

a Chairman of Committees appointed. I bring the matter forward now to avoid the necessity of asking the House to assemble again to-morrow.

No objection being taken,

Question resolved in the affirmative.

Motion (by the Hon. A. K. Trethowan) proposed:

That the Hon. Ernest Henry Farrar be Chairman of Committees of the whole House.

The Hon. A. M. HEMSLEY: It gives me much pleasure to second the motion.

Question resolved in the affirmative.

The Hon. E. H. FARRAR [12.50]: I desire to express my thanks and appreciation to hon. members upon their unanimously electing me to the very high and distinguished position of Chairman of Committees of this House. While I occupy the position I shall endeavour to maintain the very high standard and tradition that have been set by my eminent predecessors.

TEMPORARY CHAIRMEN OF COMMITTEES.

The PRESIDENT nominated the Hon. George Stacher Archer, the Hon. George Nesbitt, and the Hon. Frank William Spicer to act as Temporary-Chairmen of Committees during the present session of Parliament.

SPECIAL ADJOURNMENT.

Motion (by the Hon. H. E. Manning) agreed to:

That this House at its rising to-day do adjourn until Wednesday, 19th June, at 4 o'clock p.m.

ADJOURNMENT.

Motion (by the Hon. H. E. Manning) proposed:

That this House do now adjourn.

The Hon. J. M. CONCANNON [12.51]: May I ask the Attorney-General to intimate whether the previous motion means a definite reassembling of the House next week, or is the date to be fixed at a later stage?

The Hon. H. E. MANNING (Attorney-General) [12.52], in reply: In replying to the Hon. Mr. Concannon, I desire to take this opportunity

of informing the House that it is not proposed to meet again for the transaction of business until some period after about the middle of August. I am unable to give the exact date at the moment, but it may convenience hon. members to have the information I have just given.

Question resolved in the affirmative.

House adjourned at 12.53 p.m.

Legislative Assembly.

Wednesday, 12 June, 1935.

Opening of Parliament—Members Sworn—Election of Speaker—Presentation of Mr. Speaker—Assent to Bills—The King's Jubilee—Leader of the Opposition—Leave of Absence—The Late Hon. David Watkins, M.H.R.—The Late Sir Thomas Henley, K.B.E.—Law of Evidence Bill (formal)—Governor's Message—Chairman of Committees—Temporary Chairmen of Committees—Adjournment.

OPENING OF PARLIAMENT.

The House met at noon pursuant to the proclamation of his Excellency the Governor convening Parliament.

The Clerk read the proclamation.

The Clerk announced that he had received a list, certified by his Excellency the Governor, of the names of the members to serve in this Parliament, together with the respective writs on which they were returned.

The Usher of the Black Rod, being admitted, delivered a message,—“That the Commissioners request the immediate attendance of this honourable House in the Legislative Council Chamber to hear the Commission for opening of Parliament read.”

The House went, and hon. members having returned,

The Clerk informed the House that his Excellency the Governor had been pleased to issue a Commission authorising the Hon. Bertram Sydney Barnsdale Stevens, Lieut.-Colonel the Hon. Michael Frederick Bruxner, D.S.O.,

and the Hon. Ernest Albert Batten-shaw to administer the oath or affirmation of allegiance to the King required by law to be taken or made by members of the Assembly.

The Clerk read the Commission.

MEMBERS SWORN.

All the members, with the exception of the Hon. J. M. Dunningham, took the oath and subscribed the roll.

ELECTION OF SPEAKER.

Mr. BATE (South Coast) [1.17]: I move:

That the Hon. Sir Daniel Levy do take the chair of this House as Speaker.

In speaking to the motion, I am fortified by the knowledge that Sir Daniel Levy is peculiarly fitted to occupy the position of Speaker of this House by reason of his long experience as a member and as Speaker, and because of his wide knowledge of constitutional law and of his educational attainments generally. Sir Daniel Levy has been a member of the Legislative Assembly for a greater number of years than any other sitting member. I believe that Sir Daniel has been a member of Parliament for a longer period than any sitting member of any Parliament in Australia, with the exception, perhaps, of Sir George Pearce, who has been a member of the Federal Senate for thirty-four years and two or three months. The Hon. R. T. Ball, member for Corowa, was elected in 1895, and has been a member for over thirty-three years, and Mr. Mark Morton, member for Wollondilly, entered the House at the same time as Sir Daniel, though both those hon. members had short breaks in their periods of service. Sir Daniel Levy has represented practically the same constituency for an unbroken period of thirty-four years. He has been Speaker of this House for almost twelve years, having held the office from 1919 to 1925, from 1927 to 1930, and from 1932 to 1935, which is longer than the term of any other Speaker, not excepting your illustrious father, the late Hon. William McCourt, who was Speaker of the New South Wales Legislative Assembly for a

continuous period of over ten years, exceeding the term as Speaker of Sir Joseph Abbott, which was nine years and eight months.

Sir Daniel Levy's knowledge of constitutional law is outstanding. He had a brilliant University career, graduating B.A. and LL.B. at Sydney University. He is an avid reader, and is considered by many to be one of the most widely-read men in New South Wales. In addition to his Parliamentary duties, Sir Daniel has found time to occupy many important public positions outside the House. He has represented Parliament on the Senate of the University of Sydney ever since Parliament has had representation there. He is president of the trustees of the Public Library and the Mitchell Library, and is a member of the Board of the Sydney Hospital, and of the Eastern Suburbs Hospital. He is also a director of the Benevolent Society of New South Wales, which controls three other well-known hospitals, and is a trustee of the Sydney Grammar School. Many hon. members will remember with gratitude the occasions on which they have gone to Mr. Speaker Levy for information on constitutional procedure, when they were always met with extreme courtesy and ready assistance.

