

NEW SOUTH WALES.

PARLIAMENTARY DEBATES.

THIRTY-SIXTH PARLIAMENT—FIRST SESSION.

Legislative Council.

Wednesday, 12 July, 1950.

Opening of Parliament—Assent to Bills—Leave of Absence—New Administration (Ministerial Statement)—Law of Evidence Bill (*formal*)—Chairman of Committees—Temporary Chairmen of Committees—Floods in New South Wales—Special Adjournment—Adjournment (Health of the President—Korean War).

OPENING OF PARLIAMENT.

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

The PRESIDENT took the Chair.

The opening Prayer was read.

The Clerk read the proclamation.

The President acquainted the House that His Excellency the Governor had been pleased to cause a Commission to be issued under the Great Seal of the State, appointing the Hon. Ernest Henry Farrar, President of the Legislative Council, the Hon. Robert Reginald Downing, LL.B., Minister of Justice and Vice-President of the Executive Council, and Lt.-Colonel the Hon. Thomas Steele, Chairman of Committees of the Legislative Council, Commissioners for the opening and holding of this Parliament.

A message was forwarded to the Assembly that the Commissioners desired their immediate attendance to hear the Commission for the opening of Parliament read.

The Assembly being come,

The President notified the issue of the Commission empowering the Commis-

sioners to do all things necessary for the opening and holding of the present Parliament.

The Clerk read the Commission.

The President said:

"MEMBERS OF THE LEGISLATIVE ASSEMBLY,—

We have it in command from the Governor to let you know that, it being necessary that a Speaker of the Legislative Assembly be chosen, it is His Excellency's pleasure that you, members of the Legislative Assembly, repair to your Chamber and there, after members shall have been sworn, proceed to the election of one of your number to be your Speaker."

The Assembly then withdrew.

[The President left the Chair at 12.8 p.m.
The House resumed at 4.30 p.m.]

ASSENT TO BILLS.

Royal assent to the following bills reported:

Camperdown Cemetery (Amendment) Bill.

Dairy Industry (Amendment) Bill.

Bread Manufacture and Delivery Bill.

Government Railways and Transport (Amendment) Bill.

Liverpool Cemetery Bill.

Factories and Shops (Hairdressers) Amendment Bill.

Co-operation (Amendment) Bill.

Meat Industry (Amendment) Bill.

Workmen's Compensation (Broken Hill) Amendment Bill.

Parliamentary Electorates and Elections (Amendment) Bill.

War Service Land Settlement and Closer Settlement (Amendment) Bill.

Coal Mining Industry Long Service Leave Bill.

Electricity Commission Bill.

LEAVE OF ABSENCE.

The President reported the receipt of communications from the Governor intimating that leave of absence had been granted to the Hon. H. W. Whiddon for seven months from 16th May, 1950, and to the Hon. F. G. Pratten for nine months from 9th July, 1950.

NEW ADMINISTRATION.

MINISTERIAL STATEMENT.

The Hon. R. R. DOWNING (Minister of Justice and Vice-President of the Executive Council) [4.32]: I wish to inform the House that on 30th June, 1950, the Premier, with a view to reconstructing the Ministry, submitted his resignation to the Governor, an action which involved the resignation of the whole of his colleagues. His Excellency immediately commissioned Mr. McGirr to form a new Ministry, and on the same date the following gentlemen were appointed by His Excellency as members of the Executive Council and to the offices mentioned: Premier and Colonial Treasurer—The Hon. James McGirr, M.L.A.; Deputy Premier, Secretary for Public Works and Minister for Local Government—The Hon. John Joseph Cahill, M.L.A.; Colonial Secretary, Minister for Co-operative Societies and Assistant Treasurer—The Hon. Clive Raleigh Evatt, K.C., LL.B., M.L.A.; Minister for Education—The Hon. Robert James Heffron, M.L.A.; Attorney-General—The Hon. Clarence Edward Martin, M.Ec., LL.B., M.L.A.; Minister of Justice and Vice-President of the Executive Council—The Hon. Robert Reginald Downing, LL.B., M.L.C.; Minister for Housing—The Hon. Christopher Augustus Kelly, M.L.A.; Minister for Health—The Hon. Maurice O'Sullivan, M.L.A.; Minister for Secondary Industries and Minister for Building Materials—The Hon. William Edward Dickson, M.L.C.; Minister for Agriculture—The Hon. Edgar Hugh Graham, M.L.A.; Minister for Conservation—The Hon. George Weir, LL.B., M.L.A.; Minister for Labour and

Industry and Minister for Social Welfare—The Hon. Francis Joseph Finnan, M.L.A.; Minister for Transport—The Hon. William Francis Sheahan, LL.B., M.L.A.; Secretary for Mines and Minister for Immigration—The Hon. Joshua George Arthur, M.L.A.; Minister without portfolio—The Hon. Francis Harold Hawkins, M.L.A.; Secretary for Lands—The Hon. John Brophy Renshaw, M.L.A.

