

nothing short of absurd. Where probate is granted in one State, that should be acceptable in the other States. But where an estate includes a certain number of shares, probate has to be taken out in each State in which the shares are registered. There is not only the delay factor, but the cost factor, too, is important. I am sure hon. members do not realise how difficult the position is unless they have experienced it.

The matter is an urgent one, and something should be done to rectify the position. At present, in the case of shares, all the States concerned want their little bit. If shares are held in a company which is doing business in this State, and it is registered in Victoria, succession duty has to be paid in Western Australia and in Victoria as well, plus Federal probate. If there is a branch of the company in Queensland, and the company has assets in that State, probate has to be paid to the Queensland Government. The Government of New South Wales has its own ideas about probate, and they are perfectly ridiculous. All the State Governments concerned take their pound of flesh.

Mr. May: They have to live, you know.

Mr. W. A. MANNING: What happened in the case with which I was connected would amaze hon. members. Shares to the value of £24 were held in a company registered in New South Wales, and the authorities there wanted some indemnity concerning my honesty.

Mr. Crommelin: I bet that was hard to get!

Mr. W. A. MANNING: Yes. They wanted an indemnity policy from a reputable insurance or trustee company—all for £24-worth of shares. I submitted a guarantee by a sharebroker, thinking that that would be accepted. But no! I had to take out an indemnity policy with an insurance company to cover the sum of £24 to satisfy the Government of New South Wales.

Mr. I. W. Manning: It is time that Government was kicked out.

Mr. W. A. MANNING: Yes. This is a matter of importance not only to the citizens of this State but also to the citizens of other States. The question of probate should be placed on a satisfactory basis. I trust that a note will be taken of some of the matters I have mentioned this afternoon.

Progress reported.

ELECTORAL ACT AMENDMENT BILL (No. 4).

First Reading.

Received from the Council and, on motion by Mr. W. A. Manning, read a first time.

House adjourned at 6.8 p.m.

Legislative Council

Tuesday, the 4th November, 1958.

CONTENTS.

OBITUARY :

The late Hon. Gilbert Fraser, M.L.C. 1908

Page

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

OBITUARY.

The Late Hon. Gilbert Fraser, M.L.C.

THE HON. H. C. STRICKLAND (Minister for Railways—North): It is with deep regret and personal sorrow that I move, without notice—

That this House desires to place on record its sincere appreciation of the services rendered to the State by the late Hon. Gilbert Fraser, who was at the time of his passing a member for the West Province, Chief Secretary, Minister for Local Government and Town Planning; and Leader of the Government in the Legislative Council, and express its deep sympathy with his widow and 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 to his widow and family.

The late Hon. Gilbert Fraser was our leader in this House—the Leader of the Government in this Legislative Council. He had a very long and distinguished parliamentary career in this Chamber; and in order to place the matter in our parliamentary records I should like briefly to outline Mr. Fraser's history.

Gilbert Fraser was born at Bunbury, Western Australia, on the 22nd July, 1894, and he went, as a minor with his parents, to Bendigo, Victoria; he was educated at the Marist Brothers College in Bendigo. At the age of 15, in the year 1909, he joined the Postmaster General's Department as a messenger boy; and some 11 months later transferred, with his parents, back to Western Australia, where he worked in the same department in the post office at Fremantle.

In 1928 he was elected as a member for the West Province in the Legislative Council; and he was a member of this Chamber until the early hours of Saturday last. Gilbert Fraser was held in very high esteem by all of his parliamentary colleagues, and also his parliamentary acquaintances. I do not think there is one person who knew him who thought unkindly of him. He had a fine and jovial personality; his earnestness and sincerity made him numerous friends.

He represented the Western Australian Parliament at the Commonwealth Parliamentary Association conference held in New Zealand in November, 1950; and he was appointed Chief Secretary and Minister for Local Government and Town Planning in the Hawke Labour Government on the 23rd February, 1953. He leaves a widow, a daughter, two sons and nine grandchildren. One of his sons predeceased him.