This is the second occasion on which I have had the honour of moving the motion for the election of Speaker, and, as a private member, I am very glad to do so, because it accentuates the general desire—a traditional desire—that members of the House, the rank and file, should choose the Speaker, as has always been the case in the House of Commons. It is well that should not be overlooked, for the prerogative should always be ours. This is an occasion upon which rank and file members become definitely articulate, and I hope they will never regard the privilege lightly. I appeal to members to assist in every way possible to uphold the dignity of the Chair.

I do not suggest, for one moment, that if there have been lapses in the past one side of the House has been more culpable

than the other. I merely suggest that in supporting the Chair to maintain the highest traditions of British Parliamentary procedure we are protecting ourselves from criticism, and assisting to retain the prestige not only of the House and the Chair, but of members themselves. If hon. members will permit me, I should like to read an extract from *Hansard* of the British House of Commons, which was handed to me yesterday. It is as follows:—

On occasions such as this it is well that those in authority should sound deeply the minds of private members and be influenced not only by that opinion which is at all times copiously articulate, but also by the wishes of the less obtrusive and the more reticent.

I want to express the wish that the House will give every assistance to the Speaker on this occasion. The principle has always been acknowledged in the British House of Commons. I have been in the House long enough to wish for nothing more than this, that we should endeavour to retain the prestige of hon. members in the eyes of the community. We are open to criticism often enough, but the matter is in our own hands. I make an appeal to hon. members to uphold the prestige of the Chair because it means so much to us. I trust that this Chamber will remain a quietly deliberative Chamber, and I hope there will be no opposition to the election of Sir Daniel Levy, but that he will be elected unanimously, as a mark of appreciation of his services to Parliament and to the State.

Mr. SINCLAIR (Namoï) [1.25]: I second the motion moved by the hon. member for South Coast. As one who has not had so long a parliamentary experience as some other hon. members, I wish to pay a tribute to the patience, forbearance, courtesy and consideration Sir Daniel Levy has always extended to hon. members. Most of us have appreciated his help in learning the rules of the House. He has been only too anxious to assist hon. members in learning the proper procedure in this Chamber, and his record shows that he

is particularly well equipped to fulfil the office of Speaker. Very few Australians have had the same brilliant scholastic career as Sir Daniel Levy. He was one of the most brilliant scholars at the Sydney Grammar School. Passing thence to the University, he won the classical scholarship each year in arts, and also a mathematical scholarship. He graduated in arts with gold medal, as "Classics Scholar" of his year. Entering the Law School he won the Wigram Allen scholarship, and graduated in law with honours in the same year as the Minister of Justice. It was only natural that a gentleman of such erudition should be called upon at a later stage to occupy this important position. He is a trustee of the Public Library and of the great school from which he graduated, and is a Fellow of the University of Sydney. As the hon. member for South Coast has pointed out, Sir Daniel's public service has not been confined to scholastic spheres, for he has taken a prominent part in the social services of New South Wales and in the welfare of the hospitals. His training in law and his general learning and experience in this House peculiarly equip him for the service that we now ask him to undertake. I know of no greater tribute that could be paid to him than that which was paid on the occasion of his completing thirty-three years of service to the State, when the leaders of the three parties in the House joined in congratulating him and spoke of his ability and impartiality. I am sure all those who have had the privilege of sitting under him concurred in the remarks made on that occasion by their leaders, who I believe were sincere in what they said. Sir Daniel Levy is admirably fitted for the position of Speaker of this House, which he can fill with credit to himself and honour to the Chamber.

Sir DANIEL LEVY (Woollahra) [12.28]: I accept the nomination to the Chair and in concurrence with ancient usage I submit myself to the will of the House.

Mr. FRANK BURKE (Newtown) [12.29]: I have much pleasure in sup-

porting the nomination of Sir Daniel Levy to the high and honorable position of Speaker of this House. In doing so. I may say I am cognizant of the fact that he has the wholehearted support of hon. members of the party to which I belong. Sir Daniel Levy has distinguished himself in the chair of this House. He has always been recognised as thoroughly impartial in the carrying out of the onerous duties attaching to the office of Speaker of this Chamber. From the time of his first election to the office of Speaker, in 1919, he has displayed a comprehensive grasp of the duties attaching to his office, and up to the present time there has never been a suggestion by any hon. member that Sir Daniel Levy has ever been biased in any decision he has given. That is a wonderful tribute to pay to a Speaker who is selected for the position under the conditions obtaining in our Legislature. Despite the fact that Sir Daniel Levy has been so selected by his party, he has always held the scales of justice evenly. Personally, he is a man of lovable disposition, and I agree with the previous speakers' statements that he has at all times been ready to give advice to hon. members who have approached him. In my opinion, it is impossible to improve upon the choice of a Speaker. When one is able to say that Sir Daniel Levy has given entire satisfaction to both sides of the House one is saying a great deal.

On behalf of the party to which I have the honour to belong, I seize the opportunity of congratulating Sir Daniel Levy, in advance, upon being again elevated to the high and honourable position of Speaker of this House. We, on this side, think that he might perhaps be more usefully employed in other activities of the State where opportunities for service would be greater, but, as we are not the deciding factor in matters of this description the utmost we can now do is to express our very great pleasure at his nomination for the office of Speaker.

Question resolved in the affirmative.

Members of the House calling Sir Daniel Levy to the chair, he was taken

out of his place by Mr. Bate and Mr. Sinclair and conducted to the chair.

Mr. SPEAKER-ELECT, standing on the dais, said: Before taking the chair, I desire to express my grateful acknowledgements to hon. members for the honour they have conferred upon me and to assure them of my entire devotion to the service of this House.

