

The MINISTER FOR AGRICULTURE: The Act provides that the registration of a bull shall be refused if the bull is below reasonable standard. When the Bill was before the House the question rose as to whether the proviso in the Act for an appeal to a board by the owner of a bull refused registration would still obtain. I told the House that it would, but I afterwards discovered that it would not, and so I took steps to have the omission amended in another place. This is the amendment, and I move—

That the Council's amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 2.—Clause 5, Delete the words "a subsection" in lines 27 and 28 and insert in lieu thereof the word "words":

The MINISTER FOR AGRICULTURE: I move—

That the Council's amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

Resolutions reported, the report adopted and a message according returned to the Council.

*House adjourned at 10 p.m.*

## Legislative Council,

*Thursday, 17th November, 1932.*

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

## MOTION—SUPERPHOSPHATE BONUS.

HON. H. V. PIESSE (South-East) [4.33]: I move—

That should the proposed Federal Government cash bonus on superphosphate be definitely decided upon, this House is of the opinion that it should be distributed on a cash basis of £1 per ton of superphosphate used by each farmer or grazier during the year 1932-33.

I have in mind the grave disappointment that wheatgrowers have suffered in connection with the proposed Federal legislation. It is a most serious matter. The morale of our primary producers must be maintained. My proposal is that the bonus it is proposed to pay on super should be paid to the farmers on last season's supply. I realise that a large percentage of the farmers were unable last season to pay cash for their super, and purchased it on terms. I feel that if a bonus could be allocated to them in connection with their cropping operations for last year, it would greatly encourage them and also provide them with necessary cash. Take the case of a farmer who used 20 tons of super last year. He would receive a cash bonus from the Federal Government of say, £20. That would be very helpful to him in providing clothing and other necessities for his family, and in meeting minor expenses on the farm. It must not be forgotten that graziers, who have expended money on super for top dressing, would participate in the bonus. The passing of the motion would considerably strengthen the hands of the Government when placing the matter before the Federal authorities. I believe in the 4½d. bonus paid on the whole of the wheat grown in Western Australia, but failing that I think this motion would be a good talking point for the State Government in their endeavour to get assistance for farmers along the lines I have indicated.

HON. J. CORNELL (South) [4.36]: Ob-  
curity seems to surround the payment of the superphosphate bonus. I understand that the Commonwealth Government have practically earmarked 2¼ million pounds to be disbursed in the agricultural industry. One million of that is to be set aside as a superphosphate bonus. Seeing that this applies to next year only, it will be tantamount to saying that in this State, where the farmer has really little difficulty in

getting his requirements of super, the bonus will not come into the current year's calculations. The sum of 2¼ millions is little enough. If the superphosphate bonus is a sound thing, why should it not begin this year rather than next year, so as to keep the whole of the money within this year's harvest? I am not going into the proposals to help necessitous farmers.

Hon. G. W. Miles: They are all necessitous.

Hon. J. CORNELL: If there ever has been a Government in Australia which has lacked vision it is the Lyons Government. It has fallen into a rut in regard to old-age pensions. Anyone who made some provision for himself by way of a small insurance policy, and did so at his own expense, is to suffer a reduction of 2s. 6d. a week in his pension. In other words, those who have endeavoured to help themselves are to be treated differently from those who have made no effort to do so. As Mr. Miles has said, all farmers cases are necessitous. Any attempt to assist them by the present proposals can only result in one end. It is going to make men who are still in the agricultural industry, as a result of their thrift, energy and resourcefulness, and value to the State, throw up the sponge and say "Of what use is it that I should try to keep going, when others who have never done anything, and will never do anything, are to receive the same assistance?"

Hon. L. B. Bolton: That is indeed the position.

Hon. J. CORNELL: Those are the people who have kept the Commonwealth in some state of equilibrium. Members will recall the legitimate attempt that was made in this Chamber to assist genuine group settlers, when Mr. Grogan was given a commission to write down values. The Bill was held up by Mr. Holmes and the late Mr. Lovekin and others for a month in the endeavour to find a way to give consideration to the man, who had stood on his own feet and put his own money into the venture. If the Federal Government want to find out how to draw a line of demarcation between deserving cases and those that are not deserving, I would refer them to that debate. They would then come to the conclusion that any endeavour to separate the sheep from the goats, the good from the bad, would fail lamentably.

Hon. J. Nicholson: Or the fit from the unfit.