LAW OF EVIDENCE BILL (*formal*).

Bill presented and read a first time.

CHAIRMAN OF COMMITTEES.

Motion for suspension of standing orders agreed to.

The Hon. H. E. HORNE [4.35]: I move:

That Lt.-Colonel the Hon. Thomas Steele be Chairman of Committees of the whole House.

In doing so I need scarcely remind hon. members that Lt.-Colonel Steele has for some years filled the position of Chairman of Committees with dignity and distinction, and his impartiality has at no time been questioned. I am confident that all hon. members will be pleased to re-elect him.

The Hon. F. W. SPICER [4.36]: I have much pleasure in seconding the nomination of Lt.-Colonel the Hon. Thomas Steele for the position of Chairman of Committees of this House. I am sure that all hon. members will agree with the mover of the motion that the hon. gentleman has performed his duties with strict impartiality. He has at all times upheld the dignity of this Chamber and will in the future continue to do so. His occupancy of the chair has reflected credit on himself and has done honour to this House.

Motion agreed to.

Lt.-Colonel the Hon. T. STEELE [4.37]: Once again I have the privilege of thanking the House for the honour that it has done me in re-electing me to the office of Chairman of Committees of the whole House. I thank you, Mr. President, and hon.

members generally, for the sincerity and the help that I have at all times received while I have occupied the chair. I know that that assistance will be forthcoming in my new term. I thank the Hon. Mr. Horne and the Hon. Mr. Spicer for their generous remarks, and, in conclusion, I give my thanks to the Clerk of the Parliaments and his staff for the able manner in which they have always helped me while I have been in the chair.

TEMPORARY CHAIRMEN OF COMMITTEES.

The President nominated the following hon. members to act as Temporary Chairmen of Committees during the present session: The Hon. Frank William Spicer, the Hon. Leon Samuel Snider, and the Hon. Ernest Gerard Wright.

FLOODS IN NEW SOUTH WALES.

The Hon. R. R. DOWNING (Minister of Justice and Vice-President of the Executive Council) [4.38]: I move:

That this House desires to express its deepest sympathy with all who suffered bereavement or sustained loss and damage as a result of the recent disastrous floods in this State, and records its admiration of the endurance and courage displayed by those affected, and by all who so readily assisted in the work of rescue and the alleviation of distress.

I think that no hon. member can find words adequately to describe the suffering and loss that have been experienced by the unfortunate residents of the flood-stricken areas of the State, and the House, by carrying this motion, will be expressing its sympathy for those who have suffered so severely. Until recently there was for some years an absence of these happenings, and consequently we have all been prone to overlook the danger that is ever present when heavy and continuous rain falls on the catchment areas of the streams. Disastrous floods such as those that have recently been experienced are now of all too frequent occurrence, and their repetition has, I am sure, brought to the people of the State a realisation of the

necessity for taking action to prevent further disasters of the same kind. Hon. members will appreciate my difficulty in finding words adequate to describe the sympathy that we all feel for those deserving members of the community who have lost relatives and for those who have suffered serious economic loss as a result of the recent floods. I move the motion confident that all hon. members will join with me in extending the sympathy of this Parliament to those concerned.

The Hon. E. C. SOMMERLAD [4.41]: This is a proper motion to present to the House and I am glad indeed that the Minister has moved it. Nature can be very cruel even in its prodigality, as has been shown on this and on other occasions mentioned by the Minister. It is a matter for satisfaction that not only this government but also the Commonwealth Government has translated its sympathy for these unfortunate victims by its action in assisting in their rehabilitation in a practical form by making available grants from public funds. That action must be taken quickly to be effective and I am glad that no delay has occurred in providing financial assistance to those who have suffered such heavy losses. However the House should not be content to let the matter rest there. This is not a calamity affecting a number of persons for a temporary period; on the contrary the control of rivers and the conservation of water should be undertaken on a national scale to safeguard residents along river banks. I hope that as soon as opportunity offers the Government will take positive action to prevent the periodical recurrence of floods. I have noticed that the question of removing some towns from the flood areas has been discussed, but whether that is a practical proposition at this stage of their development is another question. However, it is possible to control the flow of rivers and to build dams in appropriate places so as to safeguard primary producers living in towns adjacent to rivers that periodically cause these

catastrophes. That action has been taken in other places and I hope that we will not be content merely with an expression of sympathy no matter how sincere it might be—and no one questions its sincerity. We must go beyond the terms of the motion and tackle the problem once and for all so that these tremendous national and personal losses that shock the whole community may be prevented. I congratulate the Minister on moving the motion and am pleased indeed to lend it my support.

Hon. members and officers of the House standing in their places,

Motion agreed to.

SPECIAL ADJOURNMENT.

Motion (by the Hon. R. R. Downing) agreed to:

That this House at its rising to-day, do adjourn until Thursday, 27th July, 1950, at four o'clock p.m., unless the President, or, if the President be unable to act on account of illness or other cause, the Chairman of Committees, shall, prior to that date, by communication to each Member of the House, fix an earlier day and/or hour of meeting.