Mr. STEVENS (Croydon), Premier, Colonial Treasurer and Minister for Public Works [1.33]: On behalf of the House, as its leader, and on behalf of the Government, as its head, it is my privilege and pleasure to tender to you, Mr. Speaker, the heartiest congratulations upon your elevation to the honourable chair of Speaker of this Assembly. The proposer and seconder of the motion for your appointment to that position have very adequately traversed the grounds for your selection by referring to your long record of public service and your unique training in the great public schools and the University of Sydney. There is no necessity for me to refer again to the points they have emphasised, beyond saying that, as leader of the House, my pleasure is deepened by the knowledge that my congratulations are tendered to one so distinguished scholastically, and whose record of public service has already been so suitably referred to. It is a good thing for this Assembly that the methods by which the public elect their representatives make it possible for men of attainment and distinction to be elevated to so distinguished and honourable an office as that of Speaker of the Legislative Assembly. That is a matter for congratulation, not only for you, sir, but also for this House and the country generally.

The Government and the House express this message of congratulation to you, with the definite and utmost confidence that you will discharge your duties in a manner that will reflect the greatest credit upon your high office. Hon. members have no doubt that you will be fair and unbiased in your judgment, and that, at all times, you will be willing to help those who need assistance in the course of debate and deliberation;

also that you will do nothing that will disgrace this Assembly, or lower the tone of its debates and procedure.

The hon. member for South Coast struck a right note when he referred to the desirability for hon. members, collectively and individually, to assist the Speaker by doing their part to contribute to the maintenance of the dignity of Parliament and the proper control of its procedure generally. That you, sir, will discharge your duties in a manner that will assist to secure those most desirable objectives, not one hon. member of this House has the slightest doubt. It is because of these considerations, apart altogether from the knowledge that you have had long and honourable service as an occupant of the position of Speaker that I, on behalf of the Government, and as the leader of the House, tender to you heartfelt and warm congratulations, and express the hope that you will long be spared to occupy that honourable chair, and discharge its important duties in an efficient and satisfactory manner.

Mr. LANG (Auburn) [1.37]: May I be permitted to add my congratulations to those of the Premier on your elevation to the honourable position of Speaker of this House. Your intellectual and general attainments are well known to all, and it is unnecessary for me to dilate upon what has already been said on that subject. There can be no doubt that, in the past, you have thoroughly proved your capacity to acquit yourself adequately in the position of Speaker, and that, no doubt, is one of the many important reasons why you have been re-elected to the office. From my personal knowledge I know that you are well-fitted to carry out your important duties, and I am also of the opinion that, in addition to your other qualifications, you have the desire to discharge those duties impartially.

Mr. SPEAKER: I thank the Premier and the leader of the Opposition for their kind congratulations and good wishes, and their favourable assessment of my services to this House. I also thank all hon. members for having re-elected me to this high and honourable

office. As the hon. member for South Coast has pointed out, this is the seventh occasion on which I have been elected to the chair and, therefore, I should be well acquainted with the duties and responsibilities associated therewith.

As the personnel of this House is substantially identical with that which immediately preceded it, the action of hon. members in unanimously re-electing me to-day must be taken as a vote of confidence in me, and as an unmistakable expression of their satisfaction with the manner in which I previously discharged my duties. It is pleasing to me to know that I enjoy the confidence and respect of all hon. members in this Chamber, for there is no body of men more critical than are hon. members of the Legislative Assembly. In fact, I may say that it is their business to be generally critical in all things. Consequently, I keenly appreciate their favourable expression of opinion towards myself on this occasion.

After my long experience in the chair, it is not necessary on this occasion for me to say anything about the office of Speaker and the qualifications expected of the occupant of the office. Suffice it to say that I propose to carry out my duties in such a manner as to continue to merit the eulogies that have been expressed so generously to-day. In particular, I promise, as Speaker, to guide the deliberations of the House with inflexible impartiality, and I ask hon. members to co-operate with me in conducting the business of this Chamber with that dignity and decorum which should be associated with every Parliament of the British Empire.

Mr. STEVENS (Croydon), Premier, Colonial Treasurer and Minister for Public Works [1.41]: I desire to inform the House that I have ascertained that his Excellency the Governor will be pleased to receive Mr. Speaker forthwith.

[Mr. Speaker left the chair at 1.42 p.m. The House resumed at 2.20 p.m.]

PRESENTATION OF Mr. SPEAKER.

Mr. SPEAKER: I have to report that the Assembly proceeded to Government House, where I informed his Excellency the Governor that immediately after the

opening of Parliament to-day, the Legislative Assembly, in the exercise of their undoubted right, had proceeded to the election of their Speaker, that the choice had fallen upon me, and that I had now to present myself to his Excellency as their Speaker, whereupon his Excellency was pleased to offer me his congratulations. I then, on behalf of the House, laid claim to all their rights and privileges, particularly to freedom of speech in debate, to free access to his Excellency when occasion should require, and that the most favourable construction should, on all occasions, be put upon their language and proceedings, to all of which his Excellency readily assented.

ASSENT TO BILLS.

Royal assent to the following bills reported:—

Friendly Societies (Amendment) Bill.
 State Cannery (Sale) Bill.
 Public Service Salaries (Further Amendment) Bill.
 Gas and Electricity Bill.
 Forestry (Amendment) Bill.
 Cinematograph Films (Australian Quota) Bill.
 Wool, Hide and Skin Dealers Bill.
 Companies (Liquidation) Bill.
 Returned Sailors and Soldiers' Imperial League of Australia (New South Wales Branch) Incorporation Bill.

THE KING'S JUBILEE.

Mr. SPEAKER announced that he had received the following communication from his Excellency the Governor:—

Government House,
 Sydney, 1st May, 1935.

Dear Sirs,

I have the honour to acknowledge the receipt of your letter of the 26th ultimo, and to inform you that it has afforded me pleasure to transmit this day to his Majesty the King the address of congratulation to his Majesty which has been adopted by both Houses of Parliament in New South Wales on the occasion of the Silver Jubilee of his Majesty's accession to the Throne.