Hon. J. CORNELL: If it is intended to help the wheatgrowing industry, the way to do it is the way that it was done last year. I have been hopeful all along that common sense, if it is not manifested in the Federal Cabinet to-day, will eventually prevail, and that the united opinions of men in the country who matter, irrespective of their political beliefs, are in the direction of a bonus along the lines indicated by us here. I second the motion. If a superphosphate bonus be given, it should be given this year and not next year. If the authorities are not very careful, there is a danger that the whole fabric will break down.

HON. J. J. HOLMES (North) [4.44]: There is one redeeming feature about the motion, and it is that it includes all farmers and graziers. The wheatgrowers appear to want everything for themselves, and nothing to be given to anyone else. Men who are engaged in primary production are growing many things. The potato growers, for instance, are finding that their business is on the rocks. If a motion of this kind were carried, and agreed to by the Federal Government, one and all would come in under the scheme of distribution, instead of the wheatgrowers getting the lot as they are trying to do. Mr. Piessé said that if the farmers got this bonus now, they would be able to pay for the super they used last year. Of course they would pay a higher rate. There is a marked difference between the cash rate and the book rate.

Hon. H. V. Piessé: It is 5s. a ton.

Hon. J. J. HOLMES: If we make this retrospective the superphosphate companies who supplied super last year, would be able to get an additional 5s. per ton.

Hon. H. V. Piessé: The money should be paid to the farmers.

Hon. J. J. HOLMES: It would come out of the pound that was distributed on that basis. Making it for the year 1933-34 will serve two purposes, one being that the farmer will be able to arrange for his super on a cash basis, and it will be a distinct encouragement for the primary producers to continue producing. Something has to be done to encourage them to go on producing, for they are nearly fed up because of the treatment meted out to them. The danger may be that they will get their £1 per ton of

super made retrospective, and will then say they have had enough and are not going on. We have to keep them on the land by some means, and one way is to enable them to get their super on a cash basis, and make it apply to the next year's crop. It is too big a subject to enlarge upon at this juncture, but I warn the House to think well before they agree to the motion. One thing somebody should take up definitely is this question of, to use Mr. Cornell's phrase, separating the sheep from the goats. It is the most absurd proposition I have heard put up. One can go through the country and see a farm that has been properly fallowed, properly sown and properly harvested, the farmer having gone about the business of producing in a workmanlike way; while another goes about his job carelessly and indolently and produces nothing, notwithstanding which he is the man whom it is proposed to assist. I have previously said there are only two crimes a man can commit in this country, one being to succeed and the other to fail. If you succeed you are regarded as a scoundrel, and I used to say that if you failed—

Hon. J. Cornell: You are knighted.

Hon. J. J. HOLMES: Well, that will do. Under this proposal we ought to alter that and say there is only one crime that can be committed, and that is to try to succeed in order that yourself and the country also may succeed and prosper. I ask the House carefully to consider the motion and see how they can get the best out of it.

On motion by Chief Secretary, debate adjourned.

#### **BILLS (2)—ASSEMBLY'S MESSAGES.**

Messages received from the Assembly notifying that it had agreed to the amendments made by the Council in the following Bills:—

1, Special License (Waroona Irrigation District).

2, Dairy Cattle Improvement Act Amendment.

#### **BILLS (2)—FIRST READING.**

1, Traffic Act Amendment.

2, Tenants, Purchasers and Mortgagors' Relief Act Amendment (No. 1).

Received from the Assembly.

#### **BILL—JUSTICES ACT AMENDMENT.**

Read a third time and returned to the Assembly with an amendment.

#### **BILL—ROAD DISTRICTS ACT AMENDMENT.**

*Further Recommittal.*

On motion by Hon. J. Nicholson, Bill further recommitted for the purpose of again considering Clause 39.

*In Committee.*

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 39—Amendment of Section 202:

Hon. J. NICHOLSON: I move an amendment—

That after "application" in line one, the words "in writing" be inserted.

At yesterday's sitting I mentioned my intention of moving this amendment. I understand the Chief Secretary is agreeable to it.

The Chief Secretary: There is no necessity for it; it is only overloading the Bill.

Hon. J. J. HOLMES: Let me give an instance of such necessity. It has been the custom at Wyndham to charge up almost anything and everything against the Wyndham Meat Works. The Wyndham Road Board quietly notified me that a number of men had started out to make a landing ground for aeroplanes at a place neither suitable nor desirable, the inference being that the £300 it would cost would be charged up to the meat works. However, I managed to block it. Then the question arose as to who had been instrumental in blocking it, and the road board denied all responsibility. In order to protect myself, I proved that I had acted on their advice and that the proposal to block it had emanated from the board. So members will see the necessity for having those words "in writing."

The CHIEF SECRETARY: The illustration given my Mr. Holmes does not apply, for here we have a case where the Governor may, upon application by a board, do certain things. But the Governor could not act on a verbal application, and so all applications must be in writing. No ap-

plication could be received and considered unless it was in black and white.