ADJOURNMENT.

HEALTH OF THE PRESIDENT—KOREAN WAR.

The Hon. R. R. DOWNING (Minister of Justice and Vice-President of the Executive Council) [4.48]: I move:

That this House do now adjourn.

In moving the adjournment I take the opportunity of expressing the pleasure of all hon. members on seeing you, Mr. President, back in the chair after your recent illness, and trust that you have recovered from the indisposition that prevented you from attending to your presidential duties during the latter stages of the last parliament.

Colonel the Hon. H. J. R. CLAYTON [4.49]: I wish to express some regret that the Government has not afforded this mother of Australian Parliaments an opportunity to announce, as I know it would do unanimously, its support of the action taken by the United Nations Organisation following upon the invasion of South Korea. The Commonwealth Parliament unanimously passed a motion on this

matter, and it would have been fortified by the passing of a similar motion by this Parliament. I am well aware that power to legislate for the peace and good order of the Commonwealth in respect of international affairs is vested entirely in the Commonwealth Parliament, but New South Wales is a sovereign State, and it is of the utmost importance that the Parliament of the Mother State should be given an opportunity to express its views and show that it is wholeheartedly behind the Commonwealth. I therefore respectfully ask the Minister in charge of the House to suggest to the Premier and the Government as recently elected that this Parliament be given an opportunity to show that it firmly supports the action of the Commonwealth Government.

The Hon. R. R. DOWNING (Minister of Justice and Vice-President of the Executive Council) [4.52]: In reply: As was properly stated by Colonel the Hon. H. J. R. Clayton, the matter raised by him is one within the legislative prerogative of the Commonwealth Parliament. However, I can assure him that the elected representatives of the people unanimously support the attitude adopted by the United Nations in regard to the conflict in Korea. The New South Wales Labour Government is, of course, part of the Australia-wide Labour Party, the views of which have been adequately expressed by the leader of the Opposition in the Commonwealth Parliament, Mr. Chifley. I can quite understand that the position may be different in States where there are parties not directly associated with the Commonwealth Parliament. For instance, in Victoria and South Australia the name of one party is different from that of the corresponding party in the Commonwealth Parliament. The view of the New South Wales Government is that the attitude of the Australian Labour Party in international affairs has been quite properly expressed by Mr. Chifley in his statement that Labour has always supported the efforts of the United Nations to preserve world peace. Everything

possible was done by the ex-Minister for External Affairs, Dr. Evatt, to further the efficiency of the United Nations Organisation. The attitude of the Australian Labour Party having been clearly stated by its responsible leaders, it would be rather gilding the lily to move a special motion on the subject in this House on behalf of the Government.

The PRESIDENT: Before putting the motion, I wish to thank the leader of the House for his kindly remarks in respect of my recent illness. I have had a trying time, and have had to remain quietly at home. My own medical adviser, Dr. Roy Minnett, diagnosed my trouble and under his skilled treatment I have made good progress towards recovery. I am deeply grateful to him, and I also again thank the leader of the House for his kindly references to me.

House adjourned at 4.55 p.m. until Thursday, 27th July, 1950, at 4 p.m.

Legislative Assembly.

Wednesday, 12 July, 1950.

Opening of Parliament—Members Sworn—Election of Speaker—Presentation of Mr. Speaker—New Administration (Ministerial Statement)—Leader and Deputy Leader of the Opposition—Country Party—Government Whip—Opposition Whip—Assent to Bills—Law of Evidence Bill (*formal*)—Governor's Message—Chairman of Committees—Special Adjournment—Death of the Honourable Ernest Albert Buttenshaw—Death of Mr. William Roy Olifford Bagnall—Floods in New South Wales—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 had been returned.

The Usher of the Black Rod, being admitted, delivered the following message "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. James' McGirr, the Hon. John Joseph Cahill and the Hon. Clive Raleigh Evatt 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 took the oath and subscribed the roll.

ELECTION OF SPEAKER.

Mr. DRING (Auburn) [1.10]: I move:

That William Henry Lamb, Esquire, do take the Chair of this House as Speaker.

Throughout the life of the Thirty-fifth Parliament, the hon. member for Granville occupied the high office of Speaker of this Legislative Assembly, and I am sure it is the view of all members of that Parliament that on all occasions he discharged his duties with dignity, great capacity, and strict impartiality, in keeping with the highest traditions of the British Parliamentary system. Than that one could pay no higher tribute. I have considerable personal pleasure in moving this motion because, prior to entering this Chamber, the hon. member for Granville and I had followed the same profession. Also, he was a civic father and mayor of Auburn, which electorate I now have the honour to represent. I am completely confident that, if the hon. member is re-elected as Speaker, he will conduct the affairs of the Thirty-sixth Parliament with the same impartiality, dignity and ability that he displayed in the Thirty-fifth Parliament.

Mr. CHALMERS (Hartley) [12.15]: I second the nomination of the Hon. William Henry Lamb to the office of