I wish to express my personal regret and sorrow at his passing. Having, since 1953, worked with the late Hon. Gilbert Fraser as a member of the Ministry, I always found him to be most co-operative, helpful and sincere in regard to every question that was debated or discussed in Cabinet. I always found his advice to me to be most advantageous; and his parliamentary knowledge was invaluable. There is not the slightest doubt that hon. members in this Chamber will miss him very much indeed, not only because of his personality but also because of his knowledge of parliamentary procedure and the sincerity he displayed in regard to his work.

THE HON. A. F. GRIFFITH (Suburban): I second the motion moved by the Minister for Railways. There are hon. members in this Chamber who knew the Hon. Gilbert Fraser for a greater number of years than I did. But all of us knew him as Bert Fraser—outside the House anyway—and, in the period of time that I have been a member of this Chamber, I gained a great deal of personal respect and liking for him. I suppose in the brief period of years I have been here, it could be truthfully said that there was no other hon. member in this House with whom I had more political fights. But when a man finds an understanding and liking for another, and when he discovers that the man with whom he is fighting politically knows not only how to hand it out but also how to take it, he cannot but admire him. We all know that Bert Fraser was very good at both handing it out and taking it. We respected him very much in debate.

The hon. Mr. Fraser's knowledge of parliamentary procedure was gained over long experience, and if one could put anything over him in a parliamentary debate one was indeed a most able debater. I well remember, as I am sure every other hon. member does, the night some of us went to the Perth railway station to see the hon. Mr. Fraser off on the train when he was leaving for the Eastern States to receive medical treatment. I think he very much appreciated the fact that not only were members of his own party there to see him off, but that members of the other parties were also present. He took away with him on that occasion our good wishes for his speedy recovery. He returned and,

right through, he never gave up fighting to overcome the disability and ill-health from which he was so obviously suffering.

He has now passed away, and we are profoundly sorry. I feel that Western Australia has lost a good servant, and that members of the hon. Mr. Fraser's political party have lost a most capable person and colleague. I join with the Minister in offering to Mrs. Fraser, and the rest of his family, our sincere condolences.

THE HON. H. L. ROCHE (South): I would like to associate myself with the remarks made by the Minister for Railways in respect to the late Hon. Gilbert Fraser. I have been here for 18 years, and the kindly gesture made by the hon. Mr. Fraser towards me in the first week of my parliamentary career was illustrated by his attitude from that time forward. Not only do I speak for myself, but I am sure that I also speak for members of my party, when I say that you, Sir, can convey to his relatives the feeling of loss that we are all likely to experience. Gilbert Fraser was a man whose earnestness and honesty of purpose were apparent to all. At the same time, his loyalty to his political principles, and his principles through life, never obscured his kindness and readiness to help, which he always displayed in his dealings with his fellowmen.

I feel, and I am sure other members of my party feel, that we have lost someone whom it will be difficult to replace; the hon. Mr. Fraser was a man of a kind not easy to find. We—as is this Parliament—are the poorer in Western Australia for his passing. Without politics entering into the question at all, I think we can say we are all the poorer for the loss of a very true and respected friend.

THE HON. J. G. HISLOP (Metropolitan): Every hon. member in this House has lost a friend. Some of us knew Gilbert Fraser for many years, and some for shorter periods. But, in his lifetime, he earned the respect of us all. The Hon. Gilbert Fraser followed a long line of very capable Chief Secretaries who represented the Labour Government in this House. They have been men of tremendous astuteness in politics, and of sterling character and sincerity of purpose. One must admire a man who can take charge of this House and be aware of the details of the massive number of Bills presented while, at the same time, retaining his sense of proportion and balance, and not for one moment relaxing his principles.

The Chief Secretaries who went before Gilbert Fraser laid a pattern that has been followed. May I at this moment pay a tribute to the present Leader of the House (the Minister for Railways) who, in my opinion, follows the same pattern as that established by those men? Those of us who are not really good debaters must

admire the keenness of debate achieved by Gilbert Fraser. The method in which he could disturb what looked to be a completely unanswerable argument was admirable, even though it might have been to one's own dismay. This, however, was always done with the kindest of feeling. I travelled with Gilbert Fraser during the time we were both members of a Select Committee on town planning—I am not certain that it was not later converted into a Royal Commission. I learned then how hard he would work on any problem he tackled; and I also found how keenly he was addicted to the habits of smoking and tea-drinking.