Hon. J. J. Holmes: Do you object to the words going in?

The CHIEF SECRETARY: Why should we insert superfluous words?

Hon. J. NICHOLSON: The amendment is necessary for the protection of the Committee. Some person might make a suggestion to the authorities in Perth, and that can only be evidenced in one way, namely in writing.

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

Ayes	..	..	..	..	8
Noes	..	..	..	..	8
					—
A tie	..	..	..	..	0
					—

**AYES.**

Hon. J. T. Franklin  
Hon. G. Fraser  
Hon. V. Hamersley  
Hon. J. J. Holmes

Hon. J. Nicholson  
Hon. H. V. Piessie  
Hon. C. H. Wittenoom  
Hon. J. M. Macfarlane  
(Teller.)

**NOES.**

Hon. C. F. Baxter  
Hon. J. M. Drew  
Hon. E. H. Harris  
Hon. W. H. Kitson

Hon. G. W. Miles  
Hon. R. G. Moore  
Hon. H. Seddon  
Hon. A. Thomson  
(Teller.)

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

Clause put and passed.

Bill again reported without further amendment, and the report adopted.

**BILL—LOCAL COURTS AMENDMENT.**

*In Committee.*

Resumed from the 15th November; Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 4—Amendment of Section 132:

Hon. J. NICHOLSON: We carried an amendment to the Justices Bill and that amendment should be made to this Bill also.

The CHAIRMAN: The Justices Bill is now ancient history. When the Bill we are now considering was previously in Committee, an amendment was made to Clause 3, but later the clause was struck out. The amendment referred to by the hon. member might have been added to Clause 3 which no longer appears.

Clause put and passed.

Clause 5, Title—agreed to.

Bill reported with amendments.

**BILL—PEARLING ACT AMENDMENT.**

*Assembly's Amendments.*

Schedule of two amendments made by the Assembly now considered.

*In Committee.*

No. 1. Clause 2—Delete paragraphs (a) and (b):

The CHIEF SECRETARY: I move—  
That the amendment be agreed to.

The paragraphs in question provide for a limitation of the area to be fished. The Assembly considered that this was unjustifiable because it would not limit the shell fished. The paragraph will only confine Broome boats to shelling in the Broome area, and in that way preclude trading at other centres where fishing has been going on for many years. If the boats were limited to the Broome area, those that desired to go further down the coast would be precluded from doing so. This House has agreed to the control, and that is quite sufficient to safeguard the industry.

Hon. J. J. HOLMES: Rather than risk losing the Bill, I am prepared to accept the Assembly's amendments although I would have preferred the Bill as it left this Chamber. The Legislative Assembly agreed to the number of boats to be licensed and the quantity of shell to be fished but disagreed to the proposal to define the area over which those boats could fish. It is for the Committee to say whether they will accept the Assembly's view, or risk losing the Bill altogether.

Question put and passed; the Assembly's amendment agreed to.

No. 2. Clauses 3, 5 and 7—Delete.

The CHAIRMAN: The deletion of the three clauses is consequential upon the amendment the Committee has just dealt with.

Resolution reported, the report adopted, and a message accordingly returned to the Assembly.

**BILL—PUBLIC SERVICE APPEAL  
BOARD ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the previous day.

**HON. W. H. KITSON** (West) [5.18]: Although I am afraid the Bill will not accomplish what is intended, I shall support it. I have little to add to what has already been said, beyond remarking that while it may be some satisfaction to the railway men concerned to have the right of appeal and representation on the appeal board, I cannot see, in view of experience over many years, how anything further will be accomplished. I merely make that observation in order that my position may be made perfectly clear. I have pointed out to some of the men concerned that it is not possible for them to alter certain decisions arrived at in earlier days but the men expressed the opinion that the passage of the Bill would give them all they were asking for. I do not believe it will, but, as they are of that opinion, I shall support the measure. I emphasise the fact that no matter what decision may be arrived at by the appeal board, the final determination will still remain with the Governor-in-Council and, in view of past rulings, there is little hope of any Government agreeing to what is aimed at under the Bill.