Yours faithfully,

A. HORE-RUTHVEN,
 Governor.

The Honorable the President of the Legislative Council and the Honorable the Speaker of the Legislative Assembly.

LEADER OF THE OPPOSITION.

Mr. LANG: I have to announce my appointment to the position of leader of the Opposition.

Mr. STEVENS: May I congratulate the hon. member for Auburn on his election to the position of leader of the Opposition?

LEAVE OF ABSENCE.

Leave of absence for the session granted—on motion—to the Hon. J. M. Dunningham, on account of absence from the State.

THE LATE HON. DAVID WATKINS,
 M.H.R.

Mr. SPEAKER reported that since the last meeting of Parliament he had received a communication from Miss Alma Watkins, thanking the House for its resolution of sympathy on the death of her father, the Hon. David Watkins, M.H.R., formerly a member of the Legislative Assembly.

THE LATE SIR THOMAS HENLEY,
 K.B.E.

Mr. STEVENS (Croydon), Premier, Colonial Treasurer, and Minister for Public Works [2.27]: I move:

(1) That this House desires to place on record its sense of the loss this State has sustained by the death of Sir Thomas Henley, K.B.E., formerly a member of the Legislative Assembly and a Minister of the Crown in the State of New South Wales.

(2) That Mr. Speaker be requested to communicate to Lady Henley the above resolution, together with an expression of the sympathy and sorrow of the members of the Legislative Assembly of New South Wales in the loss of her husband.

I move the motion with a very great sense of regret, which, I am sure, is shared by hon. members on both sides of the House. The late Sir Thomas Henley had a very long and very honourable career in the public life of the State. He entered the Legislative Assembly in August, 1904, and until the dissolution of the Parliament which this one succeeds, he sat continuously in the House as member for Burwood, or as member for a district of which Burwood is part, for a period of over thirty years. That in itself is a remarkable record, and

an achievement of no mean merit. The late hon. member's service was of such a character that he threw the whole weight of his personal effort into it. He never spared himself in serving his constituents. For a brief period Sir Thomas Henley occupied Cabinet rank in Sir George Fuller's Administration, but, with the exception of that short period of a few months, he sat as a private member during the whole of his long term in Parliament. He was always, as hon. members who were associated with him can testify, a very keen debater, and while not a frequent participant in the debates he was a fluent speaker, and a fair opponent, who marshalled his facts and presented his case with a unique force and directness that was all his own, but which, nevertheless, always enabled him to present his argument fearlessly and truthfully, and in a way that commanded the respect and admiration of hon. members on both sides of the House.

The late Sir Thomas Henley came to this country a little more than fifty years ago, possessed of no capital, and no resources, save those which were embodied in his skill as a craftsman, and in his ability and determination to succeed. From his very small beginning as a tradesman he built up for himself a substantial competence and became identified with the local life of the district in which he made that competence. He became known and recognised by all sections of the community as an employer who was just and fair and, while at all times he expected of his employees that they should render a full return for their employment, he was generous in his treatment of them. He was a living example of the possibilities, and opportunities of development and progress which the country then showed, and which, in a personal, business and national sense were then in evidence, as they still are in evidence in New South Wales. In his commercial life and business career, he has left behind him a record in which can be recognised the principles of straight dealing, a record which is respected by all.

I suggest that this House appropriately record its appreciation of his life. As a public man, long before he entered this House, he was identified with local government life. He was for many years mayor and alderman of Drummoyne, and at one time he was receiver and administrator of one of the suburban areas. His services in the field of local government were distinguished by many notable achievements. When he entered this House, he continued to serve his district and also the whole of the metropolitan area, in the local council and as a member of the Metropolitan Water, Sewerage and Drainage Board. In the passing of Sir Thomas Henley, a quite unique and remarkable figure in the public life of this State passes. He will be missed by many friends in the House and in the city and throughout the State. Notwithstanding the fact that he vigorously expressed his ideas and views at all times, his vigour and outspokenness in debate never interfered with his friendship and kindly disposition, which, I believe, hon. members on all sides of the House consistently experienced. I desire to express to Lady Henley and to the late Sir Thomas Henley's son and daughters our deepest sympathy at their great loss, and on behalf of the House I desire to record the very keen appreciation of hon. members of the type of public service standing to the credit of one whose record was so long and honourable.

Mr. LANG (Auburn) [2.34]: I join with the Premier, on behalf of hon. members of the Opposition and myself, in asking that there be conveyed to Lady Henley and the late Sir Thomas Henley's daughters and son, the sincere regret of hon. members in their sad bereavement. I only know of Sir Thomas Henley in his public life. He was a very energetic and outspoken speaker and a very breezy debater in the House. He was such a member of Parliament and public man that everyone knew where he stood—he made no pretence about it. He had very strong convictions. Although those convictions were entirely opposed to those of the members of the Labour party and

myself, the effect of his fearless advocacy of them was that no ill-feeling ever existed between him and the members of the Labour party. He knew where we stood, and we knew where he stood. There was a difference between us in political thought and in view, and every possible difference that could exist between men in politics, but his views were based on his convictions, and he expressed them at all times and in all places in a manly way. He always approached hon. members in a friendly spirit, and that spirit was reciprocated because we knew that we were dealing with a gentleman who was speaking from intense convictions. Throughout his public life he rendered good service to the country, both in the Government and in his Parliamentary life. A man such as the late Sir Thomas Henley, who gave his services because of his convictions, and advocated his views in a straightforward and downright manner, earns the respect of all. I join most sincerely with the Premier in expressing our deep regret at the bereavement sustained by Lady Henley and her son and daughters.

Mr. QUIRK (Balmain) [2.38]: I very sincerely deplore the loss to the House and the country by the death of a very old friend. No hon. member had a greater knowledge of, or longer acquaintanceship with the deceased than I had. My friendship with him extends back over 40 years, when he started from the bottom rung of the ladder as an industrial worker. During that time a friendship sprang up between the deceased and my relatives, and nobody deplores his loss more than they. As an employer of labour the late Sir Thomas Henley always regarded the worker in a humane way. His political outlook, whatever it may have been, was based on sincere convictions. He was imbued with a kindness of heart which many hon. members did not fully appreciate. As the years rolled by he attained a more prosperous financial position, and after laying down his tools of trade as a plasterer, he became a property-owner. From personal observation I know that

no landlord exhibited more humane consideration for his tenants than he did, particularly during the distressful years of the depression. The well-known poem "Not Understood" aptly describes the position of a number of people. By many who had but a passing acquaintance with him, the late Sir Thomas Henley was not understood; but by all who knew him well he was really understood and appreciated. In whatever capacity he was engaged, our late colleague stood stoutly by his principles and followed the course he believed to be right. During the many years that he devoted to municipal and State service none could point the finger of scorn or rightly claim that he had done anything that was intended to be hurtful to anybody. Not only has Parliament lost a worthy representative, the State has lost an esteemed citizen. Those who knew him intimately have lost a beloved friend; the constituents whom he represented so faithfully for thirty-one years, a kindly adviser and champion. I associate myself feelingly with the motion, and trust that the message it embodies will bring some measure of consolation to Lady Henley and the children of our departed colleague.

Mr. JACKETT (Burwood) [2.43]: As the new member for the electorate so ably represented by the late Sir Thomas Henley for thirty-one years, and on behalf of its constituents, I desire to associate myself with this motion. I have a personal knowledge of the splendid services rendered to the Burwood constituency by the late Sir Thomas Henley, and I know, too, of his labours in the wider sphere referred to by the Premier and other speakers. I realise that, in following the steps of the late Sir Thomas Henley, I have a high standard to maintain. He was a great Australian and a great Britisher, and the State is the poorer for his passing.

Major SHAND (Hornsby) [2.44]: I wish to add my measure of respect to the memory of our late colleague, Sir Thomas Henley, and to join in the expressions of sympathy uttered by the Premier, the leader of the Opposition

and the hon. member for Balmain and Burwood towards Lady Henley and her children.

As one who was associated with the late Sir Thomas Henley before he entered these legislative halls, I can speak with an intimate knowledge as to the worthiness of his citizenship, of his work as an alderman, a legislator, and later of his labours in connection with the Australian Imperial Force, to which he was appointed by the Government to conduct important operations in London and Egypt. He landed in Australia a poor man, but eventually made good in this land of opportunity which leaves its doors wide open to anyone who is willing to come here and work. He knew his failings, although he had few, but by paying strict attention to his duty and toiling throughout the night he placed himself in a position which was later recognised by his Majesty the King when the honour of Knight of the British Empire, which he well deserved, was conferred upon him. Unfortunately, he lost one of his sons during the war, an event which affected him greatly in his later years. In reviewing the attainments of Sir Thomas Henley I am reminded of these words of Longfellow:

The heights by great men reached and kept
Were not attained by sudden flight,
But they, while their companions slept,
Were toiling upward in the night.

I can pay no greater tribute than that to a man who toiled for the benefit of his associates and the citizens of this State. I join in the expression of sympathy to Lady Henley, the Misses Henley and the son, in their great bereavement.

Mr. S. A. LLOYD (Concord) [2.47]: I wish to identify myself with the expression of sympathy that is being extended to the relatives of the late Sir Thomas Henley. I was associated with him for many years as a member of the Metropolitan Water, Sewerage and Drainage Board, and later in this House. He rendered valuable service to the metropolitan area, and many of the works established by the board stand as a monument to his foresight, practical

knowledge and ability. I became intimately associated with Sir Thomas Henley during my membership of this House in the last three years, and it was that close association which enabled me to judge him at his true worth. Although I did not always agree with his policy or his principles, I can truly say that all his actions were animated by a desire to do what was right for the district which he represented, and for the metropolitan area generally. In his death, this State has lost a valuable citizen, whom it will be difficult to replace. I join in the expression of sympathy to Lady Henley, her daughters, and son.

Hon. members rising in their places,
Question resolved in the affirmative.

LAW OF EVIDENCE BILL (*formal*).

Bill presented and read a first time.

GOVERNOR'S MESSAGE.

Mr. SPEAKER: I have to report that the House this day attended the Commissioners in the Legislative Council Chamber, where a Commission for opening Parliament was read, and a message to the Assembly was delivered, which message I shall now read to the House.

Message read.

CHAIRMAN OF COMMITTEES.

Motions of urgency and for suspension of standing orders agreed to.

Mr. J. T. REID (Casino) [2.54]: I move:

That William Whaley Hedges, Esquire, be Chairman of Committees of the whole House. Mr. Hedges has been a member of this House since 1927. During the earlier part of that period he took part in its proceedings and in the debates, and for two years of the last Parliament he acted as Chairman of Committees, having been elected to the position on the death of the late Mr. Missingham. During his occupancy of the office he performed his duties to the satisfaction of members on all sides of the House. His decisions were given with firmness, tact and lucidity, and at all times he upheld the high traditions of his honourable office. During the unfortunate absence

of the Speaker through illness last year, Mr. Hedges very ably filled the office of Deputy-Speaker to the satisfaction of all hon. members. Therefore, I have much pleasure in nominating Mr. Hedges as Chairman of Committees.

Mr. PRIMROSE (North Sydney) [2.57]: I desire to second the motion and to endorse the remarks of the hon. member for Casino with reference to the qualifications of Mr. Hedges. Mr. Hedges demonstrated to the last Parliament that he has the knowledge and the temperament that are essential to successfully carry out the duties of Chairman of Committees, and I am quite sure if he is re-elected he will continue to discharge those duties in the same efficient and tactful manner as he has done in the past.

Mr. LANG (Auburn) [2.58]: I move:

That Christopher Augustus Kelly, Esquire, be Chairman of Committees of the whole House.

While not disputing the qualifications claimed by the mover and seconder of the motion on behalf of the hon. member for Monaro, I submit they can with equal force be put forward on behalf of the hon. member for Bathurst. The election of the Speaker and the Chairman of Committees is said to rest with members of the House and is supposed to be non-party. Hon. members go out to their constituencies and talk about their sincerity and their convictions; they say they believe in what they put forward and that they pass legislation because they approve of it as being right and proper, and because it ought to be placed on the statute book and carried out in the interests of the country. There is a great deal of agitation going on at the present time about a certain piece of legislation that was recently passed with reference to giving preference to returned soldiers. While the hon. member for Monaro may have all the qualifications that have been put forward in support of his candidature, I submit the hon. member for Bathurst has all those qualifications plus an addition qualification that must of necessity lead to his election to this position, judging by the past actions of hon. mem-

bers, in that Mr. Kelly is the only returned soldier offering. I am not aware whether the Whip of the Country party has made proper inquiries at the Labour Bureau to see whether or not the name of the candidate he puts forward has been registered for employment there, but when hon. members sought the suffrages of the people they told the people they believed that the men who went and served their country during the war should have preference of employment, and that nothing was too good for them; they said that the legislation giving them preference had been too long delayed, and that no one should be given a job while a returned soldier was out of one. Here is a job that is within the keeping of hon. members. Here is a position they have to fill, and here are two men, both of whom are otherwise well qualified. It is not a question of which is the better qualified. I am not going to argue that point because I accept the argument that they are equally fitted. Everyone knows the qualifications of the hon. member for Bathurst. Everyone knows his temperament. Everyone knows that he is eminently fitted for the position, but above all he has the additional right to be entitled to preference because he is a returned soldier.

Mr. FOSTER: What about nominating him as leader of the Opposition?

Mr. LANG: The hon. member can move in that direction, if he likes. There is nothing to prevent him from moving in any direction he pleases. The question of the election of the Chairman of Committees is now before the House and the legislation passed by the Government should apply now.

Mr. THOMAS: Not to this motion!

Mr. LANG: The public want to know where the supporters of the Government stand. The position is in their giving. Is it only in connection with a job at the end of a pick and shovel that preference is to be given? Is preference only to be given in connection with a job where there is hard toil and where a man has to scratch and moil to get a bare crust? Are those the only kind of

jobs in connection with which preference is to be given to returned soldiers? Here is a job that is something higher. Are members of Parliament, who made this law, going to sit in their places and say, "We will give preference to the soldier, but only in connection with the lowest-paid jobs—the jobs that entail the hardest work at the end of a pick and shovel." I am asking the Government and its supporters to give preference to a returned soldier. Two men have been put forward for this position, but one of them went to the war and the other did not. Are hon. members opposite going to give preference to the hon. member for Bathurst? Both men in all things have equal status in the House. They stand equal in everything that pertains to the difficulties of the job, and if hon. members opposite are sincere in their attitude that, all things being equal, a job should go to a returned soldier, the hon. member for Bathurst will be given this position.

MR. A. E. REID: Does the hon. member believe in his argument?

MR. LANG: I am throwing your argument back in your teeth, and I am asking you to stand up to what you profess. I submit that the hon. member for Bathurst should be elected Chairman of Committees of this House, as he is qualified in every way to fill the office, and he has the additional recommendation of being a returned soldier.

MR. DAVIDSON (Cobar) [3.4]: I second the motion moved by the leader of the Opposition that the hon. member for Bathurst should be elected Chairman of Committees of this House. I do not say that the qualifications of both candidates are equal. I say deliberately that I believe the qualifications of the hon. member for Bathurst surpass those of the hon. member for Monaro.

AN HON. MEMBER: You are making the hon. member for Bathurst blush!

MR. DAVIDSON: What would cause the hon. member who interjected to blush would make a cold crowbar sweat. The hon. member for Bathurst is a fit and proper person for the position for which he has been nominated. He has

had seven years' experience in this House and temperamentally he is fitted to be Chairman of Committees. He is most impartial, and that is more than I can say for the Government's nominee, of whom I have had experience, and who, I am satisfied, does not understand the standing orders, or parliamentary procedure, or anything pertaining to the office. I am sure that the hon. member for Bathurst does. Furthermore, as the leader of the Opposition has pointed out, the hon. member for Bathurst is a returned soldier. I do not subscribe to the policy of giving preference to returned soldiers, and I want hon. members on the Government benches to let that sink into their minds. I realise that if anything is owing to the men who went to the war, rightly or wrongly, it is up to the present Government to pay them all that they were promised when those men were induced to go overseas. That was not preference. Men who advocate the policy of preference to returned soldiers, and who themselves never went to the war, remind me of the late Mark Twain, who said that he was prepared to sacrifice the whole of his wife's relations on the altar of patriotism. That is the attitude adopted by hon. members who support the Government, and who prate about preference to returned soldiers.

On the last occasion when it was necessary to elect an hon. member of the House to this position, which is next in importance to that held by Mr. Speaker, I nominated a returned soldier—not because he was a returned soldier, but because the Government said it was necessary to give preference to such men. I nominated the late Major Hugh Connell, against whose character and ability I defy any man to say one word. Apparently it does not matter what are the qualifications of any member nominated for the position of Chairman of Committees by hon. members on this side of the House. The fact is that the filling of the position is now a matter of spoils to the victors. The object of the Government's action is to placate the United Country party. Members of that party demand certain

privileges. They say that if they are not given concessions they will not support the Government. That is why the hon. member for Monaro has been nominated for the Chairmanship of Committees. He has not been nominated because hon. members on the Government benches think he has the necessary ability or the qualifications for the position that the hon. member for Bathurst possesses. Hon. members on the Government benches will vote for the hon. member for Monaro because they are compelled to do so, apart altogether from the hon. member's ability to properly fill the position. I had one experience with Mr. Hedges during last session; I think his attitude was purely personal. Every time I rose to speak on any bill, particularly concerning amendments in Committee, Mr. Hedges called me to order straight away. On one occasion, he even called upon the Minister in charge of the House to take "appropriate action" as he called it; and he did not know what the words "appropriate action" meant. Mr. Fitzsimons happened to be in charge of the Chamber at the time, and he understood and knew what drastic action the Deputy-Speaker was suggesting. Mr. Hedges would have had me suspended simply because I agreed to disagree with his views. I want to call attention to the absurdity of placing a man of such a temperament in charge of the affairs of the House, and particularly when bills are in Committee. Mr. Hedges does not understand the standing orders, and there is no possibility of getting past him. Standing order 162 reads:

Objections to Decisions of the Chairman of Committees.

If any objection is taken to a ruling or decision of the Chairman of Committees, such objection must be taken at once; and having been stated in writing, and if the Committee so decide (no debate being allowed, except a statement of the objection limited to ten minutes), the Chairman shall leave the Chair, and the House resume, and the matter be laid before the Speaker. . . .

I want to draw attention to the fact that on every occasion when hon. members in Opposition move motions of

dissent against the ruling of Mr. Hedges, as Chairman of Committees, it is necessary, first of all, for the motion of dissent to be put in writing, and then the Chairman himself, who is the offending party, puts the question. Hon. members troop in—

Mr. SPEAKER: Order! If the hon. member wishes to criticise any action of Mr. Hedges as Chairman of Committees in the past, he may do so at this stage, but I can hardly allow him to enter into a discussion of the merits of the standing orders. That is a different matter altogether.

Mr. DAVIDSON: I was complaining of the action of the Chairman of Committees. I was pointing out that it is impossible for hon. members on this side of the House to get over the difficulty that arises, in getting a motion of dissent placed before the Speaker.

Mr. SPEAKER: Order! I quite understand the argument of the hon. member, but I again tell him that he is confined now in his remarks to criticism of Mr. Hedges. Any criticism he likes to level against anything Mr. Hedges has done, is perfectly legitimate at this stage. If the hon. member wishes to enter into a discussion on the standing orders, however, I cannot allow him to do so.

Mr. DAVIDSON: I am glad to know that I have made myself understood by Mr. Speaker. While the standing order to which I have referred is in existence, and while we have a Chairman of Committees of the temperament of Mr. Hedges, who does not really understand the standing orders and is not prepared to give any latitude at all to hon. members, particularly in Committee, it will be impossible for hon. members on this side of the House to conduct the business of the House in the manner they desire it should be conducted. We all realise that the standing orders are somewhat difficult, but better progress would be made if there were an impartial chairman who was prepared to allow a reasonable amount of discussion. When moving an amendment to a bill, it is not always possible for a speaker to confine himself to the exact wording of the

amendment, and sometimes it is necessary for an hon. member to review certain happenings in order to place matters fairly before the House. When the hon. member for Monaro is in the chair he usually says, "No, that is not the amendment." I say that if a man allows personal bias to affect his decisions in the House he is not a fit and proper person to hold that position. The hon. member for Bathurst is in a different category, and stands out as one pre-eminently suited for the position of Chairman of Committees.

Mr. SHANNON (Phillip) [3.17]: I agree with the previous speaker. In my opinion the hon. member for Monaro, the nominee of the Government, is not a fit and proper person to hold the position. I am one of the most regular in my attendances in the Chamber, and have had the opportunity of judging the suitability of the candidate put forward by the Government. I desire to refer to the difference in the state of the House when you, sir, are personally in the chair and when the hon. member for Monaro or any other hon. member is occupying it. In my opinion members of the Opposition do not receive fair treatment from the hon. member for Monaro when he is in the chair. I admit that I am pretty free in my interjections, but if he does not desire interjections he immediately calls the speaker to order, and says that if any further interjections are made the Serjeant-at-Arms will be called upon to remove the hon. member from the Chamber. That is hardly what one would expect from the occupant of the chair. Many Ministers and other hon. members invite interjections, but if a member of the Labour party attempts to interject while a Minister is speaking the hon. member for Monaro generally calls him to order quickly, although he freely permits any hon. member on the Government side to interject when a member of the Opposition is addressing the House.

During your absence through ill-health, when the hon. member for Monaro was in the chair, the position of hon. members of the Opposition was anything but happy, and they did not

receive from him the same treatment as you always accord them. I think that the hon. member for Cobar has hit the nail on the head. We have five Deputy-Chairmen, three from the United Australia party, one from the United Country party, and one from the Australian Labour party, and it appears as though there is some arrangement with the Government that the Speakership belongs to the United Australia party and the Chairman of Committees to the United Country party. When the late Mr. Missingham, who at the time was hon. member for Lismore, passed away, there were several Temporary-Chairmen of Committees who, on the score of both ability and temperament, were better fitted to act as Chairman of Committees than was the hon. member for Monaro. If members of the Country party really seek to have one of their number fill the position, why do they not nominate the hon. member for Namoi, who has given some degree of satisfaction when filling the position of Temporary-Chairman of Committees, and has greater qualifications, both as regards ability and temperament, than the hon. member put forward by the Government?

The Labour party has submitted the name of the hon. member for Bathurst as a protest against the nomination of the hon. member for Monaro, and also to test the sincerity of Government supporters concerning their professions of faith in connection with the principle of preference to returned soldiers. On looking up the records of the debate at the time when the hon. member for Monaro was last elected, on the 22nd June, 1933, I find that the names of Mr. Hedges and Major H. J. Connell, D.S.O., M.C., were submitted for the position of Chairman of Committees. On that occasion supporters of the candidates carefully refrained from making any mention of their desire to give preference to returned soldiers, and it was not stated that the late Major Connell was a returned soldier. An examination of the division reveals that the twenty-three hon. members who supported the late Major Connell all

belonged to the Labour party, while the fifty-four who voted against him were members of the United Australia party and United Country party, all of whom are professedly in favour of the principle of preference to returned soldiers. It is obvious that hon. members opposite did not then give effect to their so-called principles. Yet, during a debate that took place on the eve of the last general election, when the gag was applied after only one member of the Opposition, its deputy-leader, had been permitted to speak, the Government stoutly maintained that it was out to see that preference should be given to returned soldiers on every conceivable occasion. The present hon. member for Bathurst is a returned soldier, who served his country abroad during the Great War, and the opportunity now presents itself for hon. members opposite to prove that their claims are not merely lip-service, and particularly for the returned soldiers among them to stand by and help a comrade.

I cannot support the motion submitted by the Government that the hon. member for Monaro should be elected to the position, as he is not temperamentally fitted for it, and I hope that the House will accept the amendment moved by the leader of the Opposition. Earlier in the day, sir, hon. members referred to your impartiality in the chair, and the unanimity of the vote that elected you adequately expressed their satisfaction in that regard. I regret that I have to speak in this strain, but I am of the opinion that the occupant of the position of Chairman of Committees should also have the complete confidence of hon. members.

MR. SPEAKER: The hon. member for Casino has moved that Mr. W. W. Hedges be appointed Chairman of Committees and the leader of the Opposition has moved that Mr. C. A. Kelly be appointed to that position. I regard those as two substantive motions. I do not regard the second as an amendment of the first motion. Therefore, in accordance with the practice which I have always adopted, I shall put the original

motion, and if that is carried there will be no necessity to put the second motion.

Question—That Mr. W. W. Hedges be Chairman of Committees—put. The House divided:

Ayes, 50; noes, 29; majority, 21.

AYES.

Ardill, G. E.	Morton, M. F.
Ball, R. T.	Moverly, A. H.
Bate, H. J.	Ness, J. T.
Bennett, C. E.	Primrose, H. L.
Brown, M.	Reid, A. E.
Bruxner, Lt.-Col.	Reid, J. T.
Buttenshaw, E. A.	Reid, Major
Carter, H. C.	Richardson, A.
Chaffey, Captain	Ross, W. F. M.
Drummond, D. H.	Sanders, E. L.
Elliott, H. O.	Shand, Major
Fitzsimons, H. P.	Sinclair, C. A.
Fleck, Dr.	Solomon, E. S.
Foster, W. F.	Spooner, E. S.
Frith, W.	Stevens, B. S. B.
Hankinson, R. H.	Thomas, N.
Howarth, W. A. H.	Tonking, A. U.
Jackett, H. G.	Vincent, R. S.
Jackson, J.	Wade, B. M.
Kilpatrick, M.	Webb, Dr.
Lawson, J. A.	Wilson, G. A. L.
Lloyd, Brig.-Gen.	Yeo, A. W.
Main, H.	
Mair, A.	<i>Tellers.</i>
Martin, L. O.	Budd, A. E.
Monro, C. O. J.	Walker, R. B.

NOES.

Arthur, J. G.	Knight, H.
Badddeley, J. M.	Lang, J. T.
Booth, G.	Lazzarini, C. C.
Burke, Frank	McGirr, James
Cahill, J. J.	McKell, W. J.
Carlton, W. J.	Matthews, C. H.
Clyne, D.	O'Sullivan, M.
Davidson, M. A.	Quirk, J.
Davies, W.	Shannon, T. J.
Dunn, Captain	Stanley, F.
Gorman, R. D.	Sweeney, J. T.
Hawkins, F. H.	Tully, J. M.
Heffron, R. J.	<i>Tellers.</i>
Horsington, E. M.	Cameron, R.
Kelly, C. A.	Tonge, A.

Question so resolved in the affirmative.

MR. HEDGES (Monaro) [3.31]: I desire to express to the House my appreciation at having been re-elected as Chairman of Committees. During the tenure of my office I will endeavour to carry out my duties impartially and fairly with respect to all members of the House.

TEMPORARY CHAIRMEN OF COMMITTEES.

Mr. SPEAKER nominated Mr. H. J. Bate, Mr. W. F. Foster, Mr. R. J. Heffron, Mr. J. T. Ness, and Mr. C. A. Sinclair to act as Temporary Chairmen of Committees.

ADJOURNMENT.

GOVERNMENT BUSINESS—RELIEF ISSUES.

Mr. STEVENS (Croydon), Premier, Colonial Treasurer, and Minister for Public Works [3.33] I move:

That this House do now adjourn until Wednesday next at 2.30 p.m.

I desire to inform the House, in moving this resolution, that it is proposed subsequently and before Wednesday next to prorogue this very brief session. The Government then intends to call the House together for the purpose of giving effect to its legislative programme, probably during the last week in August or the first week in September. I desire also, in moving this motion, to express on behalf of the Government and myself appreciation of members on all sides of the House for the way they have co-operated with the Government in facilitating the business which has been brought before the House to-day.

Mr. BADDELEY (Cessnock) [3.34]: I wish to bring under the notice of the House the laxity of some departments in dealing with urgent matters, such as applications for blankets, railway passes, and dental treatment. I do not know whether it is wilfully done. Doctors' certificates are presented, yet a certain apathy is displayed by certain departments. I do not know whether the reason is that the Government anticipated going out of office, and that another party would be in power, but it is a fact that some of the departments are not acting in a satisfactory manner. I bring this matter forward, seeing that it is the intention of the Government to prorogue for two or three months, so that more attention will be given by the departments, especially during the winter months, to helping persons who are in distress. I hope the Premier will take notice of my representations, and that in future these matters will be managed differently from what they have been during the past three weeks.

Question resolved in the affirmative.

House adjourned at 3.35 p.m. until
Wednesday, 19th June.