One could always soothe a sitting of the Select Committee by suggesting that it adjourn for a cup of tea. I well remember taking tea into Gilbert Fraser early in the morning while travelling, and I can recall my dismay at finding that, even in those early hours, he and his friend, tobacco, were together. It was probably that which had so much to do with his passing.

When one refers to Mr. Fraser's illness, one must remark on his tremendous courage. A man who knows he has a cancer of the throat which is not responding to treatment as it should, and who yet can say each time one meets him, that it will not be long before he is back in the House, is a man who possesses a really great soul. That is true courage indeed.

It might not be inappropriate at this time for me to suggest that the Government, and this House, both have a responsibility to ensure that the widow of this man who gave a lifetime of service to the public is not left in need. When a man gives 30 years of his life in service to the State, then that State owes him a great deal. At the present moment the arrangements for the pensioning of hon. members, and for contributions to their widows, are totally inadequate, particularly when hon. members have had little opportunity to set aside sufficient for their relatives.

The Hon. Gilbert Fraser came to this House when the salary was extremely small. Those of us who entered the House at that time realise that the salary was paid on the basis that membership was more an occupation of choice than of vocation. Yet this man, even on that basis, gave full service to the State; and all of us would rest more easily if we knew that when we left this Chamber and when we left this life our relatives were not in the position of having to accept charity but rather that this House and this Government, as a measure of right, saw that proper provision was made for them. The widow of a person like the Hon. Gilbert Fraser, who had given years of service to the people and the State, should certainly receive such consideration. I am sure the people would not grudge the hon. Mr. Fraser's relatives anything which we or the Government gave.

THE HON. J. MURRAY (South-West): I wish to be personally associated with the formal motion moved by the Leader of this House. Further, I say that the hon. Gilbert Fraser, whom I knew when I was in another place as well as in this Chamber, was outstanding in honesty and sincerity of purpose.

Some people might say that he belonged to the Labour movement, but whatever he did as belonging to that movement he did with complete honesty and sincerity of purpose because he believed that what he was doing was right. I had my arguments with the hon. gentleman on many occasions, but they were couched in the terms of the debate on a particular subject. I have never suggested, and would hesitate to do so now, that he was not imbued, both before and after entering this Chamber, with those great attributes—honesty of purpose and sincerity of purpose.

Everybody knew without any shadow of doubt where this man was going. The hon. Dr. Hislop drew attention to the responsibility of the Government or Parliament to see that the widows and children, if any, of hon. members, are provided for, and I would like to add to his remarks. Some people outside this Chamber might say that the hon. Mr. Fraser belonged to a particular party and that members of that party should provide something for his relatives; but that is not so. This man was a servant of the State, as we all hope to be. We come here to do our best for the State and for Australia generally, and it behoves the State to provide for our relatives if we fall by the wayside through illness.

Ill-health is one of those things which is fundamental to membership of either House of Parliament; and if one devotes one's time, not only during parliamentary hours but outside them, to looking after parliamentary business, then it is the responsibility of the Government or Parliament to make sure that those who may be left are provided for.

I rose mainly to speak of the kindly nature of the Hon. Gilbert Fraser, which was part of his make-up. As I have already said, he was a man who belonged to the Labour Party, but it was his honesty and sincerity of purpose which drove him along the road he travelled. His kindly nature was such that no matter how tied down he was with parliamentary business—I have here a report of what was originally a Select Committee but which was later turned into an Honorary Royal Commission—he could find time to travel through the South-West with a Select Committee. I speak of the occasion when the hon. Dr. Hislop and other hon. members were with him.