**HON. J. CORNELL** (South) [5.20]: I approach the Bill with a certain amount of diffidence. I desire to assist the people concerned, but I would like any help to be material and not merely sympathetic. The speeches already delivered indicate that the Bill will not accomplish what the men concerned desire. The railway men are really asking for recognition of pension rights under the Superannuation Act. If the House is of the opinion that the passing of the Bill will merely give the men the right to representation on the appeal board established under the Public Service Act and to have their appeals heard, with no possible chance of securing the ultimate objective, I feel hesitant about agreeing to the passage of the measure. In effect, the Bill will merely give the men, at the expense of the country, an opportunity to air grievances without any possibility of redress. I know a number of the men who are anxious to have the right to go before the appeal

board, but all the Bill will do will be to place those men legally in the position of supplicants, and that will be the end of the recognition accorded them. By men who should know, some ray of hope has been held out that the railway men may get some satisfaction, and, in those circumstances, I would like to support the Bill, but I am satisfied that they will not secure that end. I will not be a party to putting many of these old public servants to a lot of trouble merely for the sake of their securing a hearing before the appeal board.

**HON. G. FRASER** (West) [5.23]: Like other members I am doubtful whether the objective of those interested in the Bill will be achieved.

Hon. E. H. Harris: Give them the benefit of the doubt and vote for the Bill.

Hon. G. FRASER: That is what I intend to do. I have my own opinion regarding the position, and I have informed some of the men concerned of my views. I understand that they have received legal advice, which they believe is contrary to my opinion. In the circumstances, I will give them the benefit of the doubt in the hope that my opinion is wrong. I shall certainly be pleased if I am proved to be mistaken. I regret that the introduction of the Bill has buoyed up many of them with the hope that they will secure some benefit as the result of the passing of the measure.

Hon. J. Cornell: It will be hope deferred.

Hon. G. FRASER: The men mostly concerned really do believe that the Bill will provide them with all they desire, and no matter how one may endeavour to convince them otherwise, they persist in their opinion that their objective will be achieved. There are a number of anomalies that ought to be rectified. In one instance there were several teachers at the Training College, Claremont, and had been there for two years. Just prior to 1904 the Government of the day requested the teachers to extend their course for three years, and some of them decided to do so. Later on it was found that the teachers who had not done as the Government desired secured the benefit of the Superannuation Act, while the teacher who remained at the college was debarred from securing the same privilege. I believe there are about half a dozen only of such instances, and they should be rectified.

Hon. J. J. Holmes: The Bill will give the legal fraternity something to do.

Hon. G. FRASER: The men mainly concerned have already secured legal advice, which they regard as the best available, and they are of the opinion that they will secure what they desire. I differ, but I shall give them the benefit of the doubt and support the second reading of the Bill, although I am dubious regarding what they will gain as a result of it.

**HON. C. H. WITTENOOM** (South-East) [5.26]: I intend to support the second reading of the Bill, because it is unjust that a section of the public servants should have certain privileges not accorded to other sections. The Bill is a simple one and apparently owes its existence to certain privileges granted 13 or 14 years ago. The teachers and civil servants were granted privileges that were not extended to men employed in the Railway Department. It is merely right that the railway men should have an opportunity to approach the appeal board to secure recognition for pension and superannuation rights. I do not know whether they will achieve anything as a result of the passage of the Bill, but they should have the right of appeal. I have discussed the matter with some railway men and have mentioned to them that many instances of civil servants and teachers having approached the appeal board without success, were on record and that even if the railway men themselves had their appeals heard, there would be little chance of success attending their efforts. The railway men I refer to said that they recognised the position, but they wanted to have the right of appeal. I am aware that at present they have the right of appeal to the Commissioner, and of appeal against the Commissioner's decision to the Governor in Council. The Governor in Council, however, would have to get information from the Commissioner regarding the appellant's claims and, in the circumstances, the men might just as well accept the position following upon the original application to the Commissioner.

**HON. H. SEDDON** (North-East—in reply) [5.30]: It would be well to clear up one or two points raised in the course of the debate. The question of expense was mentioned by Mr. Holmes. The constitution of the board will be the same as that of the board for the Education Department

and for the Public Service, with the exception that when railway employees' appeals are being dealt with, a railway man will sit on the board, just as a representative of the Public Service sits on Public Service appeals and a representative of the teachers sits on appeals affecting teachers. The railway men are simply asking to be placed on the same footing as employees in other branches of the Public Service enjoy, nothing more and nothing less. The men quite realise the position. They say, "Here is an additional embargo or obstacle placed on us that is not placed on teachers or members of the Public Service." At present they have no appeal: matters affecting them must be dealt with by the Public Service Commissioner and the Governor-in-Council. Seeing that the men concerned are merely asking for treatment similar to that meted out to other Government employees, I trust that the House will pass the Bill.

Question put and passed.

Bill read a second time.

*In Committee.*

Bill passed through Committee without debate, reported without amendment and the report adopted.

*House adjourned at 5.35 p.m.*

## Legislative Assembly.

*Thursday, 17th November, 1932.*

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