

take owing to the heavy traffic during the war years cutting the roads up so much, on top of which there has been the effect of the excessively wet seasons during the past two years. I trust the Government will extend the necessary help so that the country roads may be repaired and restored to their previous satisfactory condition. At the present time that task is far beyond the capacity of any road board in the country districts.

Progress reported.

*House adjourned at 5.29 p.m.*

## Legislative Council.

*Tuesday, 26th November, 1946.*

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Pursuant to notice, the House met at 2.30 p.m.

### ELECTION OF PRESIDENT.

The Clerk of Parliaments reported that, owing to the death of the President, Hon. James Cornhill, the office of President was vacant and it was therefore necessary for members to elect one of their number to that office.

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West) [2.31]: I move—

That Hon. Harold Seddon do take the Chair in the Council as President.

**HON. L. B. BOLTON** (Metropolitan): I have pleasure in seconding the motion.

**HON. C. B. WILLIAMS** (South) [2.32]: It is my very sad duty to oppose the election of Mr. Seddon as President and I make no apologies for so doing. Some time ago a motion was passed by this House calling upon

me to leave the Chamber. It was not passed in conformity with the Standing Orders of this House, and Mr. Seddon was one who supported it. If Mr. Seddon as an ordinary member could not interpret the Standing Orders then, I fail to see how he will be able to interpret them any better as President. Mr. Seddon had an opportunity, after due and requisite notice had been given under the Standing Orders, to consider the wrong done by following the misinterpretation of the Standing Orders by the late President.

But did he do so? Yes, he said he knew that he had voted wrongly, but he did not have the courage of his opinions, as had seven other members of the House, to admit that the Standing Orders were not carried out in my case. I am thankful to say that all the Labour members in this House, apart from the Ministers and the Independent, also admitted the fact. How can I be expected to vote in favour of a motion that Mr. Seddon is a fit and proper person capable of carrying out the Standing Orders of this House when he knew and admitted that he was wrong?

**Hon. G. B. Wood**: Do not talk such atrocious rubbish!

**Hon. C. B. WILLIAMS**: The hon. member had better rub his eye. Is it still sore? Mr. Seddon as well as the member with a sore eye knew that he was wrong. I refused to be a party to the meeting held earlier today to decide who should be President, and I know nothing of that meeting. I do know that the meeting had no right to elect a Chairman of Committees; still it has done so. I shall have something to say on that later. I have already drawn the attention of members to the fact that what is sauce for the turkey is goat's milk for me. Any member of this House who cannot interpret the Standing Orders will not receive my support. If he does not carry out the Standing Orders—and they were not carried out in my case—retribution must come to the man that brought it on me.

I was wrongly outed from the Chamber, and the hon. member who is now to be elected President admitted it. Yet he did not have courage enough to get up and do what other members did, namely, support the motion that the record of the suspension be expunged from the minutes. I know, Mr.

Leake, that you are in an unenviable position in that you have no control whatsoever over me, but while understanding that, I have no desire to take advantage of it. If I could only get someone to consent to nomination against the hon. member, I would do so.

Hon. G. B. Wood: Give it a try!

Hon. C. B. WILLIAMS: As the hon. member tried to get 6d. an acre from the poor old orchardists? That shows how paltry the hon. member is. Once more I enter my protest against this appointment being made. If I were wrong in the first place, this House was very wrong in the second place. I draw attention to this fact that I have been in the House 18 years and during that time 18 members have died and only one of them was a Labour man. From these acts of the good Lord, members may draw their own conclusions. Summed up, the position is that I do not want to see anybody elected to such a position in this House, a position in which he has to interpret the Standing Orders, if he is not capable of doing so.

Hon. E. H. H. Hall: In your opinion.

Hon. C. B. WILLIAMS: I am merely expressing my own opinion. I am not speaking for the hon. member and should not like to do so. In fact, I should not like to be in his place. Mr. Seddon has still to answer the question why, after voting wrongly in the first place, he did not have the courage to reverse his vote when he knew he was wrong. That is my opinion, too. Well, members may proceed with the election. There is no motion to be put: even now members apparently do not know the Standing Orders.

Hon. H. SEDDON: I appreciate the honour that has been conferred upon me and submit myself to the Council.

No other member having been proposed, and Hon. H. Seddon having been conducted to the Chair by the mover and seconder of the motion,

**THE PRESIDENT-ELECT:** I desire to express my appreciation of the confidence members have shown by electing me to the position of President of the Legislative Council. I feel it is a responsibility that any man would accept with a considerable amount of reluctance because I realise that those who have preceded me in the office, have filled the position with dignity and

with the respect of all who have sat under them. I can only hope that I shall be able to come somewhere near to their success in carrying out the duties of this high office. I appreciate the honour members have been kind enough to confer on me.

**THE CHIEF SECRETARY:** I desire to inform the House that His Excellency the Lieut.-Governor will be pleased to receive the President-elect forthwith.

*Sitting suspended from 2.40 to 3.17 p.m.*

## PRESENTATION OF PRESIDENT-ELECT.

**THE PRESIDENT:** I desire to inform the House that I have waited upon and have been presented to His Excellency the Lieut.-Governor as President-elect of the Legislative Council, and His Excellency has been pleased to signify his approval of the choice of the Council.

## MOTION—OBITUARY.

*The President, the Late Hon. James Cornell.*

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West) [3.18]: It is with very deep regret that I have to advise the House of the passing of our President, the late Hon. James Cornell. In consequence I desire to move, without notice, the following motion:—

That this House desires to place on record its sincere appreciation of the services rendered to the State by its late President, the Hon. James Cornell, who at the time of his passing was a member for the South Province; and to express its deep sympathy with the members of his family in the irreparable loss they have sustained by his decease; and that the President be asked to convey the foregoing resolution to the members of his family.

Our late President considered himself a colleague and friend of every member of this House, and he was at all times eager to render a full measure of advice and assistance to members in the work of this Chamber. He will be missed. He occupied the high position of President for only a few months, and to him goes the melancholy distinction of being the first President of the Legislative Council to pass away while the House was in session.

The late President had led a full and useful life. Born in Victoria in 1874, he was

interested in politics at an early age and shortly after arriving in Western Australia, at the age of 22 years, began to take an active part in the industrial life of the Eastern Goldfields, from which he graduated to Parliament as a member for the South Province. He was conscientious and a man of strong convictions. He was at all times prepared to stand by these convictions, no matter what the consequences might be. He saw service oversea in the 1914-18 War and ever since had been closely associated with the Returned Soldiers' League, having been a member of the State executive of that body for 26 years. He was also a foundation member of the Boulder sub-branch of the R.S.L. In addition, he represented the league outside Australia, as he was one of three Australian delegates to the British Empire Service League Conference in 1921 and also a representative in 1925.

His parliamentary life was long and effective, and he gained the highest position that the House could offer him. He was a member of the Legislative Council for 34 years, over 20 of which he served as Chairman of Committees, and his experience and knowledge were of the utmost value. His interest in the advancement of the gold-mining industry is reflected in many ways, and the South Province has lost one who was always active in its interests. I hope that the grief of his family will to some extent be assuaged by knowledge of the respect in which he was held, and of the important part he played in the affairs of the State.

**HON. C. F. BAXTER** (East) [3.23]: I support the Chief Secretary's remarks. The House has lost a very useful member—one whose whole heart and soul were in politics and the public life of this State. I feel I am right in saying that every member has lost a close and lovable friend. My knowledge of the late honourable gentleman goes back to the early Goldfields days when youth was playing its part. Mr. Cornell joined in every forward move that was made, with that zest which he exhibited so thoroughly in this House. His efforts were finally rewarded by his being returned to Parliament, and during his period here he was a wonderful acquisition, especially from the point of view of the Goldfields and more particularly of the miners.

In the period of his political life, there was a revolution in the application of law to the miners of this State—something that was long overdue—and Mr. Cornell's knowledge of the mines and of the diseases associated with mining was of immense value in the framing of legislation which, to a very large extent, relieved the sufferings of many occasioned by their work in the mines. Those people owe a lot to our late friend. Mr. Cornell had a wide experience of industrial matters before coming to Western Australia. He had an acquaintance with shearing and other types of work that ably fitted him to deal with industrial legislation. After his arrival on the Goldfields, he took a very active part in industrial matters; and as a consequence came to this House fortified with a knowledge that proved very valuable in the framing of legislation which has done so much to place wage earners on a much better footing than that which previously prevailed.

Our late colleague had a very friendly disposition. He was ever ready to assist any member with his advice, and in other ways; and he was always prepared, with that kind heart of his, to help people outside the political arena altogether. A lot of the kindness he extended was never known to the public at large. As a friend he was loyal to a degree, and he was a lovable friend, too. I have had cause to say that over a long period of years. We will miss him very greatly. We have had many losses in this House of men who helped to a considerable extent to frame the laws under which we are operating successfully today. Mr. Cornell was one of the leading members in that respect. I feel pleased that prior to being taken from us he attained the highest office it was possible for him to fill in this House. There is some little compensation in that thought. It is not, however, very much comfort to his family.

Our sympathies go out to Mrs. Cornell who, over a period of years, was his right hand. She was a wonderful woman to him, and kept him in reasonable health. I think that without her backing and knowledge, we would not have had our late friend with us for as long as we did. Unfortunately the time came when even her training, experience and knowledge could not avert the inevitable end. We regret that very much indeed. Mr. Cornell's son has been a very great credit

to him. He, in turn, had a father to whom he can look back with love and affection—one who did everything that was possible to establish him in a sphere where he could meet with success; and I hope that he will one day take part in the public life of this State, thus following in his father's footsteps. I support the motion of condolence to the widow and family of our late member in the irreparable loss they have sustained in the death of a wonderful husband and a loving and considerate father.

**HON. SIR HAL COLEBATCH** (Metropolitan) [3.29]: I would like to support the motion. The late Mr. Cornell and I entered this Chamber together for the first time nearly 35 years ago and for several years we occupied adjoining seats. Although then of opposite political parties, we established an enduring friendship, and I conceived a warm and growing admiration for his many sterling qualities. I deeply sympathise with the members of his family in their sad and sudden bereavement.

**HON. W. J. MANN** (South-West) [3.30]: I wish to support the motion. My knowledge of the late Mr. Cornell goes back over many years, and I feel that he was always very frank, candid and straightforward, and he brought to this Chamber a strength of character that was of considerable benefit to all. His knowledge of parliamentary procedure was outstanding, and he was a guide and friend to all. He was always ready to give of his knowledge and to help with his experience. He was one of old school, now rapidly passing, and, while we are the richer for having associated with him, we are the poorer for his loss.

**HON. A. THOMSON** (South-East) [3.31]: I also would like to pay a tribute to the memory of our departed friend and President, a man who grew old in giving service to his fellowmen and to those in Parliament. His widow and son can say, as we all can, that while Jimmie Cornell was here he did his duty faithfully and well, and was a friend to everyone. Since I came to this House I found him helpful on all occasions. I echo the sentiments expressed by previous speakers and am glad that he occupied the highest position in this House. To recall that he came here a young man, untried and

unknown, and passed, while occupying the highest position that the Legislative Council could bestow upon him, is a wonderful tribute to his personality. I am sure that every member in this House sincerely sympathises with his widow and his son. As Mr. Mann has said, this Chamber is the poorer for the loss of his experience.

**HON. G. BENNETTS** (South) [3.33]: I support the remarks of the Chief Secretary. Our late friend, Jimmy Cornell, was a member for the South Province, which is the one that I represent, and I wish to express the sympathy of the people living in that district. I knew our late President on the Goldfields for a long time, and when I was elected to this House I received every assistance from him. He also showed a friendly spirit towards me during my campaign, and it is very nice to see such an attitude displayed by a member on the opposite side of the House. As President, he was fair to each and every member, and that says a lot for him. I am pleased to be able to add my quota of sympathy.

**HON. G. W. MILES** (North) [3.34]: I would like to express a word of condolence. On behalf of my colleagues, I extend deepest sympathy to Mrs. Cornell and George. I support the motion.

**THE PRESIDENT** [3.35]: The well-deserved tributes that have been extended this afternoon to Mr. Cornell are, I am sure, supported by every member present. We all feel that we have suffered an individual loss. I personally was associated with him for many years. He was a very close and strong friend, and was always a tower of strength in guiding us in matters of parliamentary procedure. We extend our condolences to Mrs. Cornell who was, in every sense of the term, a most loyal and sympathetic helpmate to him during his parliamentary life. Mr. Cornell was associated with many works, but I think that one of the most useful services he rendered was when he made a trip to South Africa in order to obtain information which became the foundation of the legislation dealing with the evils associated with miner's phthisis. I am sure Mr. Cornell's memory will be associated with that work for many years. He was extremely sympathetic towards all

those who had to battle for their living, and he showed that sympathy on many occasions when industrial legislation was before this House. He was undoubtedly one of the leaders in regard to parliamentary practice, and we felt that in his hands the dignity of the House and the carrying out of parliamentary procedure were safe. We all realise that when Mr. Cornell attained the position of President of this Chamber he had achieved his ambition, and, I think, associated with that ambition was the desire to show that, because of the democratic principle which underlies all our Australian institutions, it is possible for any man, no matter how low or handicapped his start in life may have been, to attain by hard work, determination and fine ideals, the highest position in the power of the Legislative Council to bestow. I feel that we have lost a good servant of the people, and I know that members will join with me when I say that we have lost a most loyal friend.

Question put and passed; members standing.

### ADJOURNMENT.

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West): As a mark of respect to our late President, I move—

That the House do now adjourn.

Question put and passed.

*House adjourned at 3.39 p.m.*

## Legislative Assembly.

*Tuesday, 26th November, 1946.*

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

## OBITUARY—PRESIDENT OF THE LEGISLATIVE COUNCIL.

*The Late Hon. James Cornell.*

**THE PREMIER** (Hon. F. J. S. Wise—Gascoyne) [4.32]: I desire to refer in this House to the death of the President of the Legislative Council, the Hon. James Cornell. With the passing of Mr. Cornell a very long public career has come to a close. He had been a member of the Legislative Council since May, 1912, almost 35 years since he was first elected for the South Province. For 20 years prior to his elevation to the Presidency of the Legislative Council he was Chairman of Committees, and it was obvious that his long parliamentary service was recognised, a few months ago, by his colleagues, when he received at their hands preferment to the position of President of the Legislative Council. I think, as a personal desire, it would have been the summit of his ambition to live to be the occupant of the Chair of President of the Legislative Council.

The late Mr. Cornell had a very wide knowledge of parliamentary affairs and it was his desire always to assist those junior to him in matters pertaining to the conduct of Parliament, and in parliamentary procedure. In addition to his parliamentary life, the late Mr. Cornell took a very active part in matters affecting the Returned Soldiers' League, and in fact he represented that body at two conferences oversea. Quite apart from his fellow members of Parliament, there will be a great many others in a wide variety of activities who will mourn his passing and I hope, Mr. Speaker, that a motion that I will move will be carried in this House and that a message from this House will go out to his widow and to his son in this, their time of sadness. I move—

That the House desires to place upon its records its profound sense of the loss sustained in the passing of the late Honourable James Cornell, M.L.C., President of the Legislative Council, and that an expression of the sincerest sympathy of members be conveyed to his widow and family by Mr. Speaker.

**MR. WATTS** (Katanning) [4.34]: I desire to second this motion, Mr. Speaker, because I feel it is one that this Assembly should carry without the slightest question. The late Mr. James Cornell was a