When I was in hospital in Bunbury in a very low state of health, certain people visited me, and I am quite sure that the Hon. Gilbert Fraser was the prime cause

for this; and I acknowledge and appreciate his action. I say that probably because of that gesture I am in this Chamber today. If the hon. Dr. Hislop had not visited me then I may have been carried out of that hospital in a box. I relate that incident because it is just one of those kindly gestures of the Hon. Gilbert Fraser. He did not belong to my political party, but he made sure these hon. gentlemen came and visited me when I was in a low and critical condition.

I represent hundreds of the electors of the South-West Province and these people know that although the hon. Mr. Fraser was not of my political faith, he always came down to look at matters which affected local government. Even if it meant travelling 150 or 200 miles, he always said, "Let us go and have a look at the problem and see whether we can do anything for these people." If the opinion he formed on the spot proved the people were right, he would say, "It does not matter what the department says. These people deserve some consideration."

I would like to put that on record. In all my political experience, I do not know of any Minister who was so dogmatic in doing what was right. Whatever the decision, it was acknowledged. I have yet to become acquainted with any man who has departed from political life with a more unblemished record than the Hon. Gilbert Fraser. I have great pleasure in associating myself with the motion moved by the Minister for Railways.

THE HON. C. H. SIMPSON (Midland): I would like to place on record my appreciation of the co-operation I enjoyed from the late Mr. Fraser during the period when, of necessity, we were associated to a large degree in running the business of the House. In losing the hon. Mr. Fraser, we have lost the father of the House; and whatever our political affiliations may be, we all have a sentimental regret when these things occur. The hon. Mr. Fraser was a man of character and of great human sympathy. He was a man whose sympathies and resentment could be roused with very little trouble, but his main concern was with the political side of any question which cropped up. I do not think he was a man who worried much about his own personal feelings inasmuch as they concerned himself; but when the air was cleared, as usually it was, then Gilbert Fraser was the first to return to normal and renew the association exactly where it was left off. I am happy to say that I had the privilege, with my wife, of being associated with him and his wife on several occasions; and those associations I will always treasure. I join sincerely in the expressions of regret that have been voiced, and in the message of condolence to the late hon. member's wife.

THE HON. E. M. DAVIES (West): I would like to take the opportunity of associating myself with the message of condolence that has been moved by the Minister for Railways, seconded by the hon. Mr. Griffith, and already supported by other hon. members of this House. The late hon. Mr. Fraser was not only a colleague of mine but had been a friend of my family for quite a number of years; and I always found him to be a person who, notwithstanding the amount of work that might be involved, was prepared to assist those people who were unfortunately unable to assist themselves.

The late hon. member performed many acts of kindness not only for people of his own province but for anyone from any other part of the State who sought his guidance; and he did that not because he desired to usurp the duties of any other hon. member, but because he had a knowledge of certain matters, thus enabling him to straighten out many difficulties. I have heard great praise expressed concerning his activities in this particular regard.

The late hon. member was a man of great courage. I visited him fairly regularly during his illness; and whenever I said to him, "How are you today?", he would, if he could not speak, write his answer; and it was always, "Good." He never had any complaints; but he did have one desire, and that was to return to this House and continue to render the service he had given over a long period of years. But apparently his time had arrived, and I feel sure he has now gone to his reward.

As has already been mentioned, the late Mr. Fraser would debate questions or Bills before the House, and, at times, would hit hard; but he could always soften the blows by that very nice smile he would give to the hon. members with whom he had been debating. I feel sure he rendered a great service to the people of this State, to this House, and to the Government of the State; and he was always a great and sincere man to the party that elected him to this Chamber. It is with regret and fond memory that I speak to this motion this afternoon; and I trust that his wife and family will realise—and he will be comforted by the fact—that he rendered service to Parliament and the State; and that he has now gone to reap his reward.

THE HON. H. K. WATSON (Metropolitan): The hon. Mr. Fraser has gone to his last rest and we mourn his loss. His death was not altogether unexpected, but the keenness of our loss is none the less on that account. Standing here today in the circumstances in which this House meets, one finds it difficult adequately to express one's feelings. Indeed, one finds it difficult to say very much at all. The House will not be quite the same without Gilbert Fraser. He was part of it; and it was part of him and part of his life. He was the father of the House, having been

a member for 30 consecutive years; and for the last five, as the Minister has said, he was the Leader of the Legislative Council of Western Australia. He was a man of simple tastes and habits. In his capacity as leader of the House he displayed diligence and astuteness. He had many good points; and, like the rest of us he also had his frailties and shortcomings.

But on one point there is no room for two opinions: he was an able administrator and discharged his duties as Chief Secretary and Minister for Local Government with conspicuous ability and with a down-to-earth and profound knowledge of the subjects he administered, particularly with respect to local government and the associated field of town planning.

There is a simple phrase in the English language which to me is quite expressive: "I knew him when—" and I suppose that my association with the late Hon. Gilbert Fraser goes back further than that of any other hon. member in this House, because his death breaks an association—so far as I am concerned—of over 40 years' standing.

I knew the late Gilbert Fraser when we worked together in the Fremantle post office, over 40 years ago. He was a letter carrier and I, who was six years his junior, was a telegraph messenger. Even in those days we had our differences of opinion on political questions, because even then both of us must have had that surplus of red corpuscles which seems irresistibly to draw a man towards politics and impel him to do his bit and play his part in assisting in the running of the country.

Although in divisions in this House we seldom found ourselves on the same side, there was one subject on which, in our lighter moments, we found ourselves in unanimity; that was that the seats in this Chamber were rather more comfortable than those on the post office bikes which we rode 40 years ago.

On the day on which the ceremony of opening this present session took place—two or three months ago—I visited the late Gilbert Fraser at his home, after the ceremony, to let him know that we had not forgotten him and to talk over old times. He informed me then—by the only means at his disposal—that in 30 years it was the first opening of Parliament he had missed. One could not help being impressed with the courage and fortitude with which he bore his affliction. Bert Fraser's work is now done and time, with him, shall be no more.

To Mrs. Fraser, for whom those of us who know her have such a high personal regard, we extend our deepest sympathy. We share her sorrow in the great loss she has suffered. She has lost a loving husband; and her family, a devoted father; and we have lost an esteemed colleague and an experienced parliamentarian. But, as the hon. Mr. Davies has said, we will

remember him and it is well that we should, for it has been truly said that memory tempers prosperity, mitigates adversity, encourages youth and cheers and comforts those who are not so young.

THE PRESIDENT: It is my wish to endorse the remarks which have been made by hon. members in memory of a great legislator in this State and a personal friend of us all. I remember the late Hon. Gilbert Fraser coming into this Chamber 30 years ago—the youngest man who had ever entered this House, up to that stage. Prior to that occasion, this House was always regarded as a Chamber of men over the age of 50, but the late Hon. Gilbert Fraser took no time at all in showing the then hon. members of this House how well he could fit in with the debates and business of that day.

I could easily repeat all those things that have been said in memory of the late hon. member; and I have not forgotten that when the war made a call on men for the defence of the country the late Hon. Gilbert Fraser did his part. I do not think any man could have served his country better during the last 30 years than did the late Mr. Fraser. I was extremely fond of him, as I knew him very well indeed; and my sympathy goes out to his widow and family in their great sorrow.

I know we will remember him for a very long time, and it is fitting that we should. We will recall him when legislation comes before us during the remainder of this session, and in the sessions to come, because the action which he took was always sound, and his example will be a guide to us in framing better legislation for the people of this State.

I will now read to the House a letter which I have received from the Consul of the Federal Republic of Germany. It is as follows:—

The President of the Legislative Council,
Parliament House,
Perth, W.A.

Dear Sir,

On behalf of my Government and on my own behalf I wish to express sincere sympathy in the bereavement that has come to you and the members of the Legislative Council with the passing away of the Leader of the Government in the Legislative Council, the Honourable G. Fraser.

Sincerely yours,

(Sgd.) Smidt Lademan,
Consul.

I have forwarded a suitable reply to the foregoing letter.

Question passed; members standing.

House adjourned at 5.20 p.m.