement of the Minister for Mines, which is supported by the member for Yilgarn, represents the position absolutely as it stands.

Stripped of legal phraseology, the position is shortly as follows: The court has decided that the money shall be paid. The Government are prepared to pay the money according to the court's decision, but one party to the dispute will not accept payment under those conditions, saying in effect, "The judgment is not a fair one, and I will not accept it, and I ask the Mines Department to alter the court's decision." We on this side of the Chamber have many things to blame the Government for without attacking them on matters for which they have no responsibility. A week or two ago I saw in a week-end paper a most scathing denunciation of the Government over this matter.

The Minister for Mines: That was purely an *ex parte* statement.

Hon. G. TAYLOR: Persons in another country seeing that article would believe that the Western Australian Government acted atrociously towards their own people. If the writer of the article had been as conversant with the facts as are some of us who have investigated the question, he would not have written as he did.

The Minister for Mines: It was Dunstan's article.

Hon. G. TAYLOR: I do not know whose article it was. There is not a scintilla of truth in the statement that the Mitchell Government were guilty of shameful treatment of the people concerned. Indeed, both the late Government and the present Government are accused of having acted atrociously. I hope the parties concerned will now accept payment as authorised.

Question—put and passed.

Resolution reported and the report adopted.

#### *Committee of Ways and Means.*

The House having resolved into Committee of Ways and Means, Mr. Lutey in the Chair,

On motion by the Premier, resolved—

That towards making good the Supply granted to His Majesty for the service of the year ending on the 30th June, 1927, a sum not exceeding £450,000 be granted out of the Consolidated Revenue Fund, £375,000 from the General Loan Fund, £5,000 from the Government Property Sales Fund, and £1,000 from the Land Improvement Sales Fund for the purpose of temporary advances to be made by the Treasurer.

Resolution reported and the report adopted.

#### *Bill introduced, etc.*

In accordance with the foregoing resolutions, Bill introduced, passed through all stages, and transmitted to the Legislative Council.

#### **BILLS (3)—FIRST READING.**

1, Metropolitan Market.

Introduced by the Minister for Agriculture.

2, Day Baking.

3, Inspection of Scaffolding Act Amendment.

Introduced by the Minister for Lands (for the Minister for Works).

#### **NOTICE OF MOTION—FINANCIAL RELATIONS, COMMONWEALTH AND STATE.**

Notice of motion, in the name of Mr. Thomson (Katanning), as follows:—"In view of the conflicting statements and figures supplied by the Federal and State Treasurers on the subject, a select committee be appointed to inquire into the financial proposals of the Commonwealth Government in connection with the abolition of the per capita payment."

Mr. E. B. JOHNSTON: In the temporary absence of the member for Katanning, I move—

That the consideration of the notice of motion be postponed.

Mr. SPEAKER: That cannot be done.

Hon. G. TAYLOR: On a point of order, our Standing Orders do not provide for the postponement of a notice of motion standing in the name of an hon. member who is not present.

Mr. SPEAKER: I have already ruled that it lapses.

Mr. E. B. JOHNSTON: On a point of order, I would point out that the Minister for Lands has moved two notices of motion that stand in the name of the Minister for Works.

The Premier: They were formal.

Mr. SPEAKER: I would remind the member for Williams-Narrogin (Mr. E. B. Johnston) that that privilege is accorded to Ministers of the Crown, whereas it is not granted to ordinary members. The Crown has the right to conduct its own business.



Mr. E. B. Johnston: Is that under the Standing Orders?

Mr. SPEAKER: Yes.

The Premier: The notices of motion regarding the Bills constitute merely a formality. The Bills are not those of the Minister, but of the Government.

### **MOTION—POLICE BENEFIT FUND AND SUPERANNUATION SCHEME.**

*To Inquire by Select Committee.*

**MR. HUGHES** (East Perth [8.3] : I move—

That a select committee of the House be appointed to inquire into the incidence and administration of the Police Benefit Fund and the practicability of the conversion of the fund into a superannuation scheme.

The question raised by the motion is not new. Everyone will agree that not only should civil servants have their superannuation fund, but all other workers, whatever their occupation may be, should have some guarantee as well that in their old age they will be provided for. It may be said that there are many people more entitled to a superannuation fund than are the officers of the Civil Service. I believe the day is not far distant when we shall have a complete national insurance scheme that will do away with the necessity for superannuation funds provided by the employees themselves. As a step towards a national insurance scheme, the first thing necessary is to have as many people as possible covered by superannuation funds. If that were accomplished, it would be a step forward towards bringing in the rest of the community. In the Police Benefit Fund we have the nucleus of a superannuation fund for the police force. The fund is maintained by means of a levy upon the officers' salaries, supplemented by a Government subsidy on a pound for pound basis from revenue. The fund serves the joint purpose of a workers' compensation insurance fund and an ordinary insurance scheme for the officers of the police force. Those officers are not covered by the Workers' Compensation Act, and should an officer meet with injury in the execution of his duty, that does not bring him within the scope of the compensation law applicable to ordinary employees. Whatever that constable may be entitled to must come from the Police Benefit Fund. In the operations of the

workers' compensation law there are what appear to me several anomalies that could well be inquired into with a view to having them rectified. Under the compensation law, should a man be permanently injured in the execution of his ordinary work, he is entitled to receive £750 by way of compensation. That does not apply to officers of the police force.

Hon. G. Taylor: And those officers are very likely to get knocked out.

Mr. HUGHES: The question whether a police officer is subject to any more risks than are private employees has no bearing on the case. The plain fact is that if a worker under the compensation laws is permanently injured, he is entitled to receive £750. Should a person be maimed or lose his life, the relatives or next of kin are entitled to £600. If a police officer in the execution of his duty meets with an accident rendering him permanently incapable of carrying out his work, he gets no compensation whatever. Nor is a recruit who is permanently injured entitled to any compensation.

Lieut.-Colonel Denton: We have that fact before us at present.

Mr. HUGHES: Yes. I do not know of any other employee who is in the same position as a police officer. A policeman with more than five years' service to his credit, but less than seven years, is entitled, should he meet with an injury preventing him from carrying out his duties, to one year's salary, which is approximately £264. If an ordinary employee is on the job for ten minutes or is even on the job at all, he is entitled, if he meets with similar injuries, to compensation amounting to £750. A police officer with six years and 11 months' service is entitled to only £264, or one-third of the compensation provided for ordinary employees. If the officer has 12 years' service to his credit and is permanently injured, he is entitled to one year's pay, about £265, and may receive a gratuity amounting to £273, or a total of £536, as against the £750 that would be paid to an ordinary employee under the Workers' Compensation Act. Thus, if the police officer has 12 years' service to his credit he is entitled to two-thirds of the compensation Parliament decreed should be paid to the ordinary employee.

Mr. Panton: The policeman should be under the Workers' Compensation Act, too.

Mr. HUGHES: I agree with that. If a police officer with 20 years' service to his credit is permanently injured, he is entitled to his pay of £275 and a gratuity amounting to £441, or a total of £724. Thus the police officer only after 20 years' service is entitled to receive the same amount of compensation as the ordinary employee under the Workers' Compensation Act.

Hon. G. Taylor: Although the ordinary employee may have been on the job for a few hours only.

Mr. HUGHES: Yes, or the man may only just a few minutes before have gone on the job. After the police officer has had 21 years of service or more he would be entitled to £750. I believe it is possible for an officer with 30 years of service to his credit to receive from £800 to £900. The fact remains that, as I have already shown, a policeman permanently injured will receive, after five years' service, approximately one-third of the ordinary compensation allowed under the Workers' Compensation Act, or two-thirds if he has less than 12 years' service, and full compensation only after he has 21 years' service to his credit. Nothing will be gained by stressing that point further because hon. members will realise it is not right for one section of the community to receive differential treatment under the workers' compensation law. In addition to the pound for pound subsidy, the Government pay an additional lump sum of £300 per annum ostensibly to cover payments from the fund on account of other injuries that should really come under the Workers' Compensation Act. I suggest that workers' compensation should be something entirely apart from the Police Benefit Fund and that the responsibility for compensation to men who are injured while acting as members of the police force should rest entirely with the Government, as the employers of such men. In those circumstances should the policeman be obliged to pay contributions to the fund to provide payments on account of injury? Strong exception would be taken to any proposal put forward by a private employer that his employees should contribute portion of their wages towards a compensation fund from which compensation would be paid to that employer's men should they meet with accidents. It would at once be said that the responsibility for providing compensation rested entirely with the employer and that it

was unfair to expect the employees to contribute towards such a fund. I do not know whether the annual lump sum payment of £300 covers the compensation that is paid out on account of minor injuries. I am inclined to think that the amount would be rather short of the aggregate amounts paid out on that account. Even if the £300 is sufficient to meet the liabilities on account of compensation, it simply means that the officers are being deprived of their rights for the benefit of the Treasurer to the extent of the amount short paid. If the £300 more than covers the Government's liability under the Workers' Compensation Act, then the men are being deprived of portion of their compensation for the benefit of the fund. In either case, the man who is injured is deprived of portion of his compensation and possibly the general taxpayer gets the benefit. On the other hand, it may be that the remaining officers in the force benefit accordingly as the injured officer is deprived of his benefit.

The Minister for Railways: But the officers have other advantages, such as medical attention and so forth.

Mr. HUGHES: But under the Workers' Compensation Act, they would get those expenses too. I know that that position is common to other civil servants. For instance, men have six months long service leave.

Lieut.-Col. Denton: And those civil servants do not have to run the same risks as policemen.

Mr. HUGHES: It is recognised that there are other privileges. There is no disputing the point, however, that if police officers are permanently injured, they may receive only £264, whereas private employees would inevitably get £750. One thing that causes considerable friction and discontent is that those who joined after the 14th December, 1917, are not on the same footing as those who joined prior to that date. Those who joined before December, 1917, after 12 years' service, can retire and draw from the fund one month's pay for every year of service. According to actuarial calculations, the fund was not as sound as it should have been, and in 1917 it was decided that those who joined after the 14th December would be entitled to draw only a fortnight's pay for every year of service. Although both old and new officers pay the same rate of contribution, one set of men at the end of 12 years can retire and draw

a month's pay for each year of service, while the others cannot. Thus we have two sets of privileges operating side by side. Those who joined since 1917, after 12 years and less than 15 years' service, are entitled to two weeks' pay per annum; after 15 years and for less than 20 years, they are entitled to two two-thirds weeks per annum; after 20 years and under 25 years they are entitled to three weeks per annum, and after 25 years' service they are entitled to four weeks per annum. Still such men never get to the level of those who joined the service prior to 1917 because their maximum is a calendar month's pay for every year of service. I shall show at a later stage that the men who joined since 1917 are being obliged to make good a deficiency in the fund due to the different value of money now as compared with 1914. Notwithstanding that the men contribute 3 per cent. of their pay, there seems to be a marked discrepancy between the amount a man draws after he has contributed for a number of years. I wish to quote one instance furnished by an officer of the force. He has already contributed to the fund £53, and in the next four and a half years he will be obliged to contribute £49, a total of £102. The interest for the years in which that money will be held will amount to £20, so that the officers' contribution, plus interest for the 12 years, will be £122. With the pound for pound subsidy from the Government, that man on retiring ought to receive £244. But as a matter of fact, if he retired after 12 years' service, he would get only £168, a discrepancy of £76. The question that the officers ask is what becomes of the difference, in this instance 32 per cent. of the amount he should receive if his contributions plus interest were subsidised on the pound for pound basis. That difference is due in part to administration expenses and in part to other charges made on the fund.

Mr. Mann: The administration expenses would not be very great.

Mr. HUGHES: No, nothing like 32 per cent., but there are other charges on the fund. It leads one to think that perhaps the £300 a year paid in by the Government to cover compensation cases is insufficient. If it is sufficient to meet the extra charges on the fund, there certainly ought to be a greater amount due to an officer than approximately two-thirds of his contribution plus interest and subsidy.

Mr. Teesdale: Who formulated this scheme?

Mr. HUGHES: It has been operating for 30 years.

Mr. Teesdale: With the sanction of the officers?

Mr. HUGHES: They have made many efforts to get the scheme altered. For years they agitated to get a representative on the board of management of the fund.

Mr. Clydesdale: Who controls the fund?

Mr. HUGHES: It is controlled by a board, and only in recent years have the officers had a representative on the board.

The Minister for Justice: They have two representatives.

The Premier: There are two police and two Government officers.

Mr. HUGHES: But they have had that representation only recently. This is not a voluntary fund. When an officer joins the force he automatically comes under the fund, and 3 per cent. is deducted from his salary.

Mr. Sleeman: Cannot he object?

Mr. HUGHES: Civil servants' objections are generally noted. When an officer joins the force he knows that 3 per cent. will be deducted from his salary as contributions to the fund and that he will be entitled to the benefits of the fund. There is a discrepancy between what one would expect and what is actually paid. I am inclined to think this is due to the fact that the fund has to bear a greater percentage for compensation claims than the amount the fund receives in extra payments from the Government. There are cases on record of officers having been permanently injured, having to retire and not having received the compensation they would have been paid had they been privately employed. In some cases such men would get nothing.

Mr. Teesdale: Do they get medical attention?

Mr. HUGHES: When they are permanently incapacitated they retire, and such a man might get £260, or he might get up to £750, according to his years of service. The police, however, do not get the £750 they would receive if they were working in any other branch of the Government service or for a private employer. They are on a different basis from any other employee. There is no reason why a police officer, injured in the execution of his duty, should not be placed in the same position as any other person in the community. It is complained that the fund has not

reached what the actuaries consider to be a sound financial position. One of the causes of this is that the money has not always been invested to the best advantage.

Mr. Panton: Do the board invest the funds?

Mr. HUGHES: Yes.

The Minister for Justice: No, the Treasury do that.

Mr. HUGHES: I understood from the officers that their representatives have full voice in the investment of the money, although it is usually done by the Treasury. I am aware that they cannot invest the funds outside of Government securities. This is one of the things of which the officers complain: At one time the fund had some  $3\frac{1}{2}$  per cent. stock, and there were available at the Treasury conversions of that stock at 4 per cent. Instead of the funds being converted into 4 per cent. stock, the opportunity was missed and the money was re-invested at  $3\frac{1}{2}$  per cent. Thus, half per cent. on a large sum of money was lost to the fund. They also complain that on another occasion when a man in the street could go to the Treasury and buy 6 per cent. bonds, their money was being invested at  $4\frac{1}{2}$  per cent.

The Minister for Justice: That has been altered.

Mr. HUGHES: But the balance due to the fund has been reduced on account of those bad investments.

The Minister for Justice: The balance would have been greater.

Mr. HUGHES: Yes, owing to these investments at a lower rate, the balance has been depleted. Notwithstanding that, the balance to the credit of the fund has been steadily increasing. The figures are as follows:—1906, £10,000; 1916, £22,000; 1921, £29,000; 1925, £38,000; 1926, £42,000. Last year the contributions from officers' salaries amounted to £4,244 and contributions from the Government £4,279, a total of £8,500. Yet the fund increased by £4,000, so that in the one year half of the contributions were placed to reserve. I mention this in order to show that, with due respect to the actuaries, the fund is increasing rapidly.

The Minister for Justice: So are the liabilities.

Mr. Mann: There are eight or 10 officers due to retire next year and they will probably receive £1,000 each.

The Minister for Justice: Easily £1,000.

Mr. HUGHES: And some years will probably elapse before any more will retire. In dealing with such a fund it is unsafe to base calculations upon the number who retire in one year. It is necessary to have regard to a spread of years. Suppose eight officers retire next year and draw an average of £1,000 each, the contributions to the fund would more than meet the liability so that the balance would not be touched. That is the maximum amount we can reckon as being likely to be required in any one year.

Mr. Mann: I admit that next year will probably be an abnormal year.

Mr. HUGHES: In 20 years the balance to the credit of the fund has increased by £32,000. We know that when an actuary is asked to make an estimate of the liabilities of such a fund, he has to be ultra-conservative. He considers all the possibilities and probabilities. If there is any doubt as to the conservative estimates of actuaries, one has only to take the enormous reserves accumulated by insurance companies. They almost stagger one. I do not know what will happen if insurance companies continue to amass reserves at the rate they are doing at present. An idea of the substantial reserves accumulated by insurance companies was gained when the San Francisco earthquake occurred. Although an enormous drain was made on the insurance companies, I do not think there was one that failed to meet its commitments. Not one seemed to feel the effects of the enormous disaster. That shows that they are very much beyond the safe reserves. If the accumulations of capital by these companies and institutions continue, in 400 or 500 years' time there will be such an amount that no one will be willing to pay interest. On the other hand, if it should be used, say, in connection with wars, the burden will become so great on the people compelled to pay interest that the system will collapse. Another point I wish to make with regard to the fund is that many years ago, when officers were contributing as low as  $1\frac{1}{4}$  per cent., they were building up a reserve to draw upon when retiring. When the war broke out in 1914 the officers had accumulated in this fund certain reserves, and as a result of the alteration in the purchasing power of money, and the increase in prices and increase in wages, officers who had 30 years of service, on retirement, drew on the

basis of their then salaries, although for perhaps 20 years they had only contributed on the pre-1914 value of money. That meant that while these officers had contributed on a certain scale, owing to the alteration in the value of money, they drew on a higher scale on retirement. Consequently the fund has to meet to-day certain liabilities for which these particular officers did not make provision in their early payments. The result is that an officer of to-day has to make good the deficiency owing to the alteration in the value of money. It is clear that the people who lost when the money power changed were those who had money in the bank. If a man had £100 in the bank when the war broke out in 1914, he found that in 1915 the amount was worth only £50. To that extent he was the loser by the alteration in the value of money. The man who had money invested in city property was compensated by the increase in the value of that property. Those officers who, through their contributions, became entitled to £100 are now entitled to £200, and provision was not made to pay that sum. Consequently the fund has to stand the payment for which provision was not made in years gone by. There were only two alternatives, either to make the newcomers supply the deficiency that was brought about by economic forces, or for the Government to say that the fund had to meet certain liabilities, provision for which had not been made, and that therefore they would make a grant from the Treasury. The first alternative was taken and the officers were compelled to pay. The officers with 25 or 30 years of service go out on a gratuity of £1,000, and part of that is being drawn at the expense of the newcomers in the force.

The Minister for Police: The money is now invested at 5 per cent.; it was previously invested at 3 per cent.

Mr. HUGHES: Owing to the alterations in the salaries, and improvements in the contributions, an officer who retires now draws the money to which he is entitled on the basis of his present day salary. There is not a pro rata adjustment of the salary for the whole period of his service. Consequently, if he gets a salary twice as large to-day as he received 20 years ago, he will draw on that larger salary. The increase in the value of money will never adjust the

position. The police are desirous of having the anomalies rectified. I know that this is a contentious matter, and it requires to be thoroughly investigated before any alteration can be made. For years the police have been trying to get a superannuation scheme. This was put up to them by a previous Government but, unfortunately, the proposals were submitted to them on one day and they were asked to submit a reply on the next day. It was quite impossible for the officers of the Police Association to get into touch with the members of that body throughout the State and submit a reply within 24 hours.

The Minister for Police: And Parliament closed down 24 hours later than that.

Mr. HUGHES: I believe that in this fund there is the nucleus of a pension scheme, but of course it needs a good deal of investigation, and it has appealed to me that the best way to tackle the proposition is to secure the appointment of a select committee of this House to go into the question.

The Minister for Police: You would have to take actuarial advice with all its disadvantages.

Mr. HUGHES: You could discard some of the disadvantages. By means of a select committee the whole question could be investigated. A scheme might be formulated by which the officers could be asked to contribute even more than the 3 per cent. that they are handing over to-day. If the proposals were found by the select committee to be impracticable, the officers would be better satisfied than if they were told that the thing was impracticable after a motion had been moved in the House and defeated. It is a big subject, and the House would be well advised to agree to the appointment of a select committee to go into the question. If the select committee should declare the proposal to be impracticable, we would be able to say to the police officers, "You have had your select committee, which has gone exhaustively into the matter, and they have considered the proposal out of the question." I am sure the police would then be more satisfied than if a mere motion had been submitted to Parliament and had been rejected. I submit the motion.

On motion by Mr. Mann, debate adjourned.

## MOTION—RAILWAY GAUGE UNIFICATION.

**MR. NORTH** (Claremont) [8.43]: I move—

That in the opinion of this House the time has arrived when the Federal policy of extending the standard railway gauge should be consummated in Western Australia.

Every hon. member will be prepared to subscribe to the desire that a standard gauge line should run through to Fremantle from Kalgoorlie. So many years have elapsed since the matter was previously before Parliament—it was last considered in 1908—that the time is opportune for its revival, and a special resolution should be passed by this House so that the Federal Parliament may know that we in Western Australia are still alive to the benefits to be derived by a standard gauge line being extended from Kalgoorlie to Fremantle. We have been watching the developments of the Eastern States with Federal money and we should show that we, too, are anxious to share in that development. The first important personage to advocate the standardising of our railway lines was the late Lord Kitchener. Many years ago, when he visited Australia, he pointed out that until we had uniformity of some sort in respect of railway construction, we would be at the mercy of an enemy in the matter of defence. That is perfectly obvious from the military point of view, but since that time very little, if anything, has been done to bring about the necessary alteration. The late Lord Northcliffe, when in Sydney, was asked his impressions of Australia. He said he had come to the conclusion that our finest asset was, not our great public utilities, but our men and women. He was alluding, of course, to their fine physique. But the point of his remark was that we had to look to our laurels, and put in order our great public utilities, first and foremost our railways. When we attempt to develop Western Australia with a 3ft. 6in. gauge railway, we are in the position of the Chinese lady with her cramped shoe. The latest information I can obtain from the Old Country on the subject of our railways is this extract from the new "Chambers' Encyclopedia," published only a few weeks ago—

The railways of Australia having been constructed almost entirely by the several States with a view of bringing traffic to the State capitals are a distinctly heterogeneous collection of imperfect systems: but, lines now under consideration or construction will to some extent create from them a larger system worth

noting here. It will comprise (a) a coastal line from Cairns to Sydney with an extension across the tableland to Melbourne and Adelaide—this line will be relieved by a parallel line on the tableland between Brisbane and Sydney, a direct line from Sydney via Bathurst and Broken Hill to Adelaide; (b) lines from Adelaide diverging near the head of Spencer's Gulf across the continent west, and north to join up Western Australia and the Northern Territory; (c) possibly a third transcontinental line north-west from Sydney across Queensland into the Northern Territory, dividing there so that one branch joins the northern transcontinental, the other reaches a new port on the Gulf just below the Roper River. Of these the western and northern transcontinentals and all lines within the Northern Territory are to be constructed by the Federal Government on a gauge of 4 feet 8½ inches; the rest in existence or under construction are State-controlled, and of the State gauge whether 4 feet 8½ inches, 5 feet 3 inches, or 3 feet 6 inches. This variety of gauges coupled with many other divergencies of railway and commercial policy between the States makes the creation of the complete system just outlined a matter of difficulty and delay: but all important railway work now being undertaken or projected is an approximation towards it, and it has been decided that all main lines shall gradually be converted to the Federal gauge.

That I may say was news to me. I was unaware that there was a general move amongst the States to gradually convert their railways to the standard gauge.

The Minister for Railways: That is some one man's opinion.

**MR. NORTH:** But the opinion is pretty sound or it would not appear in "Chambers' Encyclopedia." It shows there is a definite move amongst those in charge of this question to work for a uniform gauge, the only question being as to when and how. Millions of pounds have been voted through the Federal Government recently towards certain unifying schemes, including the line from Kyogle to Brisbane and that other line from Port Augusta to Adelaide.

**MR. ANGELO:** It is suggested that that new line be on the 5ft. 3in. gauge.

**MR. NORTH:** The Federal Commission tried to get all the evidence they could to prove that the third rail would be satisfactory in that line.

**MR. GEORGE:** It has not proved satisfactory in Great Britain.

**MR. NORTH:** But that is beside the point. The point is that the Federal Government were anxious to run a line through on the 4ft. 8½in. gauge, but owing to difficulties raised by South Australia, they determined upon the third rail. It appears to me urgent that Western Australia should show

her anxiety that the Federal line should be carried through from Kalgoorlie to Fremantle. In 1908 a Bill was put through this House authorising the building of the Federal line, and at the same time conferring on this State the privilege of building her own line to meet the Commonwealth railway. For various reasons that has never been done. It is interesting to note that, under that Bill the Federal Government were bound to build a line to Eucla from the transcontinental railway. That also has never been done. But apart altogether from the standard gauge railway from Fremantle to Kalgoorlie, for which I think we are entitled to ask, we have to face the question of our future development as a State on railways of 3ft. 6in. gauge. The information on this is of some importance. We cannot go on without some definite decision being arrived at or without making the definite statement that for all time we intend to develop on the 3ft. 6in. gauge. I cannot see the use of taking the *via media*, as we are doing to-day. The railway figures show that when the standard gauge was adopted New South Wales had £90,000,000 invested in railways built on what has now become the standard gauge. That put all the other States under a disability as against New South Wales by reason of the fact that every additional mile they build on the non-standard gauge is but heaping up the difficulty of conversion. In Victoria there were 4,500 miles on the 5ft. 3in. gauge, the capital invested being £78,000,000. Queensland had nearly 7,000 miles of railway costing £50,000,000, while South Australia had 2,500 miles costing £21,000,000, and our own State had some 4,000 odd miles costing £20,000,000. It must be obvious that from the moment the standard gauge was fixed, New South Wales had an advantage over all the other States. This matter of conversion should be dealt with by the Federal aid system, when it would mean on the vote of the Parliaments in the main States that they would be receiving £1 from New South Wales for every £2 they spent; this, of course, by reason of population and per capita value of the contribution to Federal revenues. That being so, the other States would have a great advantage in that they would give themselves a bonus of £1 to every £2. We know that the votes of the other States would outvote New South Wales in a tentative proposal of this sort. To show how this disability increases, I wish to re-

fer to the figures of 1901 and of to-day respectively. In 1901 we had in this State 3,100 miles, while the Commonwealth had 12,500 miles. By "the Commonwealth" I mean all the States put together. To-day we have nearly 4,000 miles, while the Commonwealth have nearly 25,000 miles. In other words, the Commonwealth have doubled the difficulty, while the State has made her own difficulty three times as great. There is no reason one can see why within the next 20 years the difficulties will not be again doubled and the past made almost impossible of achievement. I cannot see the sense in our announcing to the world, as we have done, that we intend to gradually convert main lines if we are going ahead merely at the present speed. It must be obvious that the only main line in this State is not the line from Kalgoorlie to Fremantle. Our main lines are those main lines within a reasonable rainfall. In due course they must be converted. For those reasons it is important that we should show some desire to bring about the great work of converting the line from Fremantle to Kalgoorlie, although perhaps on another route. Two countries, the United States and Canada, have each made wonderful development. They were almost unpeopled 100 years ago. They have made their development on the solid basis of uniform gauge railways. In the United States for years many of the railways were of the 3ft. 6in. gauge, but they had to convert, until to-day they have 250,000 miles of railway on a uniform gauge. We in Australia are just about where America was 100 years ago, and we have nearly 25,000 miles of railway. Obviously we have many more miles to construct, and it is a great pity that they should be constructed on anything but the standard gauge. It is our obvious duty to face the question of conversion right away. There is no reason why this State should continue to hamstring itself by the great disability of a narrow gauge.

The Minister for Railways: What is the disability of the narrow gauge?

Mr. NORTH: We have opened our portals to Europe with the idea of peopling our State. If we are to carry on as we are doing, we shall never have the broad gauge railway. In time we shall have 15,000 or 20,000 miles of railway instead of a trifling 4,000 miles. We should be linked up in several places with the Eastern States lines by means of

a standard gauge. The conference of engineers, called to discuss the question of a standardised gauge, did not merely pass pious resolutions on the subject. Their work sounded the death knell to all the States whose lines were not of the 4ft. 8½in. gauge. If serious consideration had been given by the States at the time to the recommendations of this conference, the trouble that occurs to-day would not have been found. May I quote what has happened in Japan? The quotation comes from "Chambers," an issue that was published recently. This says that in 1920 the railway mileage in Japan was 9,500 miles, mostly of State railways, of a gauge of 3ft. 6in. The change over to 4 ft. eight inches and a fifth—this is equivalent to 4ft. 8½ins.—is expected to be completed in 1943. We know that 85 per cent. of the world's railway mileage is 4ft. 8½in. gauge. As a practical nation, Japan has realised that her 3ft. 6in. gauge was a mistake, and that it would have to be converted into the larger gauge. The fact that millions of pounds are involved should not drive the project from our thoughts at this stage. Other countries have to face the disabilities of mountains, snow and other things that we need not worry about. For that reason I should like to think that this motion would have the effect of bringing before Federal members their duty in this matter. The line from Kalgoorlie to Fremantle should be widened to the 4ft. 8½in. gauge. All the other remarks I have made in connection with the future of State railways will be of more importance when we see a line operating in our midst on a decent mechanically economical gauge. It will have the same effect upon the public and State railways as the Perth-Fremantle road had upon the other main roads of the State when it was reconstructed. We shall have to face this question soon. If it is not faced now, Australia will be left behind in the race for supremacy against other nations. I will read some remarks that appeared in this morning's "West Australian" because they apply to the point I am making. These remarks are signed by "an engineer." They are as follows:—

If we are not going to benefit by our previous mistakes, we as a community deserve all that comes to us. We must not rest content and allow the public money to be frittered away. It is absolutely certain that we will later on have to change, and if we only keep

this in view and work towards that end, it could be done gradually. The more we delay, the greater will be the cost. It is madness to continue in the present groove because a mistake was made in the first place. Every engineer in Western Australia will agree in the main with the above remarks, and it behoves them to take a little more interest in public affairs. The matter should be thoroughly thrashed out by the Institute of Engineers and a recommendation made to the Government as to the best way of carrying the change-over economically and effectively. Until the public conscience is awakened we shall still go on in the same old way, adding to the cost of what we shall have to pay when the change-over occurs. Our Ministers, who have not had the matter brought before their notice prominently, cannot be blamed, but once they appreciate the gain which will result to the community, no doubt some Minister will see the absolute necessity of such a change. Generally, however, we find most of our Parliamentarians shelving anything disagreeable and leaving it for the next body to handle, and so we get nothing done. I would like to see some discussion on this subject, as it is a matter of vital importance to the community.

The Minister for Mines: That is all on the files in the Railway Department. We have all the advice of expert engineers from America and everywhere else.

Mr. NORTH: I want to play my trump card. What I have read does not deal with railway gauges; it deals with an equally important question that is now commencing to form one of our disabilities, namely, the standardisation of electrical power in Western Australia. I commend these words to the House. The Federal Government have not made sufficient effort to go on with this work of standardisation of railway gauges, because it has not received the support of the States concerned. Instead of support there has been friction, and a feeling in every State that they are going to lose something. They have said that all their trade should be dragged to the various capitals. The time has come when Western Australia, which I hope will some day be the most prosperous State in Australia, should urge upon the Federal Government to carry out the work of standardisation of gauges in this State. Let Western Australia set the example to the other States.

MR. GEORGE (Murray - Wellington) [9.7]: The question raised by the member for Claremont (Mr. North) has received the consideration of railway people for many years. During the time I was Commissioner for Railways, 20 years ago, we took it into consideration in all its



financial and practical aspects. In the laying out of our station yards, platforms, etc., provision was made so that without further expense they could be utilised when the time came to convert the gauge to a wider one. The Perth and Fremantle railway stations were laid out with that end in view. The difficulties appertaining to the change provided food for thought and research in many ways. There is more than a pious feeling that it is desirable to have a 4ft. 8½in. gauge continued from Kalgoorlie to Perth; it is desirable, and I shall be glad to see it carried out. In Western Australia we have many thousands of miles of 3ft. 6in. gauge, connected with our main Kalgoorlie to Perth line. These for many years must remain at 3ft. 6in. If the 4ft. 8½in. gauge was brought from Perth to Kalgoorlie, trouble would occur over the transhipment of produce from the branch lines to the main line.

Mr. Mann: You do not suggest that is a reason for retaining the 3ft. 6in. gauge?

Mr. GEORGE: No. The battle of the gauges was fought out many years ago. Brunell, the designer of the "Great Eastern" steamship, tried out the 7ft. gauge on the Great Western railway in Great Britain. The North-Western railway had a 4ft. 8½in. gauge. The battle of gauges waged furiously. Those who were in favour of the wider gauge expressed their reasons why traffic could be worked more economically upon it, and the same arguments were put forward by the other people. In the long run it was found that the 4ft. 8½in. gauge was the more suitable and convenient, and I believe the Great Western line changed over to the narrower gauge within a period of about 24 hours. If it were financially possible there would be no difficulty about convincing the engineers, the Government or Parliament as to the greater usefulness of a 4ft. 8½in. gauge. It is a question that affects the whole system, the locomotives, the passenger coaches, the trucks and everything else. The change would cost an enormous amount, which it would be difficult for any Treasurer to face at present. Even if the money were raised by loan, the interest bill would be a heavy drag upon the State for many years. Because of its financial aspect the change must be postponed for a long time. Many people have brought their brains to bear upon this question, and upon that of designing rolling

stock to run over two different gauges. One suggestion came from Collie. The gentleman who got out the design had an ingenious scheme by which a truck body could be taken off the under carriage on the 3ft. 6in. gauge, and transferred to the 4ft. 8½in. gauge. I think there were some difficulties in the way. The matter was gone into by both Commonwealth and State officers, and by officers in Melbourne, but I do not know what has happened to it. The papers in the Railway Department will give a lot of information concerning the proposal to widen the gauge between Kalgoorlie and Fremantle. They will show that different Governments of the State have not been blind to the importance of the question. It has been gone into with the Federal Government and with our own expert officers. There was some difficulty as to how far it should extend westward from Kalgoorlie. Merredin was suggested as the first stop. The idea was then entertained that the 4ft. 8½in. gauge might diverge from the present 3ft. 6in. gauge route and form the railway that is so badly wanted by the member for Avon, a line which would ultimately pass down the Helena Valley to Midland Junction and thence to Fremantle.

The Minister for Lands: On the south side of the river.

Mr. GEORGE: That may be so. I do not remember all the details. It was thought by this means it would be possible to do away with a great deal of the necessity for transshipping produce between Merredin and Northam. When we take into consideration the enormous amount of traffic that is provided by wheat, fertiliser, etc., it will be seen that the question of transshipment is one that cannot lightly be taken into account. I would not like the member for Claremont to get the idea that preceding Governments or Parliaments have been slack or neglectful or careless in this respect. The records will show that every Government, so far as they could, irrespective of their political complexion, went into the subject most seriously. If a solution had been as easy as at first sight it may seem to some gentlemen, a solution would have been found and adopted.

Mr. Sampson: But the member for Claremont has given us some very valuable information.

Mr. GEORGE: I agree with that, and am glad that a young member of the House should take up a big question with so much enthusiasm. My remarks are intended to show some aspects which may not have appeared to the member for Claremont and

to other members. It would be undignified and unfair of an old member of the House to attempt to depreciate the efforts of a young member. One of our most serious difficulties at present is that we have not sufficient rolling stock. The Railway Department have about 400 locomotives and 10,000 or 12,000 trucks. They need certainly 50 per cent. more if the work is to be done adequately. But even with the present quantity of rolling stock the cost of a change-over would be very heavy. We have to bear in mind that but little of the present rolling stock could be utilised on the wider gauge. Axles, wheels, and bearings would have to be scrapped. I agree with the American system of getting the best tools possible, and therefore would not object to scrapping; but at present we are not financially capable of carrying out such a revolution. Last month's statement of receipts and expenditure shows a shortage of over a hundred thousand pounds. That, of course, will come out all right at the end of the year; but of itself it is sufficient to cause us to think closely before we commit ourselves to the huge expenditure involved in the policy advocated by the mover.

Mr. North: The Federal Government have devoted a lot of money to several schemes in the Eastern States.

Mr. GEORGE: The Federal Government are extraordinary birds. However, Western Australia has not yet lost its common sense, nor its right and privilege of thinking and acting for itself. A small population of about 400,000 people cannot lightly saddle itself with the expenditure needed for a scheme of this sort. Now as to further extension of our railway system. We could not extend it on a different gauge. If that were done, it would be necessary to make a junction on to the other gauge, and the locomotives and trucks for that gauge would be isolated from the rest of the system. Thus transshipment would again become necessary. That was one of the strongest considerations actuating the British railway companies some 40 years ago in reducing their gauges to one standard. However, they were private companies and could raise the necessary capital from shareholders. We in this State have to raise money by loan, and we should need to put up an unanswerable case to justify the flotation of millions for the job which the motion has in view. I would like to see the proposed new line constructed over a route which would prevent it from interfering with our present rail-

ways, as these railways are doing highly useful work.

On motion by the Minister for Railways, debate adjourned.

### PAPERS—REPURCHASED ESTATE, CUMMININ.

On motion by Mr. Latham ordered "That all papers relating to the purchase and disposal of the Cumminin station property be laid on the Table of the House."

### BILLS (3)—THIRD READING.

- 1, Trust Funds Investment Act Amendment.
- 2, Kalgoorlie and Boulder Racing Clubs Act Amendment.
- 3, Herdsman's Lake Drainage Act Repeal. Transmitted to the Council.

### MOTION—RETIREMENT OF W. RIPPER.

*To inquire by Select Committee.*

Debate resumed from the 25th August on the motion by Mr. Griffiths—

That a select committee be appointed, with power to send for persons and papers, to inquire into the retirement of Mr. W. Ripper, late resident engineer in charge of the construction of the Southern Cross-Kalgoorlie railway, and the refusal to grant him a pension after 27 years' continuous service.

MR. GEORGE (Murray - Wellington) [9.26]: I should like to offer a few remarks on this case, as it occurred during the time I occupied the position of Minister for Works. So far as Mr. Ripper himself is concerned, no one is likely to be found speaking in depreciation of that gentleman's qualities. Mr. Ripper knew his job and did his work well, and when he was retired I felt that the Government were losing a good officer whom they might well have kept. The question of what should be done for him was gone into carefully with the Public Service Commissioner and with the Crown Solicitor, Mr. Sayer. The point raised by the Public Service Commissioner, and supported by Mr. Sayer, was that Mr. Ripper did not occupy an established position of a permanent character. My view of the matter will be grasped by the House if I read

a minute which I submitted to Cabinet on the 8th April, 1918—

The Hon. the Acting Premier (in Cabinet). The recommendation of the Public Service Commissioner hereunder, is one that I approve. Although Mr. Ripper has 27 years' clean valuable service, 22 years of which he has been resident engineer in charge of railway construction, he cannot claim a pension, the reason being that he has been employed under loan funds, and the argument is that his work would only be continued so long as loan funds were available, and that he may perhaps be considered fortunate at having so long an employment. From my point of view, Mr. Ripper is as honestly entitled to a pension as any of those who have been allowed pensions. These were justified because their salaries were paid from revenue. To my mind, if a pension is justified at all, it should be on account of long and valuable services, and as to whether the pay came from the right or the left hand pocket should not affect the equity of the matter. I feel the more strongly on this point because Mr. Kessell was granted a pension of £132 per year. I put him on in 1902 in the railways, and if I had wished to get rid of him should have put him off at a week's notice, which was all he was entitled to. However, apparently he knew his way about, and gets a pension after 15 years' service, and Mr. Ripper, with 27 years, does not. Under these circumstances I support the Public Service Commissioner's recommendation, and I hope that Cabinet will assent to the proposition.

I have always felt strongly on the question of pensions for certain officers, because I know that this State was exceedingly fortunate, when starting on its progress in railway construction, by reason of the fact that railway construction in Victoria had practically ceased. The big railway programme of 1888 had been carried out, and numerous high-class and highly salaried engineers came over to Western Australia for employment. They were appointed under the late Mr. C. Y. O'Connor, and were paid salaries which at any rate did not reach the level of those being paid in either New South Wales or Victoria for similar work. There was, however, an implied if unwritten understanding that they would be entitled to receive pensions upon reaching a certain age. I know that that argument was used during the regime of the late Lord Forrest as Premier of this State. It was urged that the engineers, though not being paid salaries equal to those drawn by engineers holding corresponding positions under other Governments, had pension rights accruing to them at the age of 60 or 65. Quite a number of engineers in the Western Australian service at that time were men whom I had known intimately when I was building rail-

ways on the other side. I am in a position to state that one result of the dangling before their eyes of pensions was that they thought they could use their incomes to the fullest extent for the education of their children and the general comfort of their families. The question of pension rights was brought up in Parliament during the nineties. Hon. members can read the debates in "Hansard." Mr. G. T. Simpson, Mr. Illingworth—both these gentlemen have been dead for many years—I, and other hon. members made use of the opportunity to bring the question of pensions before the then Premier, Sir John Forrest. I am sorry we did not succeed in getting anything done, but in 1900 Mr. Illingworth, when dealing with the Public Service Act, moved an amendment that subsequently became part of the Act as Section 40, reading as follows:—

All officers who have been continuously employed for a period of two years, and whose services it is not intended to dispense with at an early date, shall, for all the purposes of this Act, be treated as permanent officers.

Mr. Ripper had been in the service for several years and remained in the service for many years subsequent to the passing of that Act. Thus, he was an officer who had been continuously employed for a period of more than two years prior to the passing of the Act and there was no intention to dispense with his services. In those circumstances it could not be fairly stated that he did not come within the scope of the section I have referred to. His services were not dispensed with until nearly 20 years later.

Mr. A. Wansbrough: Mr. Ripper was a very valuable officer.

MR. GEORGE: I always thought so. The Solicitor General, Mr. Sayer, is a man of whom I speak with great respect, although, as hon. members may imagine, I have differed from him very frequently. This is how Mr. Sayer read the section I have already referred to. He advised that—

All officers who had been continuously employed for two years, and whose services it was not intended to dispense with at an early date should be, for all the purposes of that Act, treated as permanent officers—

Up to that point Mr. Sayer, in giving his legal opinion, stuck to the wording of the section. Then Mr. Sayer departed from the wording of the Act and added the

following in the opinion he gave to the Government—

—but this obviously did not extend to the Superannuation Act.

Members of Parliament sit here dealing with the business and are supposed to be actuated by ordinary common sense. In this instance the measure was before the House and we were asked to pass the clause I have read in the belief that it dealt with the matter completely. It did not occur to any of us that there was any necessity for a reference to the Superannuation Act. We thought we were dealing with the pension rights of civil servants. If any hon. member at that time could have foreseen that such cases as arose subsequently would be possible, some amendment would have been moved to obviate such incidents, but it could not be expected that we were prophets. I affirm strongly that the object of the move in 1900—I remember the debate as well as if it had taken place yesterday—was to put the question of pension rights for civil servants upon a proper basis and we thought we had done it satisfactorily. Obviously, we were not parliamentary draughtsmen, and apparently we did not know enough. Something was left out that enabled members of the legal fraternity to find loopholes in the legislation that did not present themselves to members of this House. Thus it was that Mr. Sayer advised the Government that the Act did not apply to the Superannuation Act. Further on Mr. Sayer said—

Unless there are some facts not before me to show that Mr. Ripper in fact served in an established office on the permanent staff before the Public Service Act of 17th April, 1905—

Mr. Ripper had been in the service for 11 years—

—his subsequent classification under that Act does not in my opinion give rise to a claim for a pension under the Superannuation Act.

It does not seem to matter how a subject may be brought up, there are always some who find another way of dealing with a claim arising out of the legislation. A way can always be found that would not occur to other people considering the effects of such legislation. A somewhat similar position arose regarding Mr. Rolland. In Mr. Ripper's case we did the best possible for him in the circumstances. He was granted a retiring allowance equal to two weeks' salary for each year of service, and three months' long service leave. The allowance

covered nine months more than was provided for in the regulations. That was agreed to by Cabinet as some sort of reparation for what I always considered was an injustice in depriving him of his pension. In the case of Mr. Rolland, that officer was second to the Engineer-in-Chief. He was a man skilled in his profession, courteous, and thoroughly respected. When he retired from his position I, as his Minister, felt the loss very much indeed. Other officers were available but they had not been in the position for the years that Mr. Rolland had carried out the duties, and naturally there was a difference. Whenever the Engineer-in-Chief, Mr. Thompson, was away, Mr. Rolland was the practical head of the department and he had carried out those duties for many years. When it came to a question of his retirement he was not entitled to a pension because his appointment had not been confirmed by Executive Council. That such a position was possible may be technically right, but I put it to the House that it was neither fair nor equitable for a man to hold a position for 27 or 30 years, carrying on most important work, and regarded as the head of the Public Works Department in the absence of the Engineer-in-Chief, to be deprived of his pension merely because someone neglected to put a minute through Executive Council. Frequently there has been trouble with the Civil Service. Ministers may have their feelings regarding such instances, but they have to keep their thoughts to themselves. Although I kept my own opinions to myself, I always felt that there were many instances of injustice under which the civil servants laboured. Can hon. members expect to get the service from officials that should be expected of them unless those officers know that what they expect as the result of many years of service will be theirs when the time comes for retirement? We find that in 1904 the Public Service Act passed in that year contained Section 8 as follows:—

This section shall not apply to any person on the temporary staff of any department at the commencement of this Act whose services it is not intended to dispense with at an early date if the Commissioner shall, on the examination of the department, certify that the services of such person are permanently required. Upon such certificate being given every such person shall be appointed to the permanent staff.

Here was an officer with many years of service and it could not be contended that

Mr. Ripper was on the temporary staff, nor could it be suggested that his services at that date were to be dispensed with shortly. Let the treatment we have had indicated to us was meted out to Mr. Ripper. Was that fair?

Mr. A. Wansborough: No.

Mr. GEORGE: Is it fair to keep a man continuously employed for 27 years on important work for the State, carried out in such a way as would satisfy me if the officer had been working for me in my private capacity as a contractor, and then treat him as Mr. Ripper and Mr. Rolland were treated? I know the Minister for Lands will be able to deal with the matter, and I do not hold out much hope for anything considerable being done for Mr. Ripper. I would not have taken part in his debate had it not been that I have felt this question keenly for many years. I have always believed in helping men, whether salaried officers or wages men, to get what I consider their just dues. I have been controlling men for over 57 years and have had comparatively little trouble with them. There are men in Western Australia to-day who worked under me in Tasmania in 1885 and we are still as good friends as ever we were, the principal reason being that neither side attempted to humbug the other. In the case under review, and in similar cases, it can fairly be said that the men have had open treatment and have not been humbugged.

Mr. A. Wansborough: Could not the Act be amended now?

Mr. GEORGE: I will not make an appeal on behalf of Mr. Ripper because the member for Avon (Mr. Griffiths) has already done so. I like to see a man receive the justice he is entitled to, and in view of the facts that have been put before the House, hon. members can see that there is some justification for an appeal being made.

**HON. W. D. JOHNSON** (Guildford) [9.43]: Sufficient has been said on this question to justify some investigation as to the rights of Mr. Ripper and his claim to a pension at the time of his retirement from the Public Service. I support the motion because I believe it is possible to secure further information than we have before us now.

The Minister for Lands: The position of Mr. Ripper was fully considered.

**HON. W. D. JOHNSON**: I have had some experience regarding the retirement of officers from the Public Service and, like the member for Murray-Wellington (Mr. George), I have always wondered how it was that one man, who may have done comparatively little for the advancement of the State, found it easy to secure his pension, while others, who may have done valuable work over a long period in the interests of the State, have not been able to secure their pension rights. I know it all rests on the question whether a man served in an established capacity. It has been ruled time and again that because an officer happened to be paid out of loan funds—loan funds not being permanently available to the State or on account of special legislation being passed at intervals—there was a break in his service, and he was only engaged on a particular work as funds were available. I agree with the member for Murray-Wellington (Mr. George), and have always argued that when an officer has filled a position for 20 years and upwards without a break—

The Minister for Lands: The Act says he is not entitled to a pension.

**HON. W. D. JOHNSON**: I know perfectly well the Crown Law Department say he is not.

The Minister for Lands: The Act says so.

**HON. W. D. JOHNSON**: The Crown Law Department have always ruled that way, but for all that it is difficult to reconcile the differences with regard to pensions granted and pensions refused. Mr. Ripper has done more for this State than have a number of men who are enjoying pensions. He served a long period, he carried out works of magnitude involving the expenditure of huge sums of money, had big responsibilities of administration and controlled hundreds of men. Yet he is denied a pension while a man, who has done little or nothing beyond using a pen to write on files, receives a pension. I know that the Minister can put up a case that the Act precludes Mr. Ripper from receiving a pension, but I claim that his case should be investigated. Let us have some information, and see if we cannot do something more for him in his old age, because I believe that an injustice has been done. I do not want to declare that something should be done, but the case put up by the member for Avon (Mr. Griffiths) is worthy of investigation by a select committee.

**THE MINISTER FOR LANDS** (Hon. W. C. Angwin—North-East Fremantle) [9.47]: It is not a matter of sentiment when dealing with the finances of the State. I was greatly surprised to hear the speech of the member for Murray-Wellington (Mr. George), because the matter of the extended period of leave given to Mr. Ripper was entirely in the hands of the Government of which the hon. member was a member. His own minute shows that he was in accord with the statement laid down by the Public Service Commissioner.

Mr. George: I could not move in any other way.

The **MINISTER FOR LANDS**: The Public Service Commissioner put up a recommendation. The Government of the day, if they desired to add to his recommendation, not by way of granting superannuation, but by way of granting extended leave, had full power to do so. As a matter of fact they did so. Mr. Ripper was entitled to three months' leave. First the Government gave him 12 months' salary and then they added another nine months; in other words they paid him two years' salary or a sum of £1,056. The Government, in the circumstances, were very liberal. It is useless for members to come here and argue that such officers should be granted pensions when Parliament has definitely and distinctly laid down that pensions shall not be paid. A Bill was introduced by the Daglish Government in 1904, Section 83 of which reads—

The provisions of the Superannuation Act shall not apply to any person appointed to the Public Service after the commencement of this Act; and nothing in this Act contained shall be deemed to confer on any person whomsoever any right or privilege under the said Act.

Hon. W. D. Johnson: We claim he had a right under the Act.

The **MINISTER FOR LANDS**: Mr. Ripper was appointed in 1891 on the temporary staff. He was paid from the temporary vote right through to the passing of the Act of 1904. When the Act came into force there was no necessity to keep him under the temporary or provisional vote, but he was never appointed to the permanent staff by the Governor-in-Council.

Mr. Griffiths: That is the farce of it all.

The **MINISTER FOR LANDS**: Therefore he was never in an established capacity.

Mr. Griffiths: That is a bogey—"established capacity."

The **MINISTER FOR LANDS**: Men are leaving the service every day in the week—

Mr. Griffiths: That does not make it any better.

The **MINISTER FOR LANDS**: Men who have done equally good work as Mr. Ripper, and they receive no pension except the old age pension. This question would affect numerous public servants.

Mr. George: There are seven or eight altogether.

The **MINISTER FOR LANDS**: There are a large number. If Mr. Ripper had been using a shovel to shovel sand, not a word would have been said about a pension for him.

Mr. George: If an agreement is made it should be carried out.

The **MINISTER FOR LANDS**: It is customary for a Minister to be loyal to his colleagues, and not for him to say "My colleagues did this, but I wanted something different."

Mr. George: There is no question of loyalty to colleagues so far as I am concerned.

The **MINISTER FOR LANDS**: The hon. member said, "I always had an idea, but I had to keep it to myself, when a Minister, that there were injustices." Just fancy a Minister saying that!

Mr. George: I cannot quite see how you twist it.

The **MINISTER FOR LANDS**: I take it to mean the hon. member was opposed to the action of his colleagues in settling this question in 1918. Mr. Ripper was retired from the service in 1918, but he actually retired in 1917, nine years ago. The statement that Mr. Ripper was told he would have to take what he was offered or nothing is incorrect. There is not one statement on the files to show that Mr. Ripper ever asked for anything except the usual form to fill in for superannuation.

Mr. George: Did not he fill in his application for a pension?

The **MINISTER FOR LANDS**: Mr. Ripper was called upon to retire under the section of the Act that provides for retirement on reaching the age of 60 or 65. When he was retired a superannuation form was sent to him so that he could make any claim he desired. The form was filled in and sent to the Public Service Commis-

sioner with the following letter, dated 17th November, 1917—

Your memo. of the 8th inst. informing me that His Excellency the Governor-in-Council has approved of my retirement under Section 66 of the Public Service Act as from the 31st January, 1918, received. I enclose herewith, filled in, the superannuation allowance form you kindly forwarded with your memo., and trust my long active service will have some recognition and consideration by Cabinet.

I knew Mr. Ripper and he was a good officer, but I do not wish to say anything about him. If we have to give pensions because a man held a position in the office and we happened to come into contact with him, it is a wrong principle, as we would be denying the same right to other men we do not know. Mr. Ripper and his work are entirely beside the question.

Mr. Griffiths: Those are specious arguments.

The MINISTER FOR LANDS: They are proper arguments. We must not know the officers; we must consider only their rights, and then act justly towards them.

Mr. Griffiths: Do you mean to say he was not entitled to a pension after all that service?

The MINISTER FOR LANDS: I do say so.

Mr. Griffiths: Because of that quibble in the Act?

The MINISTER FOR LANDS: There is no quibble in the Act. It is true, as the member for Murray-Wellington said, that provision was made in the Public Service Act of 1900 for officers, after two years service, to become permanent officers, but only for the purposes of the Public Service Act. Section 40 reads—

All officers who have been continuously employed for a period of two years, and whose services it is not intended to dispense with at an early date shall, for all the purposes of this Act, be treated as permanent officers.

They do not come under the pension Act at all.

Mr. George: I used that to show that a man was permanent.

The MINISTER FOR LANDS: It appears to me that the Solicitor General was quite right. It is all very well to say that the Solicitor General tries to alter the decision of Parliament and to do a man an injustice. Nothing of the kind. What he has done is laid down in the Act.

Mr. George: The debate of 1900—

The MINISTER FOR LANDS: It is not the debate that counts; it is what the section of the Act says.

Mr. Griffiths: It does not matter what the intention of Parliament was?

The MINISTER FOR LANDS: No; it is what the Act says. I have known men who were in the service of the State much longer than was Mr. Ripper, men who entered the service before responsible Government, and yet they were retired without a pension or without any gratuity.

Mr. George: Was not there a man named Spencer who fought a case and won it?

The MINISTER FOR LANDS: I have in mind a man at Fremantle.

Mr. Griffiths: A man with a short term of service secured a pension by getting on the permanent staff.

The MINISTER FOR LANDS: A person who has entered the service since 1904 cannot get a pension.

Mr. Griffiths: How did Kessell get one?

The MINISTER FOR LANDS: Mr. Ripper entered the service in 1891. He was appointed first a surveyor on the Yilgarn railway construction and his salary was provided for on the Loan Estimates. It is well known that after the Revenue Estimates have been prepared, there is transferred from them a large sum of money for officers to be paid out of loan funds.

Mr. George: But that has been done only in comparatively recent years; certainly it was not done in the old days.

The MINISTER FOR LANDS: In 1896 Mr. Ripper was styled resident engineer, and his salary was provided on the Estimates under the heading "Provisional and Temporary." Thus he continued until the Public Service Act of 1904 came into operation on the 17th April, 1905. He was still a temporary officer in 1905. No matter how he might have been situated afterwards, even if afterwards he had been appointed by the Governor in Executive Council, Section 83 laid down that superannuation should exist no longer, that in regard to future public service appointments pensions would not be paid. What was the attitude of the Government? The Government said that Mr. Ripper had been a good servant. The Public Service Commissioner, whose action the mover of this motion has described as being unworthy of any Government, said, "Mr. Ripper has done good work, and I recommend him for an increase, so far as his gratuity is concerned, by giving him additional leave." The Public Service

Commissioner made that recommendation to the previous Government before the member for Murray-Wellington had written his minute.

Mr. George: I said that there had been considerable argument about the matter.

The MINISTER FOR LANDS: My experience of the last two years or so has led me to the conclusion that there is too much arguing and too little writing. A man can deny his argument, but he cannot deny his writing on the file. A Minister should place his written opinions on the file. That course is safer for the Minister, and safer for the officers. To show that the Public Service Commissioner was endeavouring to do something for Mr. Ripper, I will quote some correspondence. There is on the file an undated letter from Mr. Ripper which was received in April of 1918. It reads as follows:—

To the Public Service Commissioner. Sir,—Can you now kindly let me know what has been done in connection with my retirement from the service. An early reply will oblige.

On the 24th April, 1918, the Public Service Commissioner replied to Mr. Ripper as follows:—

Sir, In reply to your (undated) letter received by me on the 22nd instant, I beg to inform you that the question of your retiring allowance has not yet been considered by the Government. As you are aware, I have made a recommendation that you should receive greater consideration than is provided for under the Public Service Act and regulations. The matter has been referred to Cabinet, and the Hon. Minister for Works has promised me to fully explain the reasons for recommending special treatment in your case, and doubtless it is owing to pressure of Parliamentary duties that the matter has not yet received final consideration. I will communicate with you immediately I am able to obtain finality. I have, etc.

That letter shows clearly that the Public Service Commissioner was desirous and even anxious to treat Mr. Ripper as fairly as the law would allow. But the law was against Mr. Ripper, and the Government could not pay as desired. They had no power to do so. They paid Mr. Ripper an amount additional to that paid to many officers who had been in the service under similar conditions. Is it possible to put on the permanent staff every public servant who is temporarily engaged? It is impossible.

Mr. George: Then why put any on?

The MINISTER FOR LANDS: I will not argue that point now. The hon. member interjecting had more to do with the passing of the Public Service Act of 1902 than I

had. It was passed before I entered Parliament. However, that Act exists, and we have to abide by it. One reason why it is impossible to place officers employed out of loan funds on the permanent staff is that there might be a falling-off in loan expenditure, necessitating a reduction of staff. There was a considerable falling-off during the war, and the member for Murray-Wellington retired numerous officers.

Mr. George: To make the position technically right, those men should be discharged at the conclusion of each job and then re-appointed to another job.

The MINISTER FOR LANDS: If it is possible to continue a temporary employee in the service, by far the better course is to retain him rather than turn him out for a month and put him on again. The holder of a temporary position who obtains continuous employment over a long term of years is lucky. It is far better for him to be continuously employed than to be repeatedly dismissed. Let me say that I utterly disbelieve in the system of putting a man on for six months and then putting him off for six months unless special permission to retain him is obtained from the Governor-in-Council. Such a man should not be put off—and replaced by someone else—so long as there is work for which he is useful. But to say that because he has been retained almost permanently on the temporary staff he must be granted privileges which the law does not allow him, is unreasonable. In the case of another officer—an officer who appealed—I found that the Minister had appointed him by wire, and that the officer had obtained a copy of the wire. The officer claimed that his appointment was as from the date of the wire, and not as from the date of his arrival in the State, and that thus he was entitled to a pension. Mr. Ripper to-day cannot appeal. The law does not allow him to appeal. In 1920 Parliament again considered the Public Service Act.

Mr. George: If Mr. Ripper had any rights in 1918, an Act passed in 1920 could not deprive him of them.

The MINISTER FOR LANDS: I do not admit that he had any rights. In 1920 a measure creating the Public Service Appeal Board was introduced by the Attorney-General of that day, Mr. Draper. Subsection 4 of Section 2 of that Act provides—

If any question shall arise, or at the commencement of this Act is pending, in any department of the Public Service as to the quali-



fication of any person claiming a superannuation allowance under Section 1 of the Superannuation Act, or the length of service of such person, or if any question shall arise, or at the commencement of this Act is pending, under any other section of the said Act as to whether, or for what period, any person has served in an established capacity in the permanent civil service, it shall be referred to the board, whose decision shall be final.

The Government had settled with Mr. Ripper two years before in accordance with the law. Therefore Mr. Ripper could not appeal. When the mover says that Mr. Ripper would have appealed, the reply is that Mr. Ripper could not have done so, because the board could not have heard him. Perhaps I have as much respect for public servants as has the member for Murray-Wellington. I have always worked in harmony with public servants. I do not know that they have always worked in harmony with me.

Hon. Sir James Mitchell: It is a bit one-sided, then.

The MINISTER FOR LANDS: The great majority of public servants and I get on very well. However, we must not deal with the man unless we wish to consider some special services rendered by him to the State. Mr. Ripper as a departmental officer carried out his duties well. The amount paid to him for the carrying out of those duties was commensurate with the salaries paid to other officers of the State at that time. Mr. Ripper did his work for the State well, and the State paid him for doing it. I do not want it to run in the minds of members that because this is a case of Mr. Ripper, who is an engineer, and not the case of Tom Jones who used to work in the ballast pit, a pension should be granted to Mr. Ripper any more than to Tom Jones, who did not occupy such a permanent position as Mr. Ripper's was.

Mr. George: We do not want Mr. Ripper to get a pension contrary to the law.

The MINISTER FOR LANDS: It is contrary to the law.

Mr. E. B. Johnston: Let us have an inquiry.

The MINISTER FOR LANDS: If we are to open up numerous questions finalised as long as nine or ten years ago, this House will not be able to devote its attention to anything else during the present session. I could bring to the attention of hon. members a dozen cases of this sort, particularly the case of one man whom I

consider more entitled to a pension than Mr. Ripper.

Mr. George: What did that man get?

The MINISTER FOR LANDS: Nothing.

Mr. George: What did Mr. Ripper get when he left the service?

The MINISTER FOR LANDS: Two years' salary.

Mr. George: Yes, about £1,000, according to my recollection.

Mr. Griffiths: That is not correct.

The MINISTER FOR LANDS: Here is the exact statement of Mr. Ripper's case—

Was first employed in April, 1891. Was retired from the service as from 31st January, 1918. Was granted 12 months' special leave, which included approximately three months' long service leave; also a retiring allowance equivalent to 12 months' salary. His salary during his last three years was at the rate of £528 per annum.

Hon. Sir James Mitchell: Is it not extraordinary that a man who has served 27 years cannot get a pension?

The MINISTER FOR LANDS: I am not dealing with that aspect. Mr. Ripper unfortunately was employed as a temporary officer. He was paid out of the temporary vote. He was never appointed by the Governor in Executive Council. The 1904 Act said definitely that no matter how any person might be taken into the service after the passing of that Act, he should not be entitled to any superannuation whatever. That is the position, but the member for Murray-Wellington (Mr. George) did not say that. He read the statement from Mr. Sayer and there was the clause in his legal opinion on Mr. Ripper's case, "unless some other information unknown to me" was available. That information was not available to Mr. Sayer, so he could come to one conclusion only, and that was in accordance with the Act. Mr. Sayer had to rule in accordance with the law, and in accordance with Mr. Ripper's services.

Mr. George: It was argued enough at the time.

The MINISTER FOR LANDS: The hon. member said that Mr. Ripper had been in the service close upon 15 years after the passing of the 1904 Act. There are officers in the service to-day who have been there for over 20 years since the 1904 Act was passed, but they cannot get any pension.

Mr. Teesdale: Why fight the motion for the select committee? It will not cost much.

The MINISTER FOR LANDS : It does not affect the Government, but the State finances. The decision in Mr. Ripper's case was arrived at by the Governor-in-Council in 1918. The case had every consideration possible. The Government of the day found that they could not grant a pension to Mr. Ripper, for under the Act they had no power to do so. In lieu of that, the Government decided to give him not only the three months leave of absence due to him, but an additional one year and nine months. I think the Government dealt liberally with him. I hope the member for Murray-Wellington will excuse me when I say that I think it would have been better, if, entertaining the feelings he said he did when a Minister, he had kept them to himself to-night as well. The hon. member's attitude was: "Please, Sir, I did not do it, the other fellow did it."

Mr. George: I am prepared to accept the responsibility myself and do not desire to shoulder it on to anyone else.

The MINISTER FOR LANDS : But this is not the place to do it.

Mr. George: That is a matter of opinion.

The MINISTER FOR LANDS : It is a matter of principle. It is wrong for a member of the Cabinet to say in effect, "I agree with you, old chap, but the others were against us."

Hon. G. Taylor: It is not quite the thing.

Hon. Sir James Mitchell: It was not a question for Cabinet, but of law.

The MINISTER FOR LANDS : The matter was discussed in Cabinet.

Hon. G. Taylor: And Cabinet gave him practically £1,000.

The MINISTER FOR LANDS : Mr. Ripper was a good officer, but had to be retired in accordance with the Public Service Act. He was not entitled by law to any pension. The Solicitor General decided in accordance with the law, but in recognition of Mr. Ripper's services the Public Service Commissioner recommended the Government to grant additional leave as I have already indicated. Although Mr. Ripper retired from the service in November, 1917, his actual retirement was dated from the 31st January, 1918. In the circumstances I think the Government of the day acted generously. If all these old cases were to be brought before Parliament, the whole of our time could be taken up with the consideration of them, but I do not think any good can come of the proposal now before the House.

HON. SIR JAMES MITCHELL (Northam) [10.20]: The Minister for Lands was wrong in saying that the member for Murray-Wellington (Mr. George) was not right in expressing his opinion regarding Mr. Ripper. This was not a matter for Cabinet, but of law. Mr. Ripper served continuously for 27 years and merely because some formality was not complied with, he was deprived of his pension rights.

Mr. Sleeman: If it was a bad law, why did you not alter it?

Hon. Sir JAMES MITCHELL: It was the law long before I came into office.

Mr. Chesson: If we make a start with such cases, where will it stop?

Hon. Sir JAMES MITCHELL: If a man has drawn his salary from the Government year after year, he should be regarded as having worked continuously in his established position. Everyone would desire to pay a pension to a man who had been in his position for many years, but the law as it stood would not permit of it being done. I do not know how it is that the Act was so worded that a man like Mr. Ripper in a senior position was not able to secure his pension because of some informality whereas an officer much his junior was able to draw his pension.

Mr. Sleeman: What about the ganger? He does not get any pension or retiring allowance.

Hon. Sir JAMES MITCHELL: That is not the question at issue.

The Minister for Lands: But he is entitled to that consideration, just the same as the engineer.

Hon. Sir JAMES MITCHELL: If we decide to pay a pension in this case, of course, the trouble is that we do not know how far-reaching an effect it may have.

Mr. George: There are only seven or eight cases like this.

The Minister for Lands: That is not so.

Mr. George: That is what I was told.

The Minister for Lands: That may refer to engineers, but there are a lot of other officers who would come in as well.

Hon. Sir JAMES MITCHELL: Yes, and there are other considerations too. The Minister will know that at one time it was the custom to pay engineers engaged for special work a higher rate than was paid to the permanent men. That custom has long since been abandoned. It is not Mr. Ripper's work that is in question, but merely a matter of law. If the select committee be appointed, I take it the important

question for them to go into will be the existing law.

The Minister for Mines: That will not help in this instance, because the law is law.

Hon. Sir JAMES MITCHELL: But it is not like the law of the Medes and Persians.

Mr. Clydesdale: A select committee could merely recommend a gratuity, and Mr. Ripper has already had one. The committee could not alter the law.

Hon. Sir JAMES MITCHELL: That is so. Mr. Ripper's case is a hard one and there are many other hard cases too. The member for Fremantle (Mr. Sleeman) mentioned that the ganger did not receive any pension. That is quite apart from the question at issue.

Mr. Sleeman: You want to distinguish between the engineer and the ganger.

Mr. George: The ganger does not work for long periods like the engineers.

Hon. Sir JAMES MITCHELL: It was usual to pay pensions to civil servants who joined prior to 1904.

The Minister for Lands: That is not so: only those who were permanently employed were entitled to it.

Hon. Sir JAMES MITCHELL: That was the position.

Mr. Griffiths: Mr. Ripper worked for 27 years and yet it is contended he was not in an established position!

The Minister for Lands: I worked for 13 years before coming here and I have been in Parliament for 20 years, but it cannot be said that I am in a permanent position.

Hon. Sir JAMES MITCHELL: The Minister was pensioned off when he was sent here! That was the Minister's reward for having worked faithfully before he entered Parliament. Every member of Parliament desires to see justice done to these officers, but I do not know what a select committee could do.

The Minister for Lands: The committee could do nothing. The law is against them.

Hon. Sir JAMES MITCHELL: There is a pension board appointed to interpret the law relating to pensions and to deal with various cases.

Mr. Sleeman: I notice there is no pension board for gangers.

Hon. Sir JAMES MITCHELL: That is the sort of lip service the workers get too often. It does not mean anything to them.

The Minister for Lands: They are not kept on permanently.

Hon. Sir JAMES MITCHELL: If the public servant knows that he is to get a pension on retiring, he is of far more value to his country; he is not always trying to find out what Ministers are doing, and try-in to meet his own Minister's wishes, as he must do if he be dependent on that Minister for his job. It serves to make him a better, freer and more useful servant than he otherwise would be. I do not quite know what will happen as the result of this proposed inquiry should it be held, but nevertheless I think it will be well to hold the inquiry.

On motion by the Minister for Mines, debate adjourned.

*House adjourned at 10.32 p.m.*

## Legislative Council,

*Thursday, 2nd September, 1926.*

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

### QUESTION—TITLES OFFICE, ACCOMMODATION.

Hon. J. NICHOLSON asked the Honorary Minister: 1, Is the Minister for Justice aware of the grave lack of accommodation at the Titles Office and the inadequacy of the present offices for the safeguarding of deeds, plans, records, etc., of titles to properties within this State? 2, Having regard to the obligation on the Government to preserve all such deeds, plans, records, etc., have any arrangements